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# PENNSYLVANIA BULLETIN

Volume 42

Number 17

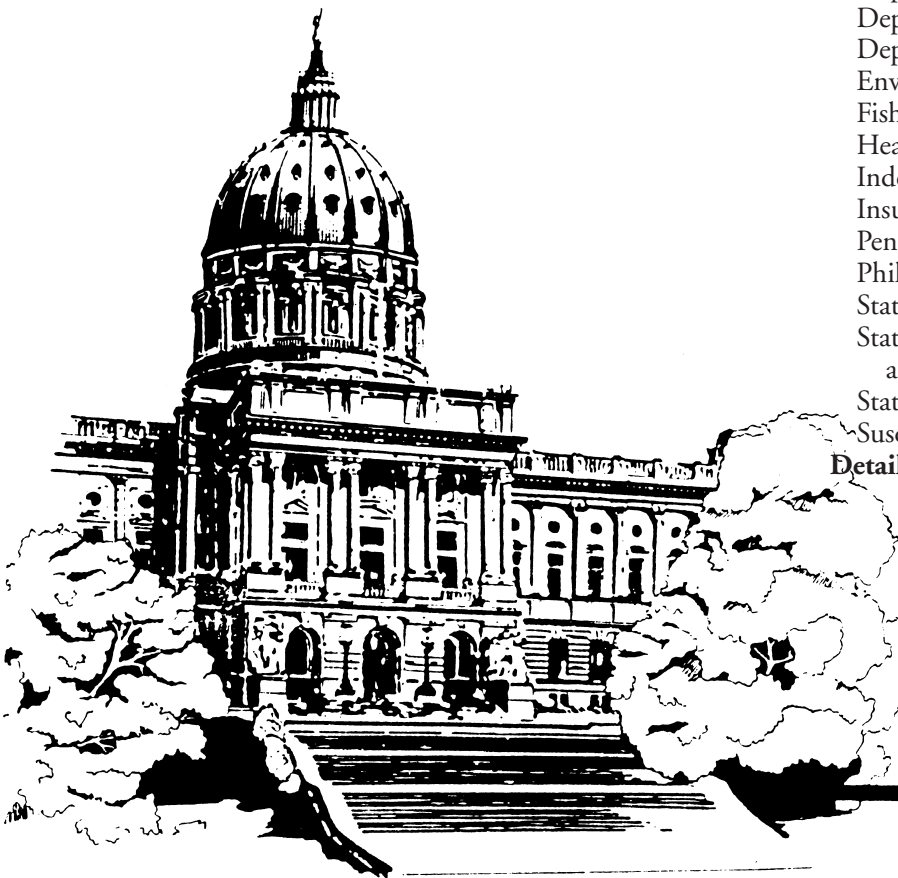
Saturday, April 28, 2012 • Harrisburg, PA

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

**No. 449, April 2012**

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# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

## *Pennsylvania Bulletin*

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

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

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

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

### **Adoption, Amendment or Repeal of Regulations**

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

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

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

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

### **Citation to the *Pennsylvania Bulletin***

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

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

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

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

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

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### Printing Format

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

### Fiscal Notes

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

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

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# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2012.

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# THE COURTS

## Title 210—APPELLATE PROCEDURE

### PART I. RULES OF APPELLATE PROCEDURE

[ 210 PA. CODE CHS. 1, 9, 11 AND 15 ]

Order Amending Rules 121, 903, 1113 and 1512 of the Rules of Appellate Procedure; No. 218 Appellate Procedural Rules Doc.

#### Order

*Per Curiam*

And Now, this 9th day of April, 2012, upon the recommendation of the Appellate Court Procedural Rules Committee; the proposal having been published for public comment at 40 Pa.B. 7207 (December 18, 2010):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 121, 903, 1113 and 1512 of the Pennsylvania Rules of Appellate Procedure are amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and the amendments herein shall be effective in 30 days.

#### Annex A

### TITLE 210. APPELLATE PROCEDURE

#### PART I. RULES OF APPELLATE PROCEDURE

#### ARTICLE I. PRELIMINARY PROVISIONS

#### CHAPTER 1. GENERAL PROVISIONS

#### DOCUMENTS GENERALLY

#### Rule 121. Filing and Service.

\* \* \* \* \*

#### *Official Note:*

*Subdivision (a)*—The term “related papers” in [ **Subdivision** ] **subdivision** (a) of this rule includes any appeal papers required under Rule 1702 (stay ancillary to appeal) as a prerequisite to an application for a stay or similar relief.

In 2008, the term “paperbooks” was replaced with “briefs and reproduced records” throughout these rules. The reference to the deemed filing date for paperbooks when first class mail was used that was formerly found in subdivision (a) is now found in [ **Pa.R.A.P.** ] **Rule** 2185 regarding filing briefs and in [ **Pa.R.A.P.** ] **Rule** 2186 regarding filing reproduced records.

As to pro se filings by persons incarcerated in correctional facilities, see *Commonwealth v. Jones*, 549 Pa. 58, 700 A.2d 423 (1997); *Smith v. Pa. Bd. of Prob. & Parole*, 546 Pa. 115, 683 A.2d 278 (1996); *Commonwealth v. Johnson*, 860 A.2d 146 (Pa. Super. 2004).

*Subdivision (c)*—An acknowledgement of service may be executed by an individual other than the person served, e.g., by a clerk or other responsible person.

*Subdivision (d)*—With respect to appearances by new counsel following the initial docketing of appearances pursuant to [ **Subdivision** ] **subdivision** (d) of this rule, please note the requirements of Rule 120 (**entry of appearance**).

*Subdivision (e)*—Subdivision (e) of the rule does not apply to the filing of a notice of appeal, a petition for allowance of appeal, a petition for permission to appeal, or a petition for reconsideration or re-argument, since under these rules the time for filing such papers runs from the entry and service of the related order, nor to the filing of a petition for review, which is governed by similar considerations. However, these rules permit the filing of such notice and petitions (except a petition for reconsideration or re-argument) in the local county (generally in the county court house; otherwise in a post office), thus eliminating a major problem under the prior practice. **The amendments to Rules 903(b), 1113(b) and 1512(a)(2) clarified that subdivision (e) does apply to calculating the deadline for filing cross-appeals, cross-petitions for allowance of appeal and additional petitions for review.**

### ARTICLE II. APPELLATE PROCEDURE

#### CHAPTER 9. APPEALS FROM LOWER COURTS

#### Rule 903. Time for Appeal.

\* \* \* \* \*

(b) *Cross appeals*. Except as otherwise prescribed in [ **Subdivision** ] **subdivision** (c) of this rule, if a timely notice of appeal is filed by a party, any other party may file a notice of appeal within 14 days of the date on which the first notice of appeal was [ **filed** ] **served**, or within the time otherwise prescribed by this rule, whichever period last expires.

(c) *Special provisions*. Notwithstanding any other provision of this rule:

\* \* \* \* \*

(3) In a criminal case in which no post-sentence motion has been filed, the notice of appeal shall be filed within 30 days of the imposition of the [ **judgement** ] **judgment** of sentence in open court.

*Official Note:* 42 Pa.C.S. § 5571(a) (appeals generally) provides that the time for filing an appeal, a petition for allowance of appeal, a petition for permission to appeal or a petition for review or a quasi-judicial order, in the Supreme Court, the Superior Court or the Commonwealth Court shall be governed by general rules and that no other provision of 42 Pa.C.S. Ch. 55D shall be applicable to such matters. In order to prevent inadvertent legislative creation of nonuniform appeal times, 42 Pa.C.S. § 1722(c) (time limitations) expressly authorizes the suspension by general rule of nonuniform statutory appeal times. See also 42 Pa.C.S. § 5501(a) (scope of

chapter), which makes Chapter 55 (limitation of time) of the Judicial Code subordinate to any other statute prescribing a different time in the case of an action or proceeding, but which does not so provide in the case of an appeal.

Thus, on both a statutory and constitutional basis, this rule supersedes all inconsistent statutory provisions prescribing times for appeal.

As to subdivision (b), compare 42 Pa.C.S. § 5571(f) (cross appeals).

A party filing a cross appeal pursuant to [ **Subdivision** ] **subdivision** (b) should identify it as a cross appeal in the notice of appeal to assure that the prothonotary will process the cross appeal with the initial appeal. See also Rule 511 (cross appeals), Rule 2113 ([ **Reply Brief** ] **reply brief**), Rule 2136 ([ **Briefs in Cases of Cross Appeals** ] **briefs in cases involving cross appeals**), Rule 2185 ([ **Time for Serving and Filing of Briefs** ] **service and filing of briefs**) and Rule 2322 ([ **Cross and Separate Appeals** ] **cross and separate appeals**).

*In Re Petition of the Board of School Directors of the Hampton Township School District*, 688 A.2d 279 (Pa. Cmwlth. 1997), the Commonwealth Court panel held that Rule 903(b) does not extend the appeal period for any other party to file an appeal unless the party is “adverse.” Under the 2002 amendment to Rule 511, the requirement that a party be adverse in order to file a cross appeal is eliminated. Once a notice of appeal is filed by one party, any other party may file a cross appeal within fourteen days.

Rule of Appellate Procedure 107 incorporates by reference the rules of construction of the Statutory Construction Act of 1972, 1 Pa.C.S. §§ [ **1901 through 1991** ] **1901—1991**. See 1 Pa.C.S. § 1908 relating to computation of time for the rule of construction relating to (1) the exclusion of the first day and inclusion of the last day of a time period and (2) the omission of the last day of a time period which falls on Saturday, Sunday or legal holiday.

See [ **Pa.R.A.P.** ] **Rule 108 (date of entry of orders)** and Explanatory Comment—2007 thereto, [ **Pa.R.A.P.** ] **Rule 301(a)(1) and (2) (entry upon docket below)**, and Pa.R.Crim.P. 462, 720, and 721 governing criminal appeals.

\* \* \* \* \*

**CHAPTER 11. APPEALS FROM COMMONWEALTH COURT AND SUPERIOR COURT**

**PETITION FOR ALLOWANCE OF APPEAL**

**Rule 1113. Time for Petitioning for Allowance of Appeal.**

\* \* \* \* \*

(b) *Cross petitions*.—Except as otherwise prescribed in [ **Subdivision** ] **subdivision** (c) of this rule, if a timely petition for allowance of appeal is filed by a party, any other party may file a petition for allowance of appeal

within 14 days of the date on which the first petition for allowance of appeal was [ **filed** ] **served**, or within the time otherwise prescribed by this rule, whichever period last expires.

(c) *Special provisions*.—Notwithstanding any other provision of this rule, a petition for allowance of appeal from an order in any matter arising under any of the following shall be filed within ten days after the entry of the order sought to be reviewed:

- (1) Pennsylvania Election Code.
- (2) Local Government Unit Debt Act or any similar statute relating to the authorization of public debt.

**Official Note:** See note to Rule 903 (time for appeal).

A party filing a cross petition for allowance of appeal pursuant to [ **Subdivision** ] **subdivision** (b) should identify it as a cross petition to assure that the prothonotary will process the cross petition with the initial petition. See also Rule 511 (cross appeals), Rule 2136 ([ **Briefs in Cases Involving Cross Appeals** ] **briefs in cases involving cross appeals**) and Rule 2322 ([ **Cross and Separate Appeals** ] **cross and separate appeals**).

**CHAPTER 15. JUDICIAL REVIEW OF GOVERNMENTAL DETERMINATIONS**

**PETITION FOR REVIEW**

**Rule 1512. Time for Petitioning for Review.**

(a) *Appeals authorized by law*.—Except as otherwise prescribed by [ **Subdivision** ] **subdivision** (b) of this rule:

(1) A petition for review of a quasijudicial order, or an order appealable under 42 Pa.C.S. § 763(b) (awards of arbitrators) or under any other provision of law, shall be filed with the prothonotary of the appellate court within 30 days after the entry of the order.

(2) If a timely petition for review of such an order is filed by a party, any other party may file a petition for review within 14 days of the date on which the first petition for review was [ **filed** ] **served**, or within the time otherwise prescribed by [ **Subdivision** ] **subdivision** (a)(1) of this rule, whichever period last expires.

\* \* \* \* \*

[Pa.B. Doc. No. 12-758. Filed for public inspection April 27, 2012, 9:00 a.m.]

**Title 255—LOCAL COURT RULES**

**BEAVER COUNTY**

**Local Rules of Criminal Procedure; No. 262 Misc. 2012**

**Administrative Order**

The Amendments to Beaver County L.R. Crim. P. 117 are adopted effective June 1, 2012. The Court Administrator shall:

(1) file seven certified copies of this Order and the attached Rule with the Administrative Office of Pennsylvania Courts;

(2) distribute two certified copies of this Order and the attached Rule and a computer diskette to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

(3) file one certified copy of this Order and the attached Rule with the Criminal Procedural Rules Committee of the Pennsylvania Supreme Court.

The Clerk of Courts shall keep a copy of the attached proposed Amendments to Local Rule 117 available for public inspection and copying pursuant to Pa. R.Crim.P. 105 (c)(5).

*By the Court*

JOHN D. MCBRIDE,  
*President Judge*

**Proposed Amendment to L.R. 117 of  
Criminal Procedure**

**L.R. 117. Coverage Magisterial District Judges.**

(1) All Magisterial District Judge Offices shall be open for regular business on Mondays through Fridays from 9:00 A.M. to 5:00 P.M. prevailing time.

(2) Magisterial District Judges shall be available 24 hours per day, every day of the calendar year to provide continuous coverage for the issuance of warrants, pursuant to Pa. R.Crim.P. 203; arrest warrants pursuant to Pa. R.Crim.P. 513; requests to accept bail and to issue emergency orders under the Protection from Abuse Act.

The Magisterial District Judges shall satisfy this rule by remaining on-call during non-regular business hours on a rotating basis pursuant to a schedule prepared by the Court Administrator. The schedule shall be distributed and publicized pursuant to past practice.

(3) Magisterial District Judges shall be available during non-regular business hours each day at 7:30 A.M., 2:00 P.M. and 10:00 P.M. for the purpose of providing the services set forth in Pa. R.Crim.P. 117(A)(2)(a), (b), (c) and (d). The availability of each Magisterial District Judge shall be on a rotating basis pursuant to the same schedule proposed pursuant to subdivision (2) and shall be publicized pursuant to past practice.

(4) Magisterial District Judges shall be available during regular business hours for all other business.

(5) Each Magisterial District Judge shall be available to preside over preliminary hearings at the Beaver County Courthouse, or such other location that may be established for "Central Court," on a rotating basis pursuant to a schedule prepared by the Court Administrator.

[Pa.B. Doc. No. 12-759. Filed for public inspection April 27, 2012, 9:00 a.m.]

**BUTLER COUNTY**

**Clerk of Courts' Schedule of Fees and Costs;  
Misc.; Administrative Doc. No. 1-2012**

**Order of Court**

*And Now*, this 3rd day of April, 2012, upon consideration of the Clerk of Courts' Petition to Increase Fees and Costs Pursuant to 42 Pa.C.S.A. § 1725.4 *It Is Hereby Ordered, Adjudged and Decreed*, that:

1. The revised fee schedule submitted by the Clerk of Courts of Butler County, Pennsylvania, a copy of which follows and is incorporated herein, is approved.

2. The revised fee schedule approved by this Order of Court shall be effective on May 1, 2012.

3. The Clerk of Courts is hereby directed to immediately cause the publication of the revised fee schedule in the *Butler County Legal Journal* once a week for two (2) successive weeks, and to file a copy of the Proof of Publication of the advertisement at the previous term and docket number.

4. The Clerk of Courts shall file seven (7) copies hereof with AOPC and distribute two (2) certified copies to the Legislative Reference Bureau for publication in the *PA Bulletin*.

5. The Clerk of Courts is to distribute a copy of the fee schedule to each of the Judges of the Court of Common Pleas of Butler County and to the Butler County Bar Association.

6. Nothing contained herein shall prevent this Court to further revise the fee schedule approved by this Order of Court upon proper application made in accordance with law.

*By the Court*

THOMAS J. DOERR,  
*President Judge*

Butler County Clerk of Courts' Fee Bill (Effective 5/1/12)

*Criminal Filings*

Misdemeanor and Felony Case During or After Trial .....	\$203.00
Misdemeanor and Felony Case Before Trial (Plea or ARD) .....	\$152.00
Summary Case .....	\$31.00
Juvenile Case .....	\$20.00

*Appeal Fees*

Summary Appeal Filing Fee (Non-Refundable) .....	\$56.50
Appellate Court Appeal (Payable to Clerk of Courts).....	\$61.00
Appellate Court Appeal (Check Payable to Superior/Supreme/Cw. Court).....	\$73.50
Liquor Control Board Appeals .....	\$20.00

*Bench Warrant/Bail Related Fees*

Processing all types .....	\$20.00
Fee per dollar, for the first \$1,000 .05 .....	\$50.00
Fee per dollar, for each additional \$1,000 .017 .....	\$17.00
Bail Forfeiture.....	\$20.00
Bail Piece (Includes Certified Copy to Bondsman) .....	\$31.00
Bench Warrant (Includes Certified Copy to Sheriff).....	\$31.00

*Miscellaneous Filings/Fees*

Automation Fee for Clerk of Courts' Office (All initiations—42 Pa.C.S.A. 1725.4(b)) .....	\$5.00
Certified Copy .....	\$10.00
Constable—Bond/Oath/I.D. Card .....	\$20.00
Copies (per page) .....	\$0.25
Criminal Search (per name) .....	\$20.00
Exemplifications .....	\$20.00
Expungement (per case) .....	\$68.00
Facsimile (fax) Fee.....	\$5.00
NSF Check .....	\$25.00
Private Detective (Individual) Bond/Oath per year.....	\$123.00
Private Detective (Corporate) Bond/Oath per year .....	\$186.00
Miscellaneous Case .....	\$20.00
Road Docket.....	\$20.00
Subpoenas.....	\$3.75
File Retrieval From Iron Mountain.....	Current Rate

[Pa.B. Doc. No. 12-760. Filed for public inspection April 27, 2012, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 34—LABOR AND INDUSTRY

DEPARTMENT OF LABOR AND INDUSTRY

[ 34 PA. CODE CH. 231 ]

### Minimum Wage; Food Employee Incentive Program

The Department of Labor and Industry (Department), under the authority in section 9 of The Minimum Wage Act of 1968 (act) (43 P.S. § 333.109), rescinds §§ 231.91—231.99 to read as set forth in Annex A. This rulemaking is submitted as a final rulemaking with proposed rulemaking omitted under section 204(3) of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. § 1204(3)), known as the Commonwealth Documents Law (CDL). The statutory authority under which these regulations were adopted expired on July 14, 2004, section 5.1(k) of the act (43 P.S. § 333.105a(k)), and § 231.91(b) has not been renewed. Therefore, notice of the rulemaking is deemed to be unnecessary, impractical and not contrary to the public interest.

#### *Purpose of the Regulations*

The purpose of §§ 231.91—231.99 was to implement the Food Service Employee Incentive Program (Program) established by section 5.1 of the act. Section 5.1 of the act was added by the act of December 21, 1998 (P.L. 1290, No. 168). The Program was to take effect on the Department's adoption of implementing regulations. However, the statutory amendment creating this Program also provided that section 5.1 of the act was to "expire three years after the date on which it takes effect." The Department adopted §§ 231.91—231.99 but explicitly stated in § 231.91(b) that "[t]his section and §§ 231.92—231.99 will expire, along with section 5.1 of the act on July 14, 2004, unless section 5.1 is extended by the General Assembly." Section 5.1 of the act has not been extended. Therefore, §§ 231.91—231.99 are obsolete.

#### *Purpose of the Final-Omitted Rulemaking*

The purpose of this final-omitted rulemaking is to rescind §§ 231.91—231.99 in light of the expiration of section 5.1 of the act. Under the Program, authorized by section 5.1 of the act, new employees in the restaurant and food-service industries and their employers could voluntarily agree to a training program during which the employees would receive a training wage that was not less than the statutory minimum wage. While the employees were being trained, the difference between their training wages and the employers' entry-level wages was to be deposited into an escrow account and upon completion of the training program, or the employees' promotion, these escrow payments were to be remitted to the employees in equal installments over a period equal to the period of training. The employees covered under these regulations were dishwashers, bus-persons, servers, sales staff, cooks, hostesses/hosts and cashiers.

This final-omitted rulemaking will not affect persons or entities as both the underlying statutory authorization and implementing regulations have been defunct for more than 7 years. Moreover, the objectives of the Program can still be achieved by employers offering employees retrospective pay increases if they remain in the employers' employ for a set duration.

#### *Fiscal Impact*

Implementation of this final-omitted rulemaking will not result in the expenditure of additional funds by the Commonwealth or local municipalities.

#### *Sunset Provisions*

The Department is not establishing a sunset date to revisit this final-omitted rulemaking since this rulemaking is occasioned by a sunset date in the underlying statutory authority for the regulations.

#### *Contact Person*

The contact person for this final-omitted rulemaking is Eric Ramsay, Acting Director, Bureau of Labor Law Compliance, 1301 Labor and Industry Building, 651 Boas Street, Harrisburg, PA 17121, (717) 787-3681, eramsay@pa.gov.

#### *Regulatory Review*

Under section 5.1(c) of the Regulatory Review Act (71 P.S. § 745.5a(c)), on February 23, 2012, the Department submitted a copy of the final-omitted rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Labor Relations Committee and Senate Labor and Industry Committee. On the same date, the regulations were submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P.S. §§ 732-101—732-506). A copy of the Regulatory Analysis Form is available to the public upon request.

Under section 5.1(j.2) of the Regulatory Review Act, on April 4, 2012, the final-omitted rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on April 5, 2012, and approved the final-omitted rulemaking.

#### *Findings*

The Department finds that:

(1) Notice of proposed rulemaking is omitted in accordance with sections 201 and 202 of the CDL (45 P.S. §§ 1201 and 1202) as this final-omitted rulemaking rescinds obsolete regulations.

(2) There is good cause to forego public notice of the intention to rescind §§ 231.91—231.99 because notice of the amendments under the circumstances is unnecessary, impractical and not contrary to the public interest under section 204 of the CDL.

(3) Public comment cannot change the fact that the regulations are obsolete.

#### *Order*

The Department orders that:

(a) The regulations of the Department, 34 Pa. Code Chapter 231, are amended by deleting §§ 231.91—231.99 to read as set forth in Annex A.

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

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

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

JULIA K. HEARTHWAY,  
*Secretary*

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 42 Pa.B. 2253 (April 21, 2012).)*

**Fiscal Note:** 12-95. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 34. LABOR AND INDUSTRY  
PART XII. BUREAU OF LABOR STANDARDS  
CHAPTER 231. MINIMUM WAGE**

Sec.  
231.91—231.99. (Reserved).

[Pa.B. Doc. No. 12-761. Filed for public inspection April 27, 2012, 9:00 a.m.]

# PROPOSED RULEMAKING

## ENVIRONMENTAL QUALITY BOARD

### Acceptance of Rulemaking Petition for Study

On April 17, 2012, the Environmental Quality Board accepted a rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy). The petition, submitted by the Delaware Riverkeeper Network, requests the amendment of 25 Pa. Code §§ 93.9a, 93.9b and 93.9c (relating to Drainage List A; Drainage List B; and Drainage List C) to redesignate the main stem Delaware River and all Commonwealth tributaries that flow into the Upper and Middle Delaware River from their current designated use status of High Quality or lower designation to Exceptional Value status. Copetitioners include American Rivers, the Pennsylvania Council of Trout Unlimited, Clean Water Action, over 20 other organizations and over 150 watershed residents.

Under 25 Pa. Code § 93.4d(a) (relating to processing petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) is required to publish a notice of intent to assess candidate waters. The Department's assessment notice for this rulemaking petition will appear in a future issue of the *Pennsylvania Bulletin*.

The previously-referenced petition is available to the public by contacting the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526, and is accessible on the Department's web site at [http://www.portal.state.pa.us/portal/server.pt/community/environmental\\_quality\\_board/14005/eqb\\_meeting\\_schedule\\_2012/1055511](http://www.portal.state.pa.us/portal/server.pt/community/environmental_quality_board/14005/eqb_meeting_schedule_2012/1055511) (see April 17, 2012, meeting).

MICHAEL L. KRANCER,  
*Chairperson*

[Pa.B. Doc. No. 12-762. Filed for public inspection April 27, 2012, 9:00 a.m.]



# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Meeting and Public Hearing

The Delaware River Basin Commission (Commission) will hold an informal conference followed by a public hearing on Thursday, May 10, 2012, at the Commission's office, 25 State Police Drive, West Trenton, NJ. The hearing will be part of the Commission's regularly scheduled business meeting. The conference session and business meeting both are open to the public.

The morning conference session will begin at 11 a.m. and will include a presentation on PCB reductions in the Delaware Estuary and resolutions recognizing the contributions of Gary Paulachok, former Deputy Delaware River Master, United States Geological Survey and William Douglass, former Executive Director of the Upper Delaware Council, both of whom recently retired.

*Items for Public Hearing.* The subjects of the public hearing to be held during the 1:30 p.m. business meeting on May 10, 2012, include draft dockets for the projects described as follows. Draft dockets also will be posted on the Commission's web site at [www.drbc.net](http://www.drbc.net) 10 days prior to the meeting date. Additional public records relating to the dockets may be examined at the Commission's offices. Contact William Muszynski at (609) 883-9500, Ext. 221, with any docket-related questions.

1. *Mount Airy #1, LLC, D-1977-058-4.* An application to renew the approval of an existing discharge from the 0.22 million gallons per day (mgd) Mount Airy Wastewater Treatment Plant (WWTP) by means of Outfall No. 001. The discharge is in the drainage area of the section of the nontidal Delaware River known as the Middle Delaware, which is classified as Special Protection Waters (SPW). The WWTP will continue to discharge treated effluent to Forest Hills Run at River Mile 213.0—3.6—0.85—8.6—0.83—0.1 (Delaware River—Brodhead Creek—McMichael Creek—Pocono Creek—Reeders Run—Forest Hills Run), in Paradise Township, Monroe County, PA.

2. *Nestlé Purina Petcare Co., D-1984-002-5.* An application to renew the approval of an existing groundwater withdrawal (GWD) of up to 26.784 million gallons per month (mgm) to supply the applicant's manufacturing facility from existing Wells Nos. 2, 5, 6 and 7 completed in the Martinsburg Shale Formation and the underlying Beekmantown Group Limestone and Dolomite. The requested allocation is not an increase from the previous allocation. The wells are located in the Jordan Creek Watershed in South Whitehall Township, Lehigh County, PA.

3. *Central Wayne Regional Authority, D-1986-009 CP-3.* An application to renew the approval of an existing discharge from the 2.2 mgd Honesdale Borough WWTP. The discharge is in the drainage area of the section of the nontidal Delaware River known as the Upper Delaware, which is classified as SPW. The WWTP will continue to discharge treated effluent to the Lackawaxen River at River Mile 277.7—24.6 (Delaware River—Lackawaxen River), in Honesdale Borough, Wayne County, PA.

4. *Veolia Energy, D-1995-010 CP-2.* An application to renew the approval of the Tri-Gen Energy Generating Facility (TGEGF) and its subsidiary water allocation of

up to 217 mgm provided from Exelon's Schuylkill Generating Station (SGS) Intake No. 1 to the TGEGF. The water is used for cooling purposes associated with power generation. The requested allocation is not an increase from the previous allocation. The TGEGF is located on the former PECO—Schuylkill site adjacent to the Exelon SGS and Veolia's Grays Ferry Cogeneration Facility (GFCE) in the City of Philadelphia, PA.

5. *Veolia Energy, D-1995-032 CP-2.* An application to renew the approval of the GFCE and its subsidiary water allocation of up to 2,480 mgm provided from Exelon's SGS Intake No. 1 to the GFCE. The water is used for cooling purposes associated with power generation. The requested allocation is not an increase from the previous allocation. The GFCE is located on the former PECO—Schuylkill site alongside Exelon's SGS and Veolia's TGEGF in the City of Philadelphia, PA.

6. *Downingtown Area Regional Authority, D-1998-033 CP-3.* An application to renew the approval of an existing discharge from the 7.5 mgd Downingtown Regional Water Pollution Control Center WWTP. The WWTP will continue to discharge treated effluent to the East Branch Brandywine Creek at River Mile 70.73—1.5—20.0—7.65 (Delaware River—Christina River—Brandywine Creek—East Branch Brandywine Creek), in East Caln Township, Chester County, PA.

7. *Pocono Manor Investors, LP, D-2006-026-2.* An application for the renewal of the existing 0.14 mgd Pocono Manor WWTP. The WWTP discharge is located in the drainage area of the nontidal Delaware River known as the Middle Delaware, which is classified as SPW. The WWTP will continue to discharge treated effluent to the Swiftwater Creek, which is a tributary of Paradise Creek, itself a tributary of the Brodhead Creek River Mile, at River Mile 213.0—11.4—4.4—5.3 (Delaware River—Brodhead Creek—Paradise Creek—Swiftwater Creek). The existing WWTP is located in Pocono Township, Monroe County, PA.

8. *Aqua Pennsylvania, Inc., D-1975-078 CP-3.* An application to renew the approval of an existing GWD and to increase the withdrawal allocation from 8.58 mgm to 11.68 mgm to supply the applicant's public water supply system from existing Wells Nos. 2, 3 and 4, an existing Spring source and new Well No. 5 completed in the Catskill Formation. The increased allocation is requested in order to meet projected increases in service area demand. The project also includes an existing importation of 0.494 mgd of GW from the Susquehanna River Basin. The wells are located within the drainage area of the section of the nontidal Delaware River known as the Upper Delaware, which is classified as SPW, in Wayne Borough and Canaan Township, Wayne County, PA.

9. *ArcelorMittal Plate, D-1979-026-2.* An application to modify the Commission approval of the existing ArcelorMittal Conshohocken Industrial Wastewater Treatment Plant (IWTP), including updating the approval to reflect the current facility operations and annual average flow of 1.2 mgd. The IWTP will continue to treat process industrial wastewater and contact and non-contact cooling water from steel production and finishing operations at the ArcelorMittal Plate facility in Plymouth Township, Montgomery County, PA. No modifications to the IWTP are proposed. The IWTP will continue to discharge to the Schuylkill River at River Mile 92.47—21.5 (Delaware River—Schuylkill River).

10. *Phillips 66, D-1986-041-2*. An application to modify an existing docket to reflect modifications that have occurred since the facility's 1986 Commission approval. Inclusion of noncontact cooling water discharge outfalls and revised design criteria are among the modifications. The project will continue to discharge to the tidal Delaware River by means of ten existing outfalls in Water Quality Zone 4 at or near River Mile 80.2 (Delaware River), in the Borough of Trainer, Delaware County, PA. The docket holder has also requested relief from the 89.25% BOD20 removal requirement for Water Quality Zone 4 discharges.

11. *Salem City, D-1987-037 CP-2*. The City of Salem proposes to demonstrate through a Pilot Leachate Acceptance Program (Project) that its existing 1.4 mgd WWTP can effectively treat nonhazardous leachate from the Salem County Improvement Authority (SCIA) Landfill without violating Commission effluent quality requirements or in-stream water quality criteria. The Project includes the acceptance of trucked-in leachate from the SCIA landfill in a phased approach, starting with 5,000 gallons per day (gpd) and ending with 20,000 gpd. The Salem WWTP currently receives municipal wastewater for treatment and discharge to the tidal portion of Salem River, which is a tributary of the Delaware River at River Mile 58.17-1.0 (Delaware River—Salem River) in Water Quality Zone 5. The Salem WWTP is located in the City of Salem, Salem County, NJ. No modifications to the existing WWTP treatment facilities are proposed.

12. *BP Oil Company, D-1991-032-6*. An application to renew the approval of an existing discharge of treated groundwater from the existing 1.0 mgd WWTP. The WWTP discharges to Water Quality Zone 4 of the Delaware River at River Mile 89.3, in Paulsboro Borough, Gloucester County, NJ.

13. *Phillips 66, D-1996-052-2*. An application for the approval of an existing surface water withdrawal (SWWD) of up to 151.7 mgd (4,701.7 mgm) from the Delaware River at the applicant's Trainer Refinery. The refinery has been idle since September 29, 2011. This application was made to allow operations to resume in substantially the same manner as the previous docket and facilitate a sale of the refinery. Most of the water is used for once-through cooling. The project intake is located approximately 1,500 feet upstream of the Marcus Hook Creek confluence in the tidal portion of the Delaware River in the Borough of Trainer, Delaware County, PA.

14. *Pennsylvania American Water Company, D-2003-006 CP-2*. An application to renew the approval of an existing GWD to continue to supply up to 9.63 mgm of water from the applicant's Wells Nos. 1, 2, 3 and 5 and to interconnect the existing Birch Acres Well No. 2 to the Mid-Monroe Public Water Supply System. There is no requested increase in allocation. The Birch Acres well is located in Smithfield Township, Monroe County, PA in the Sambo Creek Watershed. The project is located within the drainage area of the section of the nontidal Delaware River known as the Middle Delaware, which is classified as SPW.

15. *FPL Energy, D-2008-021 CP-2*. An application to renew the approval of an existing discharge of up to 4.32 mgd of cooling tower blowdown from the existing Marcus Hook Cogeneration Facility (MHCF) and to approve a dechlorination system that was installed in 2009. The MHCF will continue to discharge to Water Quality Zone 4

of the Delaware River at River Mile 78.74 by means of Outfall No. 001, in Marcus Hook Borough, Delaware County, PA.

16. *Lafarge North America, D-1974-189-2*. An application to renew the approval of an existing GWD and SWWD of up to 70.68 mgm from existing groundwater Wells Nos. 1 and 2 and an existing surface water intake for the applicant's cement manufacturing plant. The project wells are completed in the Jacksonburg Formation and are located in the Coplay Creek and Lehigh River Watersheds within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which is classified as SPW, in Whitehall Township, Lehigh County, PA.

17. *Lake Adventure Community Association, D-2011-002 CP-1*. An application for approval of an existing GWD to supply up to 5.55 mgm of water to the applicant's existing public water supply system from existing Well Nos. 1, 2 and 3. The project wells are completed in the Catskill Formation and located in the Birchy Creek Watershed in Dingman Township, Pike County, PA. The site is located within the drainage area of the section of the nontidal Delaware River known as the Upper Delaware, which is classified as SPW.

18. *Spring Mill Associates, D-2011-013-1*. An application to approve a GWD of up to 7.75 mgm to supply the applicant's golf course irrigation system from existing Wells Nos. 10 and 18, completed in the Stockton Formation. The wells are located within the Commission's designated Ground Water Protected Area in the Little Neshaminy Creek Watershed in Northampton Township, Bucks County, PA.

19. *Delaware River Joint Toll Bridge Commission, D-2011-018 CP-1*. An application to approve construction of a new bridge adjacent to the existing Scudder Falls Bridge to form the new Scudder Falls Bridge and related roadway improvements along 4.4 miles of I-95 from Pennsylvania Route 332 in Lower Makefield Township, Bucks County, PA to Bear Tavern Road in Ewing Township, Mercer County, NJ. The project will add one travel lane in each direction and three auxiliary lanes to the Scudder Falls Bridge and increase the number of lanes on I-95 while improving entrance and exit ramps along the 4.4 mile stretch. The Scudder Falls Bridge spans the Delaware River at River Mile 139.0 (Delaware River) and shall continue to be located in a recreational area within the section of the non-tidal Delaware River known as the Lower Delaware, which is classified as SPW.

20. *Eagle Creek Hydro Power, LLC, D-2011-020 CP-1*. An application to approve the construction and operation of an 800 kW hydro-electric turbine on the Rio Dam. The turbine is designed to utilize the minimum flow release water required to maintain river flow in the Mongaup system to produce energy for the grid. Additionally, the applicant has requested the transfer of ownership of the existing 1.0 MW Mongaup Falls and 5,000 kW Rio hydro-electric turbines from Mirant NY-Gen, LLC, which were approved by the Commission on May 10, 2007 by means of Docket No. D-2001-038 CP-1. The Rio Dam is located at River Mile 261.1—4.6 (Delaware River—Mongaup River), in the Town of Deerpark, NY on the border of Sullivan and Orange Counties. The Mongaup Falls Dam is located at River Mile 261.1—4.6—3.37—1.29 (Delaware River—Mongaup River—Rio Reservoir—Mongaup River), in the Town of Lumberland, Sullivan County, NY. Both dams and the subsequent hydro-electric projects are located within the drainage area of the

section of the nontidal Delaware River known as the Upper Delaware, which is classified as SPW.

21. *Kennett Square Borough, D-2012-003 CP-1.* An application to approve a GWD of up to 35.712 mgm to supply the applicant's public water supply system from existing Wells Nos. 1 and 2 completed in the Cockeysville Marble. The Kennett Square Municipal Water Works serves customers in the Borough of Kennett Square, East Marlborough Township and Kennett Township. The wells are located in East Marlborough Township and Kennett Township in the East Branch Red Clay Watershed.

22. *Buckeye Partners, LP, D-2012-004-1.* An application to construct and install a new, 12-inch diameter petroleum pipeline beneath Water Quality Zone 4 of the Delaware River at approximately River Mile 88.4. The new pipeline is approximately 5,600 linear feet in length and will convey fuel from the Paulsboro Refinery located in the Borough of Paulsboro, Gloucester County, NJ to the Philadelphia International Airport located in Tinicum Township, Delaware County, PA. The pipeline will be located in a new 24-inch diameter borehole to be directionally drilled beneath the Delaware River by means of a Horizontal Directional Drill, approximately 50 feet to 120 feet below the Delaware River bottom, and will replace and be located adjacent to an existing 8-inch diameter pipeline that is located beneath the Delaware River, to meet the requirements of the Pipeline and Hazardous Materials Safety Administration. The river crossing portion of the pipeline is approximately 5,000 feet long. The project does not involve construction in the Delaware River.

23. *American Household, Inc., D-2012-005-1.* An application for approval of the discharge of remediation water from the existing 0.432 mgd groundwater treatment plant (GTP), as well as the withdrawal of up to 10.044 mgm of groundwater from Remediation Well MUN-3. The GTP discharges to the West Branch of the Perkiomen Creek at River Mile 92.47—32.08—18.65—5.2—6.75 (Delaware River—Schuylkill River—Perkiomen Creek—Green Lane Reservoir—West Branch Perkiomen Creek), in Bally Borough, Berks County, PA.

In addition to the hearings on draft dockets, a public hearing also will be held during the 1:30 p.m. business meeting on proposed resolutions: (a) to adopt the Commission's annual budget for the fiscal year ending June 30, 2013; and (b) approve election of the Commission Chair, Vice Chair and Second Vice Chair for fiscal year 2013.

*Other Agenda Items.* Other agenda items include resolutions: (a) to authorize participation in the New Jersey State Health Benefits Program for SHBP Dental Plan Coverage; (b) authorizing the Executive Director to terminate a purchase order agreement with one firm and retain another to complete the design of the Ruth Patrick River Garden; and (c) authorizing the Executive Director to execute an agreement for the preparation of an actuarial evaluation for the Commission's post-retirement benefits in accordance with Government Accounting Standards Board Statement No. 45. The standard business meeting items also will be addressed, including: adoption of the Minutes of the Commission's March 7, 2012 business meeting; announcements of upcoming meetings and events; a report on hydrologic conditions; reports by the Executive Director and the Commission's General Counsel; and a public dialogue session.

*Opportunities to Comment.* Individuals who wish to comment for the record on a hearing item or to address the Commissioners informally during the public dialogue portion of the meeting are asked to sign up in advance by contacting Paula Schmitt of the Commission staff, at paula.schmitt@drbc.state.nj.us or (609) 883-9500, Ext. 224. Written comment on items scheduled for hearing may be submitted in advance of the meeting date to Commission Secretary, P. O. Box 7360, 25 State Police Drive, West Trenton, NJ 08628, faxed to Commission Secretary, DRBC at (609) 883-9522 or paula.schmitt@drbc.state.nj.us. Written comment on dockets should also be furnished directly to the Project Review Section at the previously listed address or fax number or william.muszynski@drbc.state.nj.us.

Individuals in need of an accommodation as provided for in the Americans with Disabilities Act of 1990 who wish to attend the informational meeting, conference session or hearings should contact the Commission Secretary directly at (609) 883-9500, Ext. 203 or through the Telecommunications Relay Services (TRS) at 711, to discuss how the Commission can accommodate their needs.

*Agenda Updates.* Note that conference items are subject to change and items scheduled for hearing are occasionally postponed to allow more time for the Commission to consider them. Check the Commission's web site, www.drbc.net, closer to the meeting date for changes that may be made after the deadline for filing this notice.

PAMELA M. BUSH, Esq.,  
Secretary

[Pa.B. Doc. No. 12-763. Filed for public inspection April 27, 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 April 10, 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>
3-19-2012	Penn Liberty Bank Wayne Chester County	15 Freedom Boulevard West Brandywine Chester County	Opened
4-4-2012	Mifflinburg Bank & Trust Company Mifflinburg Union County	500 Market Street Lewisburg Union County	Filed
4-5-2012	Greater Delaware Valley Savings Bank Broomall Delaware County	309 Lancaster Avenue Frazer Chester County	Opened

**Branch Relocations**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
4-9-2012	Miners Bank Minersville Schuylkill County	<i>To:</i> 504 South Atherton Avenue Frackville Schuylkill County  <i>From:</i> 452 Lehigh Avenue Frackville Schuylkill County	Effective

**Branch Discontinuances**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
4-3-2012	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	177 West Lancaster Avenue Ardmore Montgomery County	Filed
4-3-2012	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	1270 Township Line Road Drexel Hill Delaware County	Filed
4-3-2012	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	2037 South Broad Street Philadelphia Philadelphia County	Filed

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS****Consolidations, Mergers, and Absorptions**

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

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. 12-764. Filed for public inspection April 27, 2012, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

**Request for Bids**

The Department of Conservation and Natural Resources is soliciting bids for the following projects. Bid

documents can be obtained from the Administrative Services Section, Bureau of Facility Design and Construction at (717) 787-5055:

*FDC-016-7205.1—Structure Replacement—Bridge No. 16-0008, Owassee Road over Owassee Slide Run, Forest District 16, Tioga State Forest, Shippen Township, Tioga County.* Work included under this contract consists of demolition of existing structure #58-7935-5116-0008 consisting of an existing steel I-beam bridge on stone masonry abutments with a 6'-10" clear span. It will be replaced with a precast reinforced concrete box culvert

and precast concrete end sections with an 18-foot clear roadway width. The box culvert will have a 14' span and a 5' under clearance. Replacement also includes driving surface aggregate, rock lining, architectural surface treatment, construction of approximately 154.50 linear feet of guiderail, 25 linear feet of Commonwealth structure mounted guiderail, two Type 2 Strong Post End Treatments and one Type 2-W End Treatment. Bid documents will be available on or after May 2, 2012. The bid opening will be held on May 31, 2012.

*FDC-003-7211.1—Structure Replacement—Bridge No. 03-0024, Old Doubling Gap Road over Doubling Gap Creek, Forest District 03, Tuscarora State Forest, Lower Mifflin Township, Cumberland County.* Work included under this contract consists of all site work to suit project preparation, execution and completion, demolition of existing structure #21-7935-5103-0024 consisting of an existing steel I-beam bridge on stone masonry abutments, installation of a precast reinforced concrete box culvert with precast concrete end sections with an 18-foot clear roadway width, 20' span and a 4'-9" under clearance. The project also includes driving surface aggregate, rock lining, architectural surface treatment and construction of approximately 50 linear feet of guiderail, 37.50 linear feet of Commonwealth structure mounted guiderail and four Type 2-W End Treatments. Bid documents will be avail-

able on or after May 2, 2012. The bid opening will be held on May 31, 2012.

*FDC-009-7462.1—Structure Replacement—Bridge No. 09-0003, Laurel Ridge Road over Laurel Run, Forest District 09, Moshannon State Forest, Huston Township, Clearfield County.* Work included under this contract consists of removing a bridge and constructing a prestressed spread box beam bridge with reinforced concrete abutments, rock protection, architectural surface treatment, guiderail and roadway paving. Bid documents will be available on or after May 2, 2012. The bid opening will be held on May 31, 2012.

*FDC-009-7365.1—Structure Replacement—Bridge No. 09-0017, Jack Dent Road over Medix Run, Forest District 09, Moshannon State Forest, Goshen Township, Clearfield County.* Work included under this contract consists of removing a bridge and constructing a prestressed spread box beam bridge with reinforced concrete abutments, rock protection, architectural surface treatment, guiderail and roadway paving. Bid documents will be available on or after May 2, 2012. The bid opening will be held on May 31, 2012.

RICHARD J. ALLAN,  
Secretary

[Pa.B. Doc. No. 12-765. Filed for public inspection April 27, 2012, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### APPLICATIONS

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

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

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

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

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. These determinations are published as proposed actions for comments prior to taking final actions.

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

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

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

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

### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0065129 (Sewage)	David Holbert Small Flow Treatment Facility 696 State Highway Route 590 Lackawaxen, PA 18435	Pike County Lackawaxen Township	Unnamed Tributary to Delaware River (1-D)	Y
PA0040614	HRP Management LLC Martin Towers Complex 1170 8th Avenue Bethlehem, PA 18018	Lehigh County Bethlehem City	Monocacy Creek High Quality Cold Water Fishes (2-C)	Y
PA0062260 (Sewage)	Brookmont Health Care Center Brookmont Drive Effort, PA 18330-0050	Monroe County Chestnuthill Township	Pohopoco Creek High Quality Cold Water Fishes (2-B)	Y
PA0064131 (Sewage)	Raceway Truckstop Molleystown Road Pine Grove, PA 17963	Schuylkill County Tremont Township	Swatara Creek Cold Water Fishes (7-D)	Y
PA0060984 (Sewage)	Outhouse Springs LLC PO Box 74 Dalton, LA 18440	Lackawanna County Benton Township	Unnamed Tributary to South Branch Tunkhannock Creek Cold Water Fishes 4F	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0043567 (Sew)	York Springs Municipal Authority 311 Main Street York Springs, PA 17372	Adams County Huntington Township	Gardner Run / 7-F	Y
PA0084468 (Sew)	Dura-Bond Pipe, LLC 2716 S. Front Street Steelton, PA 17133	Dauphin County / Steelton Borough	Susquehanna River / 7-C	Y
PA0087700 (Sew)	South Londonderry Township Muni Authority (Campbelltown East STP) PO Box 3 Campbelltown, PA 17010	Lebanon County / South Londonderry Township	Killinger Creek / 7-D	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0028398 (Sewage)	Whitehall Village Sewage Treatment Facility P. O. Box 927 Fairview, PA 16415-0927	Erie County Fairview Township	Unnamed Tributary to Trout Run (15)	Y

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed#)	EPA Waived Y/N?
PA0221902 (Industrial Waste)	Matson Lumber Corsica Plant State Route 332 Brookville, PA 15825	Jefferson County Union Township	Unnamed Tributary to Little Mill Creek and Coder Run (17-C)	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*

**PA0052515**, Industrial Waste, SIC Code 4941, **Ambler Borough Water Department**, 122 E Butler Avenue, Ambler, PA 19002-4476. Facility Name: Ambler Borough Water Filtration Plant. This existing facility is located in Whitemarsh Township, **Montgomery County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge filter backwash from a water supply well. Water supply is treated by an air stripper and dual GAC filters to remove petroleum hydrocarbons. Filter backwash settles in a sedimentation basin and normally infiltrates. Outfall 002 is overflow from air stripper. Outfall 004 is water pumped directly from spring to keep quarry dry. The receiving stream(s), Wissahickon Creek, is located in State Water Plan watershed 3-F and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.013 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Instant. Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2
Total Suspended Solids	2.63	5.25	XXX	30	60	75
Total Aluminum	0.35	0.70	XXX	4.0	8.0	10.0
Total Iron	0.18	0.35	XXX	2.0	4.0	5.0
Total Manganese	0.09	0.18	XXX	1.0	2.0	2.5
Gasoline Range Organics	XXX	XXX	XXX	Report	Report	XXX
Diesel Range Organics	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002 are based on a long term average design flow of 0.05 MGD and daily maximum of 0.45 MGD. The proposed effluent limits for Outfall 004 are based on a design flow of 0.45 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Gasoline Range Organics	XXX	XXX	XXX	XXX	Report	XXX
Diesel Range Organics	XXX	XXX	XXX	XXX	Report	XXX

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

- Remedial Measures if Public Nuisance
- BAT/ELG Reopener
- Change of Ownership
- Proper Sludge Disposal
- Air Stripper Tower Wastewater
- Twice per Month Sampling
- Laboratory Certification
- Chemical Additive Usage

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

The EPA Waiver is in effect.

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

**PA0034428**, Sewage, SIC Code 7011, **Cove Haven, Inc.**, P. O. Box 400, Scotrun, PA 18355. Facility Name: Cove Haven Resort WWTP. This existing facility is located in Paupack Township, **Wayne 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, Unnamed Tributary to Lake Wallenpaupack, is located in State Water Plan watershed 01C and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.094 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.20	XXX	0.48
CBOD <sub>5</sub>	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
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						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18.0
Total Phosphorus	XXX	XXX	XXX	0.5	XXX	1.0

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

The EPA Waiver is not in effect due to the existence of a TMDL for Total Phosphorus for Lake Wallenpaupack.

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

**PA0261815**, SIC Code 6514, **Jeremy & Elizabeth Brocious**, 6418 Schoolhouse Road, Hershey, PA 17033. Facility Name: Brocious SFTF. This proposed facility is located in Conewago Township, **Dauphin County**.

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

The receiving stream(s), Hoffer Creek, is located in State Water Plan watershed 7-G and is classified for Trout Stocking, Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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.

**PAS503501**, Storm Water, SIC Code 4953, **Covanta Harrisburg Inc.**, 1670 South 19th Street, Harrisburg, PA 17104. Facility Name: Harrisburg Resource Recovery Facility. This proposed facility is located in Harrisburg City, **Dauphin County**.

Description of Proposed Activity: The application is for a new NPDES permit for an existing discharge of Storm Water Associated with Industrial Activities (replaces NPDES Permit No. PAR503508).

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



The proposed parameter list for Outfalls 001, 002, 003, 004, and 006 are as follows and will be sampled 1/6 months:

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Arsenic	XXX	XXX	XXX	XXX	Report	XXX
Total Barium	XXX	XXX	XXX	XXX	Report	XXX
Total Cadmium	XXX	XXX	XXX	XXX	Report	XXX
Total Chromium	XXX	XXX	XXX	XXX	Report	XXX
Total Cyanide	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Magnesium	XXX	XXX	XXX	XXX	Report	XXX
Total Magnesium	XXX	XXX	XXX	XXX	Report	XXX
Total Mercury	XXX	XXX	XXX	XXX	Report	XXX
Total Selenium	XXX	XXX	XXX	XXX	Report	XXX
Total Silver	XXX	XXX	XXX	XXX	Report	XXX
Total Organic Carbon	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

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

**(B.) PA0038865 A-1**, Sewage, SIC Code 4952, **Zerbe Township Northumberland County**, 800 Mahanoy Street, Trevorton, PA 17881. Facility Name: Zerbe Township Municipal Authority Sewer System STP. This existing facility is located in Zerbe Township, **Northumberland County**.

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

The receiving stream(s), Little Shamokin Creek, is located in State Water Plan watershed 6-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 new proposed design flow of 0.5 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	1.0	XXX	3.3
CBOD <sub>5</sub>						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub> (Interim)	58	93	XXX	25	40	50
(Final)	104	166	XXX	25	40 Wkly Avg	50
Total Suspended Solids						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids (Interim)	70	105	XXX	30	45	60
(Final)	125	187	XXX	30	45 Wkly Avg	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	2000 Geo Mean	XXX	10000
Total Aluminum	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Total Manganese	XXX	XXX	XXX	Report	Report	XXX
UV Dosage (mjoules/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX

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

Parameters	Mass (lbs)		Concentration (mg/l)		
	Monthly	Annual	Minimum	Monthly Average	Maximum
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen (Interim)	Report	Report			
Net Total Nitrogen (Final)	Report	7306			
Net Total Phosphorus (Interim)	Report	Report			
Net Total Phosphorus (Final)	Report	974			

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

\* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin on October 1, 2013. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2014. This facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until September 30, 2013.

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

The EPA Waiver is in effect.

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

**PA0217506**, Sewage, **Robert Borland**, 116 Minteer Road, Butler, PA 16001. Facility Name: Whispering Woods. This existing facility is located in New Sewickley Township, **Beaver County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.01 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly		Minimum	Average Monthly		
Flow (MGD)	0.01	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.4	XXX	0.9
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 - Oct 31	XXX	XXX	XXX	200	XXX	1000
Nov 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10000
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	3	XXX	6
Nov 1 - Apr 30	XXX	XXX	XXX	9	XXX	18

The EPA Waiver is in effect.

**PA0028673**, Sewage, **Gallitzin Borough Sewer & Disposal Authority**, 411 Convent Street, Suite 10 Gallitzin, PA 16641. Facility Name: Gallitzin Borough Sewer and Disposal Authority WWTP. This existing facility is located in Gallitzin Borough, **Cambria 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), Bradley Run and Unnamed Tributary to Bradley Run, is located in State Water Plan watershed 8-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.40 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	0.40	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.17	XXX	0.56
CBOD <sub>5</sub>	83	125	XXX	25	38	50
Total Suspended Solids	100	150	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	2000 Geo Mean	XXX	10000
Ammonia-Nitrogen						
May 1 - Oct 31	10	15	XXX	3.0	4.5	6.0
Nov 1 - Apr 30	28	43	XXX	8.5	12.8	17.0
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen (Interim)	Report	Report			
Net Total Nitrogen (Final)	Report	7,306			
Net Total Phosphorus (Interim)	Report	Report			
Net Total Phosphorus (Final)	Report	974			

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

\* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin on October 1, 2016. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2016. This facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until September 30, 2016.

\*\* Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2016.

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.

**PA0021768**, Sewage, **Somerset Borough Municipal Authority**, 340 W Union Street, Somerset, PA 15501. Facility Name: Somerset Borough Main STP. This existing facility is located in Somerset Township, **Somerset 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), East Branch Coxes Creek, is located in State Water Plan watershed 19-F and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.38	XXX	1.23

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
CBOD <sub>5</sub>	417	625	XXX	25	38	50
BOD <sub>5</sub>	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
Total Suspended Solids	500	750	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	33.4	50.0	XXX	2.0	3.0	4.0
Nov 1 - Apr 30	83.4	125.0	XXX	5.0	7.5	10.0
Total Iron	36.7	XXX	XXX	2.2	4.4	XXX
					Daily Max	

The EPA Waiver is not in effect.

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

**PA0222933**, SIC Code 3317 & 3498, **John Maneely Co., d/b/a JMC Steel Group**, 20 Church Street, Wheatland, PA 16161. Facility Name: Wheatland Tube Church St Plant. This existing facility is located in Wheatland Borough, **Mercer County**.

Description of Existing Activity: The application is for an amendment of an NPDES permit for an existing discharge of treated industrial waste and non-contact cooling water. The facility is expanding their production capabilities.

The receiving stream, the Shenango River, is located in State Water Plan watershed 20-A 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 N/A MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly		Minimum	Average Monthly		
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Lead	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Suboutfall 101 are based on a design flow of 0.04 MGD (Interim) and 0.216 MGD (Final).

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids (Interim)	10	22.1	XXX	Report	Report	XXX
Total Suspended Solids (Final)	35	81.7	XXX	Report	Report	48.6
Oil and Grease (Interim)	1.2	3.7	XXX	Report	Report	11.2
Oil and Grease (Final)	9.8	15.5	XXX	Report	Report	13.6
Total Iron	Report	XXX	XXX	Report	XXX	XXX
Total Lead (Interim)	0.028	0.082	XXX	Report	Report	0.25
Total Lead (Final)	0.11	0.34	XXX	Report	Report	0.2
Total Zinc (Interim)	0.61	1.22	XXX	Report	Report	4.6
Total Zinc (Final)	0.61	1.22	XXX	Report	Report	0.9

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

- Chemical Additives
- Electronic discharge monitoring report submission requirement

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

The EPA Waiver is in effect.

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


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

**WQM Permit No. 1512406**, Sewerage, **Nottingham Inn, LLC**, 190 Baltimore Pike, Nottingham, PA 19362.

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

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

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

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

Description of Action/Activity: To increase the average monthly flow from 1.5 MGD to 1.8 MGD.

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

**WQM Permit No. 0612402**, Sewerage, **P. Scott & Anna M. Shaner**, 54 Locust Road, Boyertown, PA 19512.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction / operation of single family treatment facility to serve their residence on Locust Lane.

**WQM Permit No. 0612401**, Sewerage, **Terri Straka**, 1440 Schoffers Road, Birdsboro, PA 19508.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction / operation of single family treatment facility to serve their residence on Schoffers Road.

**WQM Permit No. 5012403**, Sewerage, **Ryan Barrick**, 7960 Spring Road, New Bloomfield, PA 17068.

This proposed facility is located in Centre Township, **Perry County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction / operation of a single family treatment facility to serve their proposed residence on Spring Road.

**WQM Permit No. 6791410, Amendment 12-1**, Sewerage, **The York Water Company**, 130 East Market Street, York, PA 17405-7089.

This proposed facility is located in East Manchester Township, **York County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction / operation / installation of an effluent sampling manhole, effluent composite sampler, and effluent flow meter at the Asbury Pointe WWTP.

**WQM Permit No. 3612201**, CAFO, **Arlin Benner**, 880 Pinkerton Road, Mount Joy, PA 17552.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction / operation of a proposed digester, solids separator and an HDPE lined manure storage pond at Yippee Farms.

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

**WQM Permit No. 3299404-A2**, Sewerage, **Indiana County Municipal Services Authority**, 602 Kolter Dr., Indiana, PA 15701

This existing facility is located in Washington Township, **Indiana County**

Description of Proposed Action/Activity: Permit amendment application.

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

**WQM Permit No. 6212401**, Sewerage, **City of Warren**, 318 West Third Avenue West, Warren, PA 16365

This proposed facility is located in City of Warren, **Warren County**.

Description of Proposed Action/Activity: This application is for upgrades and expansion of existing sanitary sewer pump stations and force mains.

**WQM Permit No. 1096406**, Sewerage **Amend No. 1, Municipal Authority of Buffalo Township**, 707 South Pike Road, Sarver, PA 16055

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

Description of Proposed Action/Activity: This application is for the expansion of an existing wastewater treatment plant.

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


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


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


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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 091202	ProLogis 60 State Street, Suite 1200 Boston, MA 02109	Bucks	Milford Township	Unnamed Tributary Molasses and Licking Creeks (HQ-TSF-MF)
PAI01 1508064A-1	Transco 2800 Post Oak Boulevard PO Box 1396 Houston, TX 77251-1396	Chester	East Brandywine and East Caln Townships	East Branch Brandywine Creek (WWF-MF); Ludwig's Run (HQ-TSF)
PAI01 151210	Ludwig's Corner Horseshow Assoc PO Box 754 Uwchland, PA 19480	Chester	West Vincent Township	Unnamed Tributary Black Horse Creek/ Marsh Creek (HQ-TSF)
PAI01 2311005— Phase 2	Castleway Properties, LLC 110 Industrial Highway Mail Stop 1, E Building 1 Suite 101 Lester, PA 19113	Delaware	Tinicum Township	Tributary Delaware River (WWF-MF)

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790**Lehigh County Conservation District: Lehigh Ag. Ctr., Ste. 102, 4184 Dorney Park Road, Allentown, PA 18104, 610-391-9583.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023912005	Frank Taylor Industrial Boulevard LP 7561 Industrial Blvd. Allentown, PA 18106	Lehigh	Upper Macungie Township	Iron Run, HQ-CWF, MF
PAI023912003	Frank Leist Lehigh County Authority 1053 Spruce Street P. O. Box 3348 Allentown, PA 18106	Lehigh	Upper Macungie Township	Little Lehigh Creek, HQ-CWF, MF

*Northampton County Conservation District: 14 Gracedale Ave., Greystone Building, Nazareth, PA 18064, 610-746-1971.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024807014R	J. B. Reilly Traditions of America, LP One Saucon View Dr. Bethlehem, PA 18015	Northampton	Hanover Township	Monocacy Creek, 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>
PAI032112001	Keith Plasterer Carlisle Sports Emporium, Inc. 29 South Middlesex Road Carlisle, PA 17013	Cumberland	Middlesex Township	Letort Spring Run/ HQ, CWF

*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>
PAI041412005	Ronald Woodhead Centre Regional Council of Governments 2634 Gateway Drive, Suite 1 State College, PA 16801	Centre	College Township	Spring Creek 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>
PAI050312002	Kittanning Suburban Joint Water Authority 710 Tarrtown Road Adrian, PA 16210	Armstrong	North Buffalo East Franklin	UNT to Glade Run (TSF) UNT to Pine Run (HQ-TSF) Marrowbone Run, Allegheny River (WWF)

*Beaver County Conservation District, 156 Cowpath Road, Aliquippa, PA 15001 (724) 378-1701*

<i>Permit No.</i>	<i>Applicant &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI050412001	Pascal Nardelli Castlebrook Development Co, LLC 2593 Wexford Bayne Road Suite 201 Sewickley, PA 15143	Beaver	Chippewa Township	UNT to North Fork Little Beaver Creek (HQ-CWF)

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

PAG-12            CAFOs

**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>
Tim Heckenluber 413 Heckenluber Road Biglerville, PA 17307	Adams County	20	398.29	Turkeys	NA	Renewal

**PUBLIC WATER SUPPLY (PWS) PERMITS**

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

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the

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

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

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

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

### SAFE DRINKING WATER

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

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

##### Application No. 5412501, Public Water Supply.

Applicant	<b>Forest Springs Water Company</b>
[Township or Borough]	Wayne Township <b>Schuylkill County</b>
Responsible Official	Mr. Bryan Shinn, President Forest Springs Water Company 2 East Point Drive Birdsboro, PA. 19508
Type of Facility	Public Water Supply
Consulting Engineer	Mr. Thomas G. Pullar, PE. EarthRes Group, Inc. PO Box 468 6912 Old Easton Road Pipersville, PA 18947
Application Received Date	March 12, 2012
Description of Action	This project provides for the addition of a new source of supply consisting of a borehole (BH-1) groundwater source to the existing bulk hauling water system. The application also includes the transmission main to the existing permitted hauling station.

##### Application No. 4012503, Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.</b>
[Township or Borough]	Kingston Township <b>Luzerne County</b>
Responsible Official	Patrick R. Burke, Regional Manager Northeast & Central Operations 1 Aqua Way White Haven, PA 18661

Type of Facility	Community Water System
Consulting Engineer	William A. LaDieu, PE CET Engineering Services 1240 North Mountain Road Harrisburg, PA 17112 717-541-0622
Application Received Date	April 9, 2012
Description of Action	Application for construction of a replacement well station for Midway Manor CWS.

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

##### Permit No. 2112505, Public Water Supply.

Applicant	<b>Conodoquinet Mobile Estates</b>
Municipality	Lower Mifflin Township
County	<b>Cumberland</b>
Responsible Official	John D Walter, Owner 105 Carlisle Road Newville, PA 17241
Type of Facility	Public Water Supply
Consulting Engineer	Charles A Kehew II, P.E. James R. Holley & Associates, Inc. 18 South George Street York, PA 17401
Application Received:	3/28/2012
Description of Action	Greensand filtration for iron and manganese removal.

##### Permit No. 0612506, Public Water Supply.

Applicant	<b>Hamburg Municipal Authority</b>
Municipality	Windor Township
County	<b>Berks</b>
Responsible Official	Stephen Smith, Chairman 61 North 3rd Street Hamburg, PA 19526
Type of Facility	Public Water Supply
Consulting Engineer	Karen C. Pollock, P.E. Systems Design Engineering 1032 James Drive Lessport, PA 19533
Application Received:	3/30/2012
Description of Action	Permit for to new ground water sources, Well Nos. 6 & 7.

##### Permit No. 3612508, Public Water Supply.

Applicant	<b>Steel Fab Enterprises, LLC</b>
Municipality	Pequea Township
County	<b>Lancaster</b>
Responsible Official	Tammy J. Alexander, Corporate Treasurer 623 Baumgardner Road Lancaster, PA 17603



Type of Facility Public Water Supply  
 Consulting Engineer Charles A Kehew II, P.E.  
 James R. Holley &  
 Associates, Inc.  
 18 South George Street  
 York, PA 17401

Application Received: 4/4/2012

Description of Action Installation of an anion exchange  
 nitrate treatment and a sodium  
 hypochlorite disinfection system  
 and demonstration of 4-log  
 treatment of viruses.

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

**Permit No. 2012504**, Public Water Supply

Applicant **Parkwood Mobile Home Park**

Township or Borough Woodcock Township

County **Crawford**

Responsible Official John A. McMinn and Karen A.  
 McMinn

Type of Facility Public Water Supply

Consulting Engineer Mark J. Corey, P.E.  
 Mark J. Corey & Associates  
 P. O. Box 268  
 Harborcreek, PA 16421

Application Received Date March 30, 2012

Description of Action Permit for existing water system.

#### MINOR AMENDMENT

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

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

#### Application No. 4012502MA, Minor Amendment.

Applicant **Virazon Properties, Inc.  
 dba White Birch Village  
 Mobile Home Park c/o  
 Tall Timbers Village-6  
 Factoryville, PA. 18419**

[Township or Borough] Dallas Township,  
**Luzerne County**

Responsible Official Mr. James I Russell

Type of Facility Public Water Supply

Consulting Engineer Milnes Engineers, Inc.  
 c/o Mr. Michael P. Goodwin, PE.  
 12 Frear Hill Road  
 Tunkhannock, PA. 18657

Application Received Date March 9, 2012

Description of Action Provide additional storage for  
 increased chlorine contact time  
 in order to comply with the  
 requirements of the Ground  
 Water Rule

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environ-  
 mental Remediation Standards Act (act) (35 P. S.  
 §§ 6026.302—6026.305) require the Department to pub-  
 lish 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 remedia-  
 tion measures for the site and a description of the  
 intended future use of the site. A person who demon-  
 strates 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 con-  
 tamination identified in reports submitted to and ap-  
 proved 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 pub-  
 lished 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 remedia-  
 tion 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 approp-  
 riate regional office. TDD users may telephone the  
 Department through the AT&T Relay Service at (800)  
 654-5984.

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

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

**Miller Property**, 198 Peggy Runway Road, Berlin Township, **Wayne County**. Martin Gilgallon, Pennsylvania Tectonics, Inc., 723 Main Street, Archbald, PA 18403 has submitted a Notice of Intent to Remediate on behalf of his client, Stacy Miller, 198 Peggy Runway Road, Beach Lake, PA 18405, concerning the remediation of soil found to have been impacted by No 2 fuel oil as a result of a release from a corrosive, unregulated 275-gallon aboveground storage tank. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard for soil. The anticipated future use of the site is expected to remain residential. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

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

**Standard Steel LLC—Oil Storage House**, 500 North Walnut Street, Burnham, PA 17009, Burnham Borough, **Mifflin County**. C. D. Tower and Associates, Inc., PO Box 307, Export, PA 15632, on behalf of Standard Steel, LLC, 500 North Walnut Street, Burnham, PA 17009, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with No. 2 fuel oil and lead. The site will be remediated to a combination of the Nonresidential Statewide Health and Site-Specific Standards. Future use of the site remains a bulk fueling facility.

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

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

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

**General Permit Application No. WMGR098D007. Kurtz Bros., Inc.**, 6415 Granger Road, Independence, OH 44131. Site: 366 Sandy Point Road, Emlenton, PA 16373. The Department of Environmental Protection, Bureau of Waste Management has received an application for a determination of applicability under the General Permit # WMGR098. The general permit WMGR098 is for beneficial use of waste foundry system sand and sand system dusts generated by ferrous metal foundries and steel foundries for use as a construction material, or as a soil additive or soil amendment. The determination of applicability application was determined administratively complete by Central Office on April 17, 2012.

Written comments concerning the application should be directed to Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Comments may also be submitted via

e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on WMGR098D007" in the subject line. Faxed comments will not be accepted. 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.**

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

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

**65-00016I: Latrobe Specialty Metals, a Carpenter Co.** (2626 Ligonier Street, PO Box 31, Latrobe, PA 15650) to install two (2) new homogenizing furnaces at their Latrobe Plant in Latrobe Borough, **Westmoreland County**. This is a Title V Plan Approval application submittal.

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

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

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

**25-179D: Erie City Sewer Authority—Waste Water Treatment Plant** (68 Port Access Road, Erie, PA 16507-2202) for the post-construction operation of a 215 KW (288 bhp) natural gas fueled emergency generator in the City of Erie, **Erie County**.

Pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 25-179D to the Erie City Sewer Authority, for the post-construction operation of a 215 KW (288 bhp) natural gas fueled emergency generator, for the facility located in the City of Erie, Erie County. The Plan Approval will subsequently be incorporated into the facility Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 25-179D is for the post-construction operation of a natural gas fueled emergency generator. Based on the information provided by the applicant and DEP's own analysis, the subject source will have the potential to emit approximately 2.26 tons per year of nitrogen oxides (NO<sub>x</sub>), 0.17 tons per year of carbon monoxide, 0.08 ton per year of volatile organic compounds (VOC), 0.007 ton of particulate matter, and 0.0004 ton per year of sulfur oxides (SO<sub>x</sub>).

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

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

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

**AMS 11197: James Abbott Inc.** (2105 East Wishart Street, Philadelphia, PA 19134) for installation and operation of a decorative chrome plating and a electroless & electrolytic nickel plating process that uses a wetting agent in the City of Philadelphia, **Philadelphia County**. There will be a potential emission increase of less than 0.03 mg/dscm of Trivalent Chromium and less than 0.1 mg/dscm of Nickel. The plan approval will contain operating, testing, monitoring, and recordkeeping requirements to ensure operation within all applicable requirements.

**AMS 11281: Sweet Ovations, LLC** (1741 Tomlinson Rd, Philadelphia, PA 19116) for installation of four (4)

baghouses in the City of Philadelphia, **Philadelphia County**. There will be a potential annual emission increase of less than 0.5 tons of Particulate Matter. The plan approval will contain operating, testing, monitoring, and recordkeeping requirements to ensure operation within all applicable requirements.

#### OPERATING PERMITS

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

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

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

**43-00287: Jones Performance Products, Inc.—West Middlesex Plant** (No. 1 Jones Way, P. O. Box 563, West Middlesex, PA 16159) for a Title V Operating Permit Renewal to operate a Reinforced Plastic Manufacturing Facility, in West Middlesex Borough, **Mercer County**. This facility is a major source due to potential VOC and HAP emissions.

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

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

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

**09-00019: Naceville Materials, Inc.—Miller Materials** (887 Mill Creek Road, Rushland, PA 18956) for a renewal/administrative amendment of State Only Operating Permit ("SOOP") No. 09-00019 in Wrightstown Township, **Bucks County**. The following major changes have occurred at the facility since the SOOP was last amended in 2007, and will be addressed in the renewal SOOP:

- The installation of a 15,000-gal waste derived liquid fuel ("WDLF") aboveground storage tank and the consumption of on-specification WDLF as an additional fuel type by the facility's batch hot mix asphalt ("HMA") plant, as approved under Plan Approval No. 09-0019C.

- The addition of a screen to the facility's reclaimed asphalt pavement ("RAP") plant, as well as the modification of how the RAP is delivered from the RAP plant to the batch HMA plant, as approved under Request for Determination No. 2752.

- The owner of the facility has changed from Miller & Son Paving, Inc., to Naceville Materials, Inc.

The facility's air emissions sources consist of a stone crushing plant and the aforementioned RAP and batch HMA plants. The potential to emit nitrogen oxides ("NO<sub>x</sub>") and volatile organic compounds ("VOCs") from the batch HMA plant/facility each exceed 25 tons per year; however, Miller Materials has elected to restrict the HMA production for the batch HMA plant such that the NO<sub>x</sub> and VOC emissions from the facility will each not exceed 24.9 tons per year.

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

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

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

**40-00096: DMS Shredding, Inc.** (9 Fellow Avenue, Wilkes-Barre, PA 18706-5231) for operation of a metal shredding operation in Hanover Township, **Luzerne County**. This is a renewal of a State-Only Operating Permit.

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

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

**22-03010: East Harrisburg Cemetery Co.** (2260 Herr Street, Harrisburg, PA 17103-6009) for operation of a natural gas fired main cremation chamber unit with afterburner and a #2 oil fired back up unit with secondary burner on their grounds in Susquehanna Township, **Dauphin County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the abovementioned facility. The subject facility's particulate matter emission is estimated to be about 0.05 ton per year and since the facility is located within the Harrisburg Air Basin, the sulfur limit in the oil is limited 0.3% (wt.).

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 both 25 Pa. Code §§ 129.52 and 129.77.

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

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

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

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

**38-05020: Keystone Protein Co.** (568 Chestnut Hill Road, Fredericksburg, PA 17026) for their rendering and meat byproduct processing facility in Bethel Township, **Lebanon 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 34.5 tpy of SO<sub>x</sub>, 11.1 tpy of NO<sub>x</sub>, 2.8 tpy of CO and 3.2 tpy of PM. 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 and 40 CFR Part 63, Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

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

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

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

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

**04-00086: FirstEnergy Nuclear Generation Corporation (FENOC)** (Route 168, PO Box 4, Shippingport, PA 15077) for renewal of a permit for the Beaver Valley Power Station. No modifications to the facility are being proposed as part of this renewal application in Shippingport Borough, **Beaver County**. This is a State Only Operating Permit renewal submission.

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

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

**25-00891: Corry Contract, Inc.** (21 Maple Avenue, Corry, PA 16407-1630), for a renewal Synthetic Minor Permit to operate an office furniture manufacturing facility located in City of Corry, **Erie County**. The emitting sources included, 1) Miscellaneous natural gas usage, 2) Boiler, 3) Third floor paint booth (5), 4) Touch up booths (3), 5) Batch oven (Touch-Up), 6) Cure oven, 7) Pyrolysis

oven, 8) Liquid paint booths, 9) Plant II curing oven, 10) Degreaser unit, 11) Two old laser cutters and, 12) One new laser cutter with dust collector. The facility is synthetic minor because the facility has taken an elective emission restriction on the VOC emissions of less than 49.9 tons per year based on a 12-month rolling total.

**61-00007: IA Construction Corporation, Franklin Plant** (24 Gibb Road, Franklin, PA 16323), for a Synthetic Minor Permit to operate a hot mix asphalt plant located in Sugarcreek Borough, **Venango County**. The significant sources are hot mix batch plant (180 TPH) and portable crusher, screen and diesel generator. The facility has taken a restriction on production not exceeding 495,000 tons per year to qualify as a Synthetic Minor facility.

## 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

*Effluent Limits*—The following range of effluent limits will apply to NPDES permits issued in conjunction with the associated coal mining activity permit and, in some cases, noncoal mining permits:

Parameter	Table 1		
	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH <sup>1</sup>		greater than 6.0; less than 9.0	
Alkalinity greater than acidity <sup>1</sup>			

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

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; and mined areas backfilled and revegetated; and drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

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

**30841316 and NPDES No. PA 0213535, Consol Pennsylvania Coal Company, LLC**, (PO Box J, 1525 Pleasant Grove Road, Claysville, PA 15323), to revise the permit for the Bailey Mine & Prep Plant in Richhill

Township, **Greene County** to add underground permit and subsidence control plan area acres for longwall mining. Stream restoration may be necessary to alleviate subsidence pooling impacts to stream segments in four areas of Kent Run, Four areas of North Fork Dunkard Fork, and one area of Whitethorn Run. Underground Acres Proposed 3175, Subsidence Control Plan Acres Proposed 3175. Application also includes a request for a Section 401 Water Quality Certification. No additional discharges. The application was considered administratively complete on April 12, 2012. Application received April 2, 2012.

**56981301 and NPDES No. PA 0215121, Quecreek Mining Inc.**, (PO Box 60, 1576 Stoystown Road, Friedens, PA 15541), to revise the permit for the

Quecreek No. 1 Mine in Lincoln and Somerset Townships, **Somerset County** and related NPDES permit to add underground permit and subsidence control plan area acres. Underground Acres Proposed 1237.0, Subsidence Control Plan Acres Proposed 793.0. No additional discharges. The application was considered administratively complete on April 12, 2012. Application received November 14, 2011.

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

**56120108 and NPDES No. PA0269018. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, commencement, operation and restoration of a bituminous surface and auger mine in Paint and Adams Townships, **Somerset and Cambria Counties**, affecting 163.9 acres. Receiving stream(s): UTS to/and Paint Creek and Stonycreek River classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received April 2, 2012.

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

**54860108C6: Reading Anthracite Company**, (PO Box 1200, Pottsville, PA 17901), correction to an existing anthracite surface mine operation to include clean fill for reclamation in New Castle and Norwegian Townships and St. Clair Borough, **Schuylkill County** affecting 1,469.0 acres, receiving stream: Schuylkill River. Application received: March 30, 2012.

**54030103C4 and NPDES Permit No. PA0224367. Jett Contracting Company**, (231 Winfield Drive,

Brockton, PA 17925), correction to an existing anthracite surface mine operation for a stream variance in Blythe Township, **Schuylkill County**, receiving stream: unnamed tributary of Morgan's Run, classified for the following use: cold water fishes. Application received: April 6, 2012.

**19000201R2 and NPDES Permit No. PA0224108. Mid-Valley Coal Sales, Inc.**, (212 West Cherry Street, Mt. Carmel, PA 17851), renewal of an existing anthracite coal refuse reprocessing and disposal operation in Conyngham Township, **Columbia County** affecting 343.0 acres, receiving stream: North Branch Shamokin Creek, classified for the following use: cold water fishes. Application received: April 10, 2012.

**49060101R. Last Time Coal Company**, (119 Greenwood Street, Trevorton, PA 17881), renewal of an existing anthracite surface mine operation in Zerbe Township, **Northumberland County** affecting 242.1 acres, receiving stream: Zerbe Run, classified for the following use: cold water fishes. Application received: April 10, 2012.

**54860109R5. Rausch Creek Land, LP**, (978 Gap Street, Valley View, PA 17983), renewal of an existing anthracite surface mine operation for reclamation activities only in Tremont Township, **Schuylkill County** affecting 35.0 acres, receiving stream: Stumps Run, classified for the following use: cold water fishes. Application received: April 11, 2012.

*Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**08120301. Glenn O Hawbaker, Inc.** (1952 Waddle Road, Suite 203, State College, PA 16803). Commencement, operation and restoration of a large surface industrial mineral (siltstone/sandstone/limestone) surface mine located in Burlington Borough, **Bradford County** affecting 45.7 acres. Receiving streams: Sugar Creek classified for warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received April 5, 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*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

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

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

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

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

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

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

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

*Coal NPDES Draft Permits*

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

**NPDES No. PA0069159 (Mining permit no. 11773037), Cooney Brothers Coal Company**, P. O. Box 246, Cresson, PA 16630, renewal of an NPDES permit for reclamation only on a surface mine in Conemaugh Township, **Cambria County**, affecting 358.7 acres. Receiving stream(s): unnamed tributaries to/and Little Conemaugh River, classified for the following use(s): cold water fishery. This receiving stream is included in the Kiskiminetas-Conemaugh River TMDL. Application received: January 31, 2012.

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

The outfall(s) listed below discharge to unnamed tributaries to/and Little Conemaugh River.

The treated wastewater outfall listed below discharge to unnamed tributary to Little Conemaugh River.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
011	N

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

**NPDES No. PA0258121 (Permit No. 16060102). Glenn O. Hawbaker, Inc.** (1952 Waddle Road, State College, PA 16803) Renewal of NPDES permit for a bituminous surface mine in Beaver & Licking Townships, **Clarion County**, affecting 29.0 acres. Receiving streams: Unnamed tributary to Clarion River, classified for the following uses: CWF. TMDL: None. Application received: February 29, 2012.

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

The outfall(s) listed below discharge to unnamed tributary to Clarion River:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
SP3	N

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

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

**NPDES No. PA0258199 (Permit No. 16060107). Ancient Sun, Inc.** (P. O. Box 129, Shippenville, PA 16254) Renewal of NPDES permit for a bituminous surface mine in Ashland Township, **Clarion County**, affecting 62.0 acres. Receiving streams: Unnamed tributary to Little East Sandy Creek, classified for the following uses: CWF. TMDL: None. Application received: February 24, 2012. Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The outfall(s) listed below discharge to unnamed tributary to Little East Sandy Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TA1	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3	6	7
Manganese (mg/l)		1.3	2.6	3.3
Aluminum (mg/l)		1.4	2.8	3.5
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90

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

The outfall(s) listed below discharge to unnamed tributary to Little East Sandy Creek:

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

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

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



*Noncoal NPDES Draft Permits*

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

**NPDES No. PA0225151 on Surface Mining Permit No. 66111001. Meshoppen Stone, Inc.,** P. O. Box 127, Meshoppen, PA 18630), new NPDES Permit for a bluestone quarry operation in Eaton Township, **Wyoming County**, affecting 5.0 acres. Receiving stream: Newton Creek Run, classified for the following uses: HQ—cold water fishes and migratory fishes. Application received: November 7, 2011.

There will be no point-source discharge to Newton Creek Run.

Non-discharge BMP's will apply to this site.

### FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E09-960. Pennsylvania Department of Transportation, District 6,** 7000 Geerdes Blvd, King of Prussia, PA 19406, **Bucks County.** ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the replacement of the existing bridge that carries S.R. 0412, Section 53M (Hellertown Road) over an unnamed tributary (UNT) of Cooks Creek (EV, MF):

1. To remove the existing bridge and to construct and maintain, in its place, a single span open bottom arch culvert and associated wingwalls. This project temporarily impacts approximately 0.003 acre of wetlands (Palustrine Emergent). The proposed culvert will be approximately 36-foot long, 24-foot wide and will have a 6-foot crown height at upstream face. This work includes removal of the accumulated sediment at the upstream of the existing bridge, associated with maintenance of the bridge's hydraulic opening and the stream's conveyance channel.

2. To stabilize approximately 100 linear feet of streambank. This work includes installation and maintenance of rock cross vanes and step pools, associated with stream enhancement, at approximately 70 feet upstream of the proposed culvert.

The project will permanently impact approximately 144 linear feet of the stream and temporarily impact approximately 116 linear feet of the stream. The site is located approximately 278 feet northeast of the intersection of Moyer Road and Hellertown Road in Springfield Township, Bucks County (Hellertown, PA USGS Quadrangle N: 8.31 inches; W: 7.45 inches)

**E15-825. RT/TC Atwater, LP,** 300 Conshohocken State Road, Suite 250, Conshohocken, PA 19428, East Whiteland Township, **Chester County,** ACOE Philadelphia District.

To construct and maintain an 18-foot high by 48-foot long by 80-foot wide closed loop of GEO-cooling system at a depth of 140 feet below the water surface elevation of the existing lake (quarry), a tributary of Valley Creek (EV, MF) aka Atwater lake; for the purpose of cooling a proposed building at lot 14 at Atwater office buildings.

The proposed system will be located at Atwater Drive (Malvern, PA USGS map, N: 5.6 inches; W: 6.5 inches).

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

**E28-374: Maureen Walker, McDonald's USA, LLC, McDonald's Restaurant,** 801 Lakeview Drive, Suite 302, Blue Bell, Pennsylvania 19422, in Chambersburg Borough, **Franklin County,** ACOE Baltimore District

To demolish the existing 2,863.0-square foot restaurant and construct and maintain a 4,318.0-square foot restaurant, including public roadway, utilities, landscaping, and stormwater management facilities within the floodway and floodplain of an unnamed tributary to Falling Spring Branch (TSF, MF). The project is located at 1075 Lincoln Way East (Chambersburg, PA Quadrangle; N: 10.04 inches, W: 1.95 inches; Latitude: 39°55'49", Longitude: -77°38'20") in Chambersburg Borough, Franklin County. The purpose of the project is to upgrade the facilities to increase efficiency.

**E67-899: Muddy Creek Chapter of Trout Unlimited #575,** PO Box 211, Dallastown, Pennsylvania 17313, in Chanceford and Windsor Townships, **York County,** ACOE Baltimore District

To: 1) relocate and maintain 201.0 feet of Pine Run; 2) install and maintain fish enhancement structures, an agricultural crossing in Pine Run, and an agricultural

crossing in an unnamed tributary to Pine Run; and 3) restore and maintain 1,766.0 feet of Pine Run and two unnamed tributaries of Pine Run (CWF, MF), for the purpose of improving fish habitat and stabilizing the stream. The project site runs parallel to Blouse Road and is located at the northwest corner of the intersection of Blouse Road and Brownton Road (York, PA Quadrangle, Latitude: 39°52'19", Longitude: -76°33'52") in Chanceford and Windsor Townships, York County.

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

**E41-626. Pennsylvania Department of Transportation, Engineering District 3-0**, PO Box 218, Montoursville, PA 17754-0218. S.R. 2039, Section 005, Mill Creek Retaining Wall Replacement, Loyalsock Township, **Lycoming County**, ACOE Baltimore District (Montoursville North and South, PA Quadrangle N: 41° 15' 48"; W: 76° 55' 54").

PA DOT Engineering District 3-0 proposes to replace an existing hand laid stone retaining wall with a 1:5 to 1 Rip-Rap slope. The Rip-Rap slope will impact approximately 220 Linear Feet of Mill Creek. Approximately 318 Linear Feet of Mill Creek will be relocated to accommodate the Rip-Rap slope. The project will also replace a 44-inch corrugated metal pipe under SR 2039 with a 48-inch reinforced metal pipe. The pipe replacement will impact approximately 110 Feet of an Unnamed Tributary to Mill Creek. The project will impact approximately 80 linear Feet of Mill Creek with upstream log deflectors. The log deflectors will help create some fish habitat as well as streambank stabilization. The project will temporarily impact 0.02 acre and permanently impact 0.01 acre of jurisdictional wetlands and does not require mitigation. Mill Creek is classified as Trout Stream Fishery by Title 25, Chapter 93 Water Quality Standards. The project will require mitigation.

**E41-627. Pennsylvania Department of Transportation, Engineering District 3-0**, PO Box 218, Montoursville, PA 17754-0218. S.R. 0973, Section 026, Loyalsock Creek Bridge Replacement, Eldred and Upper Fairfield Townships, **Lycoming County**, ACOE Baltimore District (Montoursville North, PA Quadrangle N: 41° 19' 30"; W: 76° 54' 43").

PA DOT Engineering District 3-0 proposes to replace a four-span reinforced concrete bridge, which was damaged during Hurricane Lee with a three-span reinforced concrete bridge. The existing bridge has a total span of 321 ft., a skew of 79 degrees, an underclearance of 28.8 ft., and a low chord of 609.54 ft. and a hydraulic opening of 7,945 ft<sup>2</sup>. The proposed bridge has a total span of 336 ft., a skew of 79 degrees, an underclearance of 26.5 ft., and a low chord of 607.17 ft. and a hydraulic opening of 8,264 ft<sup>2</sup>. The project will also replace SR 1003 (Wallis Run Road), which was damaged during Hurricane Lee. The existing stream bank will be Rip-Rap protected and the alignment of SR 1003 will be shifted west. Approximately 1,684 ft. of SR 1003 will be reconstructed. Additionally, approximately 760 ft. of SR 0973 will need to be reconstructed on the existing vertical and horizontal alignment. The project will not impact any jurisdictional wetlands and does not require mitigation. Loyalsock Creek is classified as an Exceptional Value Stream by Title 25, Chapter 93 Water Quality Standards. The project will not require mitigation.

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

**E02-1667. 910 Properties II, LLC**, 15 27th Street, Pittsburgh, PA 15222, Harmar Township, **Allegheny County**; ACOE Pittsburgh District.

The applicant proposes to construct, and maintain two stream channel fills with a total impact of 724 feet on two UNT to Deer Creek (CWF) in order to construct a truck terminal. The project is located at the intersection of SR 910 and Rich Hill Road (New Kensington West, PA Quadrangle; N: 9.1 inches, W: 12.4 inches; Latitude: 40° 33' 3"; Longitude: 79° 50' 20") in Harmar Township, Allegheny County.

**E02-1668. PennDOT Engineering District 11-0**, 45 Thoms Run Road Bridgeville, PA 15017, South Fayette Township, **Allegheny County**; ACOE Pittsburgh District.

The applicant proposes to construct and maintain an 18 ft span, 54 ft long, 7 ft clearance box culvert depressed 1 ft with a drainage area of 3.65 square miles replacing the existing 15.8 ft span, 6.4 ft underclearance, 27 ft long bridge under the to be widened SR3003; temporary encroachments, including a temporary pedestrian access and bridge; and road construction associated stormwater outfalls in Coal Run (WWF, Bridgeville PA Quadrangle, North 17.25 inches and West 15.5 inches; Latitude 40° 20' 53" and Longitude 80° 6' 38") South Fayette Township, Allegheny county.

**E26-364. PennDOT Engineering District 12-0**, 825 North Gallatin Avenue, PO Box 495, Uniontown, PA 15401, Stewart Township, **Fayette County**; ACOE Pittsburgh District.

Applicant is proposes to remove the existing bridge having a width of 30', a span of 26.9', and an underclearance of 7.5'; and to construct and maintain a new bridge having a width of 37.8', a span of 42.3', and underclearance of 7.7' using half width construction over Bear Run (EV) which is designated as a Scenic River and supports Wild Trout. In addition construct and maintain associated stormwater outlets. The project is located approximately 570' east of the Fallingwater National Historic Landmark (Mill Run Pa Quadrangle; N: 5 inches; W: 12.5 inches; latitude 39° 54' 2.2"; Longitude 79° 27' 57.4") in Stewart Township, Fayette County.

**E32-498. GenOn Wholesale Generation, LP**, 595 Plant Road, New Florence, PA 15944-8927, East Wheatfield Township, **Indiana County**; ACOE Pittsburgh District.

The applicant proposes to construct, operate, and maintain a 4,500 foot long groundwater collection and conveyance system within the floodway of the Conemaugh River (WWF). The project is located at the Seward Generating Station (New Florence, PA Quadrangle; N: 4.25 inches, W: 4.75 inches; Latitude: 40° 24' 12.4"; Longitude: 79° 02' 24.4") in East Wheatfield Township, Indiana County.

**E63-642. Investors Mark Acquisitions, LLC**, 124 Windermere Court, McMurray, PA 15317, Peters Township, **Allegheny County**; ACOE Pittsburgh District.

The applicant proposes to construct and maintain a box culvert having a span of 10.0 ft. with an underclearance of 6.0 feet approximately 96.0 feet in length in an unnamed tributary to Brush Run (WWF) located under Villa Drive, to construct and maintain a 36.0 inch diameter culvert approximately 84.0 feet in length in an unnamed tributary to Brush Run (WWF) and associated wetlands, to construct and maintain a 36.0 inch diameter

culvert approximately 80.0 feet in length in an unnamed tributary to Brush Run (WWF) located under Villa Drive near the cud de sac of Villa Drive and to construct and maintain an 8.0 inch diameter sewer line under the bed and across the channels of said streams and associated wetlands for the purpose of providing access to the proposed Tuscany Plan of Lots. The project is located on the north side of Just About Road, approximately 1,400.0 feet north from the intersection of Just About Road, Farm Road and Sienna Trail (Bridgeville, PA Quadrangle; N: 10.5 inches; W: 2.75 inches; Latitude: 40°-18'-24"; Longitude: 80°-01'-11") in Peters Township, Washington County and will impact approximately 385.0 linear feet of stream channel and 0.054 acre of wetlands (0.036 acre permanent and 0.018 acre temporary). To compensate for the loss of 335.0 linear feet of stream channel, the applicant proposes to construct stream enhancement activities on UNT 2A. A wetland mitigation area adjacent to Wetland 5 is also proposed.

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

Project Description

**(E30-07-005) EQT Production Company**, 455 Race-track Road, Suite 101, Washington, PA 15301. To construct an access road for a proposed gas well pad, crossing Tributary 40318 to South Fork Ten Mile Creek, a Warm Water Fishery, in Morgan Township, **Greene County**, Pittsburgh ACOE District, State Water Plan Basin 19B, (Mather Quadrangle, 13.5 inches N, 10 inches W; Latitude N 39°57'04.61", Longitude W -80°03'03.87"). This project will impact .002 acre of wetland and 94 linear feet of stream. The applicant proposes to install 94 feet of 48" HDPE culvert at the stream crossing for a permanent 20' wide access road for the Nicoloff gas well pad. The upstream watershed drainage at the access road crossing is approximately 64.5 acres.

<i>Stream Name</i>	<i>Coordinates</i>	<i>Proposed Linear Impact</i>
T40318 to South Fork Ten Mile Creek	N 39°57'04.61" W -80°03'03.87"	94 ft. (culvert)

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

**E27-086, Tennessee Gas Pipeline Company, LLC**, 1001 Louisiana Street, 740B, Houston TX 77002. STA 631+52 Anomaly Repair, in Jenks Township, **Forest County**, ACOE Pittsburgh District (Marienville East, PA Quadrangle N: 41° 29' 20.38"; W: 79° 06' 50.28").

Applicant proposes to perform maintenance on a section of existing gas pipeline located within a previously disturbed right-of-way. Access to the repair site requires temporary crossings of three wetland areas and 1 stream (UNT Salmon Creek, HQ-CWF) located within the right-of-way. Project will result in temporary impacts to 0.19 acre PEM wetland and 12 LF of stream channel.

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

**E4129-029: PVR Marcellus Gas Gathering, LLC**, 100 Penn Tower, Suite 201 & 202, 25 West Third Street, Williamsport, PA 17701, Cummings Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

(1) two 12.0 inch diameter water pipe lines and timber matting across Tarkiln Run (EV) impacting 77 linear feet (Waterville Quadrangle 41°18'10"N 77°17'45"W),

(2) two 12.0 inch diameter water pipe lines and timber matting across Ritter Run (EV) impacting 81 linear feet (Waterville Quadrangle 41°17'15"N 77°17'40"W).

The project will result in 158 linear feet of stream impacts and 0.0 acre of wetland impacts, all for the purpose of installing water pipe line with associated access roadways for Marcellus well development.

**STORAGE TANKS  
SITE-SPECIFIC INSTALLATION PERMITS**

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

**The following applications have been received for Storage Tank Site-Specific Installation Permits under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C.**

<i>SSIP Application No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
12008	Integrity Industries, Inc. 2710 East Corral Kingsville, TX 78363 Attn: James H. Long	Lycoming	Muncy Creek Township	32 ASTs storing petroleum products and hazardous substances	648,480 gallons total

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**ACTIONS**


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

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

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

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

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

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

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

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**I. NPDES Renewal Permit Actions**


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

<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>
PA0032140 (Sewage)	Lackawanna State Park RR 1, Box 230 Dalton, PA 18414-9785	Lackawanna County Benton Township	South Branch Tunkhannock Creek (4-F)	Y
PA0060313 (Sewage)	Clean Treatment Sewage Co. Townsend Circle Road Dingmans Ferry, PA 18328	Pike County Delaware Township	Dingmans Creek (1-D)	Y

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


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

**NPDES Permit No. PA0056481, Sewage, Oak Grove Country Inn, LLC, 34 Durham Road, Ottsville, PA 18942.**

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge up to 0.0016 MGD of treated sewage from a facility known as Oak Grove Country Inn STP to Unnamed Tributary to Cabin Run in Watershed 2-D.

**NPDES Permit No. PA0012467**, IW, **Laurel Pipe Line Company, L.P.**, 9999 Hamilton Boulevard, Breinigsville, PA 18031.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge Stormwater, treated groundwater and hydrostatic test water from a facility known as Booth Station IWTP to an UNT to Green Creek in Watershed 3-G.

**NPDES Permit No. PA0011096**, IW, **Sunoco, Inc. R & M**, 100 Green Street, Marcus Hook, PA 19061-0426.

This proposed facility is located in Marcus Hook Borough, **Delaware County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge noncontact cooling water and Stormwater from a facility known as Marcus Hook Refinery to Middle Creek and Delaware River Estuary Zone 4 in Watershed 3G.

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

**NPDES Permit No. PA0027235**, Sewage, SIC Code 4952, **Easton Area Joint Sewer Authority**, 50-A South Delaware Drive, Easton, PA 18042.

This existing facility is located in Easton City, **Northampton County**.

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

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

**NPDES Permit No. PAS123501**, Industrial Waste Stormwater, **Linette Quality Chocolates, Inc.**, 336 Hill Road, Womelsdorf, PA 19567.

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

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary of Tulpehocken Creek in Watershed 3-C.

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

**PA0027138**, Sewage, SIC Code 4952, **City of Sharon Sanitary Authority**, 155 W Connelly Boulevard, Sharon, PA 16146-1717. Facility Name: Sharon STP. This existing facility is located in the City of Sharon, **Mercer County**.

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

The receiving stream, the Shenango River, is located in State Water Plan watershed 20-A and is classified for warm water fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 8.66 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
CBOD <sub>5</sub>	1,806	2,889	XXX	25	40	50
Total Suspended Solids	2,167	3,250	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000

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

- Pretreatment Program Implementation
- Whole Effluent Toxicity testing required for the renewal permit
- Electronic discharge monitoring reporting requirement
- Stormwater best management practices

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

The EPA Waiver is not in effect.

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

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

**WQM Permit No. 1512404**, Sewage, **London Grove Township Municipal Authority**, 372 Rose Hill Road, Suite 300, West Grove, PA 19390.

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

Description of Action/Activity: Upgrade to both the Avonwheel and Hills of London Grove Pump stations and the installation of a force main diversion valve. Modifications to the Township's sanitary sewer collection and conveyance system.

**WQM Permit No. 1504413**, Sewage, **Transfer, Pennsylvania American Water Company**, 800 Hershey Park Drive, Hershey, PA 17033.

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

Description of Action/Activity: Permit is being transferred from East Fallowfield Township to PAWC with continued operation of a sanitary sewer pump station.

**WQM Permit No. 1503409**, Sewage, **Transfer, Pennsylvania American Water Company**, 800 Hershey Park Drive, Hershey, PA 17033.

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

Description of Action/Activity: Permit is being transferred from East Fallowfield Township to PAWC with continued operation of a sanitary sewer pump station.

**WQM Permit No. WQG010038**, Sewage, **Linh Quang Buddhist Temple**, 821 Ridge Road, Telford, PA 18969.

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

Description of Action/Activity: Construction and operation of a small flow treatment plant to replace an existing failing on-lot system.

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

**WQM Permit No. 3612401**, Sewerage, **Lancaster County Bible Church**, 2392 Mount Joy Road, Manheim, PA 17545.

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

Description of Proposed Action/Activity: Approval for the construction and operation of sewage facilities consisting of denitrification facility consisting of equalization tanks (18,000 gallon capacity), an SBR unit of 15,000 gallons, sludge holding tanks (1,900 gallon capacity) with disposal in existing drip irrigation field.

**WQM Permit No. 3688468 Amendment 12-1**, Sewerage, **Paradise Township Sewer Authority**, PO Box 40, 2 Township Drive, Paradise, PA 17562-0040.

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

Description of Proposed Action/Activity: Amendment approval for a modification to the equalization basin (EQ) pumping, piping and flow distribution. The existing EQ contains submersible pumps that pump to a small wet well. The wet well contains three air lift pumps that pump the waste water to the three treatment trains. The proposal eliminates the wet well and air lift pumps and adds a flow distribution box. The existing submersible pumps will pump directly to the flow distribution box. The distribution box has three adjustable weirs to regulate flow to each train as a weir on a fourth pipe opening that returns flow to the EQ tank.

**WQM Permit No. 3604407, Transfer No. 1**, Sewerage, **Elizabethtown Regional Sewer Authority**, 5 Municipal Drive, Elizabethtown, PA 17022.

This proposed facility is located in Elizabethtown Borough, **Lancaster County**.

Description of Proposed Action/Activity: Permit approval for transfer of sewage facilities consisting of: Bossler Road No. 2 Pump Station (duplex submersible pump station with generator).

**WQM Permit No. 3604418, Transfer No. 1**, Sewerage, **Elizabethtown Regional Sewer Authority**, 5 Municipal Drive, Elizabethtown, PA 17022.

This proposed facility is located in Elizabethtown Borough, **Lancaster County**.

Description of Proposed Action/Activity: Permit approval for transfer of sewage facilities consisting of: Schwanger Road Pump Station (duplex pump system with a constant speed and a variable speed pump for a range of 600 to 980 gpm, 8,776 feet of 10" force main, and 3,795' of 10", 12" and 15" gravity interceptor).

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

**WQM Permit No. 6308403-A1**, Sewerage, **Independence-Cross Creek Joint Sewer Authority**, PO Box 156, 34 Campbell Street, Avella, PA 15312

This existing facility is located in Independence Township, **Washington County**

Description of Proposed Action/Activity: Permit amendment issuance.

**WQM Permit No. 0311402-A1**, Sewerage, **Mahoning Township Board of Supervisors**, 987 State Route 1025, New Bethlehem, PA 16242

This existing facility is located in Mahoning Township, **Armstrong County**

Description of Proposed Action/Activity: Permit amendment issuance.

**IV. NPDES Stormwater Discharges from MS4 Permit Actions****V. NPDES Waiver Stormwater Discharges from MS4 Actions****VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions**

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 091105	Rohm & Haas Chemicals, LLC 3100 State Road Croydon, PA 19021	Bucks	Bristol Township	Delaware River (WWF)
PAI01 231203	Mr. William Massaro 38 Darby Road—Rear Havertown, PA 19083	Chester	Edgmont Township	Rocky Run (HQ-CWF-MF)
PAI01 151129	Key Real Estate, LLC 128 East State St, Ste 110 Kennett Square, PA 19348	Chester	Penn Township	Middle Branch White Clay Creek (TSF-MF); Big Elk Creek (HQ-TSF-MF)
PAI01 151201	Hopewell United Methodist Church 852 Hopewell Road Downingtown, PA 19335	Chester	East Brandywine Township	East Branch Brandywine Creek (HQ-TSF-MF)
PAI01 151204	Progressive Casualty Insurance Company 5910 Landerbrook Drive Mayfield Heights, OH 44124	Chester	Charlestown Township	Unnamed Tributary Valley Creek (EV)

*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>
PAI024511003	Pocono Mountains Industries, Inc. Pocono Mountains Corporate Center East 300 Community Court, Suite D Tobyhanna, PA 18466	Monroe	Coolbaugh Twp.	Red Run, HQ-CWF, MF
PAI024511013	Thomas and Colby Shafer R. R. #3, Box 3863 East Stroudsburg, PA 18301	Monroe	Jackson Twp.	Reeders Run, HQ-CWF, MF
PAI021312002	Towamensing Township Board of Supervisors 120 Stable Road Lehighton, PA 18235	Carbon	Towamensing Twp.	Hunter Creek, HQ-CWF and Unnamed Tributary to Hunter Creek, HQ-CWF
PAI023912001	The Dennis Group, LLC 1537 Main Street Springfield, MA 01103	Lehigh	Upper Macungie Twp.	Iron Run, HQ-CWF, MF
PAI024511015	AutoZone, Inc. 123 South Front St. 3rd Floor Memphis, TN 38103	Monroe	Mount Pocono Borough	Unnamed Tributary to Forest Hills Run, HQ-CWF, MF
PAI024505010R	Maria L. Dumitru 1232 Pine Ridge Bushkill, PA 18324	Monroe	Smithfield Twp.	Marshalls Creek, HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050411004	PA Department of Environmental Protection SWRO 400 Waterfront Drive Pittsburgh, PA 15222	Beaver	Rochester Borough	Ohio River (WWF)

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056311004	Golden Triangle Construction 8555 Old Stuebenville Pike Imperial, PA 15126 Albert Conner 485 Rankin Road Washington, PA 15301	Washington	South Strabane Township	Little Chartiers Creek (HQ-WWF)

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

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

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

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated with Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater from Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

#### General Permit Type—PAG-02

##### Facility Location:

<i>Municipality &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>
Springfield Township Delaware County	PAG0200 2312002	1618 Baltimore Pike, LP One Belmont Avenue, Ste 400 Bala Cynwyd, PA 19004	Darby and Cobbs Creeks (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511136	Hagert Square, Inc. 3500 Windy Bush Road New Hope, PA 18938	Delaware River (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511117	City of Philadelphia— Department of Parks & Recreation 1515 Arch Street, 10th Floor Philadelphia, PA 19102	Delaware Direct Watershed— North (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Scranton, Lackawanna County	PAG02003509001(1)	The Commonwealth Medical College 523 Pine St. Scranton, PA 18509	Lackawanna River, CWF, MF	Lackawanna Co. Cons. Dist. 570-281-9495



<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 Brunswick Twp., Schuylkill County	PAG02005409004R	Landview Estates Attn: Phillip Joswick 44 Rick's Road New Ringgold, PA 17960	Keenigs Creek, CWF, MF	Schuylkill Co. Cons. Dist. 570-622-3742
Mehoopany Twp., Wyoming County	PAG02006611008	Trehab 10 Public Ave. Montrose, PA 18801	Mehoopany Creek, CWF, MF	Wyoming Co. Cons. Dist. 570-836-2589
Longswamp Twp. Berks County	PAI030611009	Daniel Winkler East Penn Manufacturing Deka Road, PO Box 147 Lyon Station, PA 19536	Toad Creek/ HQ-CWF, MF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Maidencreek Twp. Berks County	PAG02000604061RR	W. David Zwicky 220 Buena Vista Road Fleetwood, PA 19522	Maiden Creek/ WWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Lower Allen Twp. Cumberland County	PAG02002105016R	Rosalie Rowland Roland Builders, Inc. 1706 Liberty Cove Mechanicsburg, PA 17055	Yellow Breeches/ CWF	Cumberland Co Conservation Dist 310 Allen Road, Suite 301 Carlisle PA 17013 717.240.7812
Chambersburg Boro. Franklin County	PAG02002812006	Phil Walgemuth 100 South Second Street Chambersburg, PA 17201	UNT to Falling Springs/TSF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg PA 17201 717.264.5499
Chambersburg Boro. Franklin County	PAG02002810020(1)	Roger Hurd 1501 Orchard Drive Chambersburg, PA 17201	UNT to Conococheague Creek/WWF, MF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg PA 17201 717.264.5499
Metal Township Franklin County	PAG02002812003	Jim Junkin Junbro Farms 14492 Path Valley Road Willow Hill, PA 17271	UNT to West Branch Conococheague Creek/CWF, MF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg PA 17201 717.264.5499
Conoy Township Lancaster County	PAG02003610020R	G & R Associates 48 South Market Street Elizabethtown, PA 17022	Bainbridge Creek/ 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	PAG02003610013R	SAZ LP 11650 Crooked Oak Drive Suite 310 Lancaster, PA 17601	Mill Creek/ WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717.299.5361, Ext. 5
Mount Joy Township Lancaster County	PAG02003610015R	Leon Ray Burkholder 580 Indiantown Road Ephrata, PA 17522	UNT Conewago Creek/TSF, MF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717.299.5361, Ext. 5
Union Township Lebanon County	PAG02003809011 Phase 6	Col. Samuel E. Hayes III FTIG FTIG Training Site Hdqrs. (FTIG-GC) Bldg. T 0-1 Annville, PA 17003	Aires Run/ WWF, MF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
East Hanover and Union Townships Lebanon County	PAG02003809011 Phase 7	Col. Samuel E. Hayes III FTIG FTIG Training Site Hdqrs. (FTIG-GC) Bldg. T 0-1 Annville, PA 17003	Tributary 09833 to Aires Run and Vesle Run/ WWF, MF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4

*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>
Athens Township Bradford County	PAG02000812012	Daniel M. Hawbaker Glenn O Hawbaker Inc 1952 Waddle Rd Ste 203 State College PA 16803	Susquehanna River WWF	Bradford County Conservation District Stoll Natural Resource Center 200 Lake Rd Ste E Towanda PA 18848 (570) 265-5539 X 120
Albany Township Bradford County	PAG02000812017	Greg Laws Wyoming Casing Services LLC PO Box 225 New Albany PA 18833	S. Branch of Towanda Creek CWF	Bradford County Conservation District Stoll Natural Resource Center 200 Lake Rd Ste E Towanda PA 18848 (570) 265-5539 X 120
Sheshequin Township Bradford County	PAG02000812018	Tiffany Midgett Washita Valley Ent PO Box 94160-73143-4160 Oklahoma City OK 73129	Snyder Creek WWF	Bradford County Conservation District Stoll Natural Resource Center 200 Lake Rd Ste E Towanda PA 18848 (570) 265-5539 X 120

<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>
College Township Centre County	PAG02001412003	Ara Kervandjian Valley Profound I LP PO Box 409 State College PA 16804	UNT Spring Creek CWF	Centre County Conservation District 414 Holmes Ave Suite 4 Bellefonte PA 16823 Phone: (814) 355-6817
Charleston Township Tioga County	PAG02005911010(2)	Edward Fidurko 1067 Lafferty Ln Bradford PA 16701	UNT North Elk Run CWF	Tioga County Conservation District 50 Plaza Ln Wellsboro PA 16901 (570) 724-1801 Ext. 5
Gregg Township Union County	PAG02006006017R	Union County Economic Development Corp Donald Alexander 155 N 15th St Lewisburg PA 17837	West Branch Susquehanna River WWF	Union County Conservation District Union County Government Center 155 N 15th St Lewisburg PA 17837 (570) 524-3860

*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>
West Deer Township Allegheny County	PAG02000211050	Timothy Phelps PO Box 12 Curtisville, PA 15032	Little Deer Creek (TSF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Potter Township Beaver County	PAG02000412005	Ron Robinson Rettop Development Company 246 Mowry Road Monaca, PA 15061	UNT to Ohio River (WWF) UNT to Raccoon Creek (WWF)	Beaver County CD 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
Canton Township Washington County	PAG02006307004R	Michael Williamson 1029 Nevada Street Washington, PA 15301	UNT to Chartiers Creek	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Cranberry Township Butler County	PAG02001011026-1	Sippel Enterprises 2591 Wexford Bayne Road Suite 100 Sewickley PA 15143	Brush Creek WWF	Butler County Conservation District 724-284-5270
Hawthorn Borough, Hawthorn Township	PAG02001612003	HRRMA PO Box 241 Hawthorn PA 16230	Redbank Creek TSF	Clarion County Conservation District 814-297-7813

## NOTICES

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*General Permit Type—PAG-03**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant's Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Hatfield Township Montgomery County	PAR900009	Republic Environmental Systems (PA) LLC 2869 Sandstone Drive Hatfield, PA 19440	UNT to West Branch Neshaminy Creek WWF-3F	Southeast Region Clean Water Program 484.250.5970
City of Philadelphia Philadelphia County	PAR800067	Waste Management of PA Inc. 5245 Bleigh Avenue Philadelphia, PA 19136	Delaware River—3J	Southeast Region Clean Water Program 484.250.5970
Upper Merion Township Montgomery County	PAR600117	Sims Metal East LLC 1 Linden Avenue East Jersey City, NJ 07305	Schuylkill River—3F	Southeast Region Clean Water Program 484.250.5970
Taylor Twp. Lackawanna County	PAR502201	Alliance Sanitary Landfill Inc 398 Keyser Ave. Taylor, PA 18517	Saw Mill Creek (CWF, MF)	PA DEP Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511
Hazleton City Luzerne County	PAR142211	QG, LLC 594 Can Do Expressway Hazleton PA 40940	Black Creek Basin (CWF, MF)	PA DEP Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511
Fairfield Township Adams County	PAR143530	QG Printing II Corp. 100 N Miller Street Fairfield, PA 17320	Spring Run / CWF, MF	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
West Providence Township Bedford County	PAR223524	Blue Triangle Hardwoods LLC 156 Industrial Blvd. Everett, PA 15537	Johns Branch / WWF	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Mechanicsburg Borough Cumberland County	PAR233548	Cresline Plastic Pipe Co., Inc. 264 Silver Spring Road Mechanicsburg, PA 17050	Conodoguinet Creek / WWF	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Mount Joy Township Lancaster County	PAR503507	Veolia ES Lancaster LLC 2487 Cloverleaf Road Elizabethtown, PA 17022	UNT to Little Chiques and Shells Run / TSF, MF	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
City of Lebanon Lebanon County	PAR203545	Hauck Manufacturing Co. 100 N. Harris Street Cleona, PA 17042	Quittapahilla Creek / TSF, MF	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Monroeville Borough Allegheny County	PAR236133	PPG Industries, Inc. Monroeville Chemicals Center 440 College Park Drive Monroeville, PA 15146-1553	UT of Thompson Run	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000

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

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAR508307	Segal & Son Inc. PO Box 276 Warren, PA 16365	Allegheny River 16-B	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
PAR228320	Bingaman & Son Lumber, Inc. 1195 Creek Mountain Road, P. O. Box 247, Kreamer, PA 17833	Unnamed Tributary to Minister Creek 16-F	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
PAR808308	Donjon Shipbuilding & Repair LLC 220 East Bayfront Parkway, Erie, PA 16507	Presque Isle Bay 15	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-4*

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG040170	Mr. Justin Hopkins 1436 Monk Road Gladwyne, PA 19035	Unnamed Tributary to Schuylkill River—3F	Southeast Region Water Management 484-250-5970
PAG043921	Ryan Barrick 7960 Spring Road New Bloomfield, PA 17088	UNT Little Juniata Creek / CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*General Permit Type—PAG-8*

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
PAG083567	Borough of Sinking Spring 2305 Reedy Road Sinking Spring, PA 19608	Borough of Sinking Spring WWTP 2305 Reedy Road Sinking Spring, PA 19608	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

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

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
PAG088313	French Creek Township 4507 Georgetown Rd Franklin, PA 16323	French Creek Township Biosolids Site, 226 Pine School Road, Franklin, PA 16323	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

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

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Great Bend Twp., Susquehanna County	PAG08-2204 Tri-Boro Municipal Authority 301 Exchange St. Susquehanna, PA 18847	Demer Farm 31200 State Route 171 Susquehanna, PA 18847	PA DEP NERO 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511

*General Permit Type—PAG-9**Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Metal Township Franklin County	PAG093541 Art Beidel Enterprises, LLC 11468 Creek Road Fannettsburg, PA 17221	Art Beidel Enterprises, LLC 11468 Creek Road Fannettsburg, PA 17221	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Dublin Township Fulton County	PAG093538 County Septic Service 29169 Great Cove Road Ft. Littleton, PA 17223	County Septic Service 29169 Great Cove Road Ft. Littleton, PA 17223	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

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

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Adams County / Mount Pleasant Township	PAG103551 NiSource/Columbia Gas Transmission, LLC (Line 1804—Replacement 1) 1700 MacCorkle Ave., SE Charleston, WV 25314	South Branch Conewago Creek / WWF / 7F	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lancaster County / East Donegal Township	PAG103550 Sabrina K. Hepburn Texas Eastern Transmission, LP 890 Winter Street, Suite 300 Waltham, MA 02451	Susquehanna River / WWF / 7G	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Milford Township Somerset County	PAG106151 Texas Eastern Transmission, LP 5400 Westheimer Court Houston, TX 77056	South Glade Creek	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

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

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

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

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

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

**CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Marlin Sensenig 114 Huckleberry Rd Jonestown, PA 17038	Lebanon	0	355.07	Poultry	NA	Approved

**NUTRIENT MANAGEMENT PLAN 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>
By A Dam Site Farm Lamar Troup 282 Troup Road Beaver Springs, PA 17812	Snyder	324	497.55	Swine, Poultry & Horse	N/A	Approved
Marvin & Wendy Carpenter Box 266 Paitt Road Shunk, PA 17768	Sullivan	603	628.09	Swine, Beef, Heifer	HQ	Approved

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

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

**SAFE DRINKING WATER**

**Actions taken under the Pennsylvania Safe Drinking Water Act**

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

<b>Application No. 0911550</b>	Public Water Supply
<b>Applicant</b>	<b>Dublin Acres Homeowner Association</b>
<b>Township</b>	Bedminster
<b>County</b>	<b>Bucks</b>
<b>Responsible Official</b>	Ruby Engineering 3605 Island Club Drive 9 North Port, Florida 34288-8672
<b>Type of Facility</b>	PWS
<b>Application Received Date</b>	April 2, 2012
<b>Description of Action</b>	Installation of a Chlorination System and Certification of 4-log Treatment of Viruses.

**Operations Permit** issued to: **Camphill Soltane**, 1150223 East Nantmeal Township **Chester County**, on March 27, 2012 for Certification of 4-log Treatment of Viruses at Entry Point 101.

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

<b>Permit No. 3612509 MA, Minor Amendment</b>	Public Water Supply.
<b>Applicant</b>	<b>Lancaster County Bible Church</b>
<b>Municipality</b>	Rapho Township
<b>County</b>	<b>Lancaster</b>
<b>Responsible Official</b>	1—Not Available PA

Type of Facility Installation of 60 feet of 12-inch chlorine contact piping and demonstration of 4-log treatment of viruses.

Consulting Engineer 1—Not Available  
Permit to Construct 4/9/2012  
Issued:

**Permit No. 2112508 MA, Minor Amendment, Public Water Supply.**

Applicant **Williams Grove Associates**  
Municipality Monroe Township  
County **Cumberland**  
Responsible Official Dianne Fagan, Manager  
PO Box 718  
Mechanicsburg, PA 17055

Type of Facility Williams Grove Mobile Home Park installation of 140 feet of 12-inch chlorine contact piping and demonstration of 4-log treatment of viruses.

Consulting Engineer 1—Not Available  
Permit to Construct 4/9/2012  
Issued:

**Permit No. 6711523 MA, Minor Amendment, Public Water Supply.**

Applicant **Mountain View Terrace**  
Municipality Newberry Township  
County **York**  
Responsible Official James Perano, COO  
PO Box 677  
Morgantown, PA 19543

Type of Facility Install a new Entry Point 101 sample hydrant.

Consulting Engineer James A. Cieri, P.E.  
ACT ONE Consultants, Inc.  
200 S. 41 Street  
Harrisburg, PA 17111

Permit to Construct 4/9/2012  
Issued:

**Operations Permit** issued to: **Saxton Borough Municipal Authority**, 4050021, Saxton Borough, **Bedford County** on 4/9/2012 for the operation of facilities approved under Construction Permit No. 0504501.

**Operations Permit** issued to: **Kutztown Produce Auction**, 3061198, Fleetwood Township, **Berks County** on 4/9/2012 for the operation of facilities approved under Construction Permit No. 0611515 MA.

**Operations Permit** issued to: **County View Estates**, 7210065, Upper Frankford Township, **Cumberland County** on 4/9/2012 for the operation of facilities submitted under Application No. 2112507 MA.

**Operations Permit** issued to: **Indian Lake Camp Corp.**, 7280055, Metal Township, **Franklin County** on 4/4/2012 for the operation of facilities submitted under Application No. 2811507 MA.

**Operations Permit** issued to: **Goldsboro Borough Water Company**, 7670131, Goldsboro Borough, **York County** on 4/9/2012 for the operation of facilities submitted under Application No. 6711526 MA.

**Operations Permit** issued to: **Aqua Pennsylvania**, 3060133, Centre Township, **Berks County** on 4/9/2012 for the operation of facilities submitted under Application No. 0611522.

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

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

Applicant **Black Hawk Mobile Home Park**  
[Township or Borough] Potter Township  
County **Centre**  
Responsible Official Ms. Leanne Heller  
GSP Management Company  
P. O. Box 677  
Morgantown, PA 19543

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued April 10, 2012

Description of Action Operation of the recently installed two 220-gallon and one 315-gallon detention tanks at Wellhouse No. 1 and three 220-gallon detention tanks at Wellhouse No. 2 to provide 4-log inactivation of viruses.

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

Applicant **D & H Mobile Home Park**  
[Township or Borough] West Chillisquaque Township  
County **Northumberland**  
Responsible Official Ms. Leanne Heller  
GSP Management Company  
P. O. Box 677  
Morgantown, PA 19543

Type of Facility Public Water Supply

Consulting Engineer James Cieri, Sr. P.E.  
ACT ONE Consultants, Inc.  
200 South 41st Street, Suite A  
Harrisburg, PA 17111

Permit Issued April 16, 2012

Description of Action Installation of one 120-gallon and two 220-gallon detention tanks to provide additional contact time to ensure 4-log inactivation of viruses at Entry Point 100 (Well No. 1).

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

**Permit No. 2611505, Public Water Supply.**

Applicant **North Fayette County Municipal Authority**  
1634 University Drive  
PO Box 368  
Dunbar, PA 15431

[Borough or Township] Dunbar Township

County **Fayette**

Type of Facility Water system



Consulting Engineer Widmer Engineering  
225 West Crawford Avenue  
Connellsville, PA 15425

Permit to Construct April 4, 2012  
Issued

**Permit No. 0210504A1**, Public Water Supply.

Applicant **Pittsburgh Water & Sewer Authority**  
1200 Penn Avenue  
2nd Floor  
Pittsburgh, PA 15222

[Borough or Township] City of Pittsburgh

County **Allegheny**

Type of Facility Water system

Consulting Engineer

Permit to Construct April 13, 2012  
Issued

**Operations Permit** issued to: **Pittsburgh Water & Sewer Authority**, 1200 Penn Avenue, 2nd Floor, Pittsburgh, PA 15222, (PWSID #5020038) City of Pittsburgh, **Allegheny County** on April 4, 2012 for the operation of facilities approved under Construction Permit # 0208509.

**Operations Permit** issued to: **David D'Atri, Forestbrook Mobile Home Park**, 320 Sunset Drive, Baden, PA 15005, (PWSID #5040048) New Sewickley, **Beaver County** on April 4, 2012 for the operation of facilities approved under Construction Permit # 0408502.

**Operations Permit** issued to: **Nanty Glo Water Authority**, 1015 First Street, Suite 1, Nanty Glo, PA 15943, (PWSID #4110023) Cambria Township, **Cambria County** on April 13, 2012 for the operation of facilities approved under Construction Permit # 1109503.

**Operations Permit** issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, (PWSID #5020039) Jefferson Borough and Union Township, **Allegheny County** on April 13, 2012 for the operation of facilities approved under Construction Permit # 0211501MA.

**Operations Permit** issued to: **Municipal Authority of the Borough of West View**, 210 Perry Highway, Pittsburgh, PA 15229, (PWSID #5020043) Town of McCandless, **Allegheny County** on April 13, 2012 for the operation of facilities approved under Construction Permit # 0211502.

**Operations Permit** issued to: **Creswell Heights Joint Authority**, 3961 Jordan Street, PO Box 301, PA 15801, (PWSID #5040063) South Heights Borough, **Beaver County** on April 13, 2012 for the operation of facilities approved under Construction Permit # 0409502.

**Permit No. 0211511MA, Minor Amendment.** Public Water Supply.

Applicant **Wilkesburg-Penn Joint Water Authority**  
2200 Robinson Boulevard  
Pittsburgh, PA 15221

[Borough or Township] Borough of Pitcairn and Borough of Monroeville

County **Allegheny**

Type of Facility Interconnection

Consulting Engineer NIRA Consulting Engineers, Inc.  
950 Fifth Avenue  
Coraopolis, PA 15108

Permit to Construct April 4, 2012  
Issued

**Permit No. 2610504MA, Minor Amendment.** Public Water Supply.

Applicant **Masontown Municipal Authority**  
2 Court Avenue  
Masontown, PA 15461

[Borough or Township] Masontown Borough

County **Fayette**

Type of Facility Martin's Farm water storage tank

Consulting Engineer Fayette Engineering Company Inc.  
2200 University Drive  
P.O. Box 1030  
Uniontown, PA 15401-1030

Permit to Construct April 13, 2012  
Issued

**Permit No. 5611524MA, Minor Amendment.** Public Water Supply.

Applicant **Indian Lake Borough**  
1301 Causeway Drive  
Central City, PA 15926

[Borough or Township] Indian Lake Borough

County **Somerset**

Type of Facility Water system

Consulting Engineer CME Management LP  
165 East Union Street  
Suite 100  
Somerset, PA 15501

Permit to Construct April 11, 2012  
Issued

**Permit No. 2611504MA, Minor Amendment.** Public Water Supply.

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

[Borough or Township] East Huntingdon Township

County **Westmoreland**

Type of Facility Water system

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

Permit to Construct April 13, 2012  
Issued

**Permit No. 5610508MA, Minor Amendment.** Public Water Supply.

Applicant **Rockwood Borough**  
358 Market Street  
Rockwood, PA 15557

[Borough or Township] Rockwood Borough

County **Somerset**  
 Type of Facility Water system  
 Consulting Engineer CME Management, LP  
 165 East Union Street  
 Suite 100  
 Somerset, PA 15501  
 Permit to Operate April 4, 2012  
 Issued

**Permit No. 1110502GWR, Minor Amendment.** Public Water Supply.

Applicant **Highland Sewer & Water Authority**  
 120 Tank Drive  
 Johnstown, PA 15904  
 [Borough or Township] Summerhill and Adams Townships  
 County **Cambria**  
 Type of Facility Water system  
 Consulting Engineer  
 Permit to Operate April 4, 2012  
 Issued

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

**Operation Permit** issued to **Rixford Water Works Association**, PWSID #6240022, Otto Township, **McKean County**. Permit Number 266W2-MA1, issued April 4, 2012 for the operation of the 20,000-gallon finished water storage tank and 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

**Permit No. 6111504** Public Water Supply  
 Applicant **Cranberry-Venango County General Authority**  
 Township or Borough Cranberry Township  
 County **Venango**  
 Type of Facility Public Water Supply  
 Consulting Engineer Joseph P. Pachioni, P.E.  
 Herbert, Rowland & Grubic, Inc.  
 3755 East State Street  
 Hermitage, PA 16148  
 Permit to Construct April 5, 2012  
 Issued

**Operation Permit** issued to **Villa Vista Corp**, PWSID #5100084, Middlesex Township, **Butler County**. Permit Number 1012502, issued March 20, 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.

**Cancellation of Permit issued to Villa Vista Corporation**, PWSID #5100084, Middlesex Township, **Butler County** on March 20, 2012. This action represents the cancellation of Permit Number 1087503-T1 issued July 27, 2005. This action is due to a consolidation.

**Cancellation of Permit** issued to **Villa Vista Corporation**, PWSID #5100084, Middlesex Township, **Butler County** on March 20, 2012. This action represents the

cancellation of Permit Number 1097502-T1 issued July 27, 2005. This action is due to a consolidation.

**Operation Permit** issued to **Robert C. Sechan, Jr. d/b/a Lake Arthur Estates**, PWSID #5100054, Muddy Creek Township, **Butler County**. Permit Number 1097506-MA1, issued March 21, 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 **Buhl Community Water Association**, PWSID #6430049, Springfield Township, **Mercer County**. Permit Number 4393505-MA2, issued March 21, 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 **James A. Cripe d/b/a Wilderness Mobile Home Park**, PWSID #6620019, Pleasant Township, **Warren County**. Permit Number 6289504-T1-MA1, issued March 22, 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 **Weber Family Limited Partnership d/b/a Woodlands Mobile Home Park**, PWSID #6200039, Vernon Township, **Crawford County**. Permit Number 2009503-MA1, issued March 22, 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 **Pennsylvania American Water Company**, PWSID #6370034, City of New Castle, **Lawrence County**. Permit Number 3709502 issued March 23, 2012 for the operation of the filter to waste piping at the Pennsylvania American Water Company's New Castle Water Treatment Plant.

**Operation Permit** issued to **Barkeyville Municipal Authority**, PWSID #6610036, Barkeyville Borough, **Venango County**. Permit Number 6102501-MA2, issued March 23, 2012 for the operation of 4-Log treatment of viruses for Entry Point 136. This action is taken under the requirements of the Groundwater Rule.

**Operation Permit** issued to **Jones Township Municipal Authority**, PWSID #6240020, Jones Township, **Elk County**. Permit Number 2408501-T1-MA1, issued March 26, 2012 for the operation of 4-Log treatment of viruses for Entry Points 113 and 114. This action is taken under the requirements of the Groundwater Rule.

**Operation Permit** issued to **Wattsburg Borough**, PWSID #6250094, Wattsburg Borough, **Erie County**. Permit Number 2507502-MA1, issued March 26, 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 **Rouseville Borough**, PWSID #6610028, Rouseville Borough, **Venango County**. Permit Number 6198501-MA1, issued March 26, 2012 for the operation of 4-Log treatment of viruses for Entry Point 136. This action is taken under the requirements of the Groundwater Rule.

**Permit No. 4283501-MA2** Public Water Supply  
 Applicant **Bradford City Water Authority**  
 Township or Borough Bradford Township  
 County **McKean**

Type of Facility Public Water Supply  
 Consulting Engineer Randy L. Krause  
 Bankson Engineers, Inc.  
 267 Blue Run Road  
 P. O. Box 200  
 Indianola, PA 15051  
 Permit to Construct March 26, 2012  
 Issued

**Operation Permit** issued to **West Hickory Water Company**, PWSID #6270002, Harmony Township, **Forest County**. Permit Number 363W8-T2-MA2, issued March 27, 2012 for the operation of 4-Log treatment of viruses for Entry Point 116. This action is taken under the requirements of the Groundwater Rule.

**Permit No. 4312501** Public Water Supply  
 Applicant **Aqua Pennsylvania, Incorporated**  
 Township or Borough City of Sharon  
 County **Mercer**  
 Type of Facility Public Water Supply  
 Consulting Engineer Mark A. Tompeck, P.E.  
 Hatch Mott MacDonald  
 27 Bleeker Street  
 Millburn, NJ 07041  
 Permit to Construct April 11, 2012  
 Issued

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

*Plan Location:*

<i>Township</i>	<i>Township Address</i>	<i>County</i>
Newtown	209 Bishop Hollow Road Newtown Square, PA 19073	Delaware

On March 2, 2012, the Southeast Regional office approved an Act 537 plan revision for new land development for the Ashford Subdivision (APS ID 750783 SITE ID 657931). The Ashford Subdivision is proposed to be developed on a parcel located on the northwest corner of Route 252 and Goshen Road, in Newtown Township, Delaware County.

This revision provides for adequate sewage facilities planning to permit the development of 449 new residential units. In addition, several accessory buildings designated for the community's use will be provided with sewer service.

This project will generate 115,000 gallons of sewage per day that will be conveyed via the CDCA Crum Creek Interceptor to the DELCORA Wastewater Treatment Facility. This approval also provides for planning for the construction of a sewage pump station and force main. The pump station will be located west of Lots 396 and 397 and will discharge to a new force main that will extend along Route 252 to the existing CDCA manhole located in Media Line Road. The pump station will have initial annual average flows of 115,000 gallons per day, but has been designed to accept future connections from Episcopal Academy, the Melmark campus and the Echo Valley and Hunt Valley Circle developments. Additional sewage facilities planning for these areas must be completed by Newtown Township and approved by the Department before any connections beyond the Ashford Subdivision can occur.

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
City of Meadville	984 Water St., Meadville, PA 16335	Crawford
Vernon Township	16678 McMath Ave., Meadville, PA 16335	Crawford
West Mead Township	P. O. Box 491, Meadville, PA 16335	Crawford
Summit Township	P. O. Box 231, Harmonsburg, PA 16422	Crawford
Sadsbury Township	9888 State Hwy 285, Conneaut Lake, PA 16316	Crawford
Conneaut Lake Borough	P. O. Box 198, Conneaut Lake, PA 16316	Crawford

*Plan Description:* The approved plan serves as a revision for the six municipalities whom participated. The plan projects future sewage facility needs in a coordinated manner as to prevent overloading existing wastewater facilities. The selected alternatives were placed in 5 year, 10 year, and 20 year periods. Projects were proposed for the Meadville Area Sewer Authority, Vernon Township Sanitary Authority and the Conneaut Lake Joint Municipal Authority. The projects include sewer extensions, eliminating a wastewater treatment facility, pump station expansion, sewer line relief, sewer line repairs and wastewater treatment plant upgrades. 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.

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Camp Hill Borough	2145 Walnut Street, Camp Hill PA, 17011	Cumberland

*Plan Description:* The approved plan provides for a new 4.5 MGD pump station on the north side of State Route 581 with the site identified in the Plan as the Option 3 site on figure 3. The proposed pump station will be connected to the force main tributary to the Hampden Township sewage treatment plant and will include a 2-barrel 6-inch diameter siphon through the existing 18 inch sewer line under State Route 581 to convey the

sewage from the Spangler Road Sewer Main and Railroad Interceptor to the new pump station. 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.

#### SEWAGE FACILITIES ACT PLAN DISAPPROVAL

##### Plan Disapprovals Granted Under the Pennsylvania Sewage Facilities Act

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

##### Plan Location:

Borough or Township	Borough or Township Address	County
Martic Township	370 Steinman Farm Rd, Pequea, PA 17565	Lancaster

*Plan Description:* The planning module for the Keith Dussinger Subdivision, DEP Code No. A3-36940-186-2, APS Id 765873, consisting of a 4 lot single family residential subdivision on a 23.5 acre tract using individual on lot sewage disposal systems is disapproved. The proposed development is located on the north side of Martic Heights Road west of Tucquan Glen Drive. This plan is disapproved because the stream impact assessment report incorrectly identified the point of impact to the High Quality stream at a point further downstream from the proposed subdivision than what the Department verified through a site investigation. At this upstream point of first impact, the calculations show that there will be an impact on the stream from the on lot systems and that impact has not been mitigated.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 2

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

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

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

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

The Department has received the following plans and reports:

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

**Chauca Residence**, 732 Greenleaf Street, Allentown City, **Lehigh County**. Andrew K. Markoski and Jeffrey A. Wynn, Patriot Environmental Management, LLC, P. O. Box 629, Douglassville, PA 19518 has submitted a Final Report on behalf of their client, Lucia Chauca, 136 South 17th Street, Allentown, PA 18104, concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a release, which occurred during the delivery of fuel oil to the wrong address and was delivered to a fill pipe that wasn't connected to a storage tank. The report was submitted to document attainment of the Residential Statewide Health Standard for soil. A public notice regarding the submission of the Final Report was published in *The Morning Call* on March 12, 2012.

**Former Ashland Specialty Chemical Company**, 400 Island Park Road, Glendon Borough, **Northampton County**. James McLaughlin, ARCADIS U.S., Inc., 10 South Riverside Plaza, Suite 1900, Chicago, IL 60606 has submitted a Final Report on behalf of his client, Island Park Development, LLC, P. O. Box 3128, Easton, PA 18043, concerning the remediation of soil and groundwater found to have been impacted by chlorinated VOCs as a result of historical chemical, industrial processes and disposal on the property. The report was submitted to document attainment of both the Statewide Health Standard and the Site-Specific Standard for soil and groundwater. A public notice regarding the submission of the Final Report was published in *The Express Times* on March 19, 2012.

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

**Harley Davidson Motor Company / former York Naval Ordnance Plant**, 1425 Eden Road, York, PA 17402, Springettsbury Township, **York County**. Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110-9307, on behalf of Harley Davidson Motor Company, 1425 Eden Road, York, PA 17402, submitted a Risk Assessment Report concerning remediation of site soils contaminated with VOCs, PAHs, Chlorinated Solvents and Inorganics. The report is intended to document remediation of the site to meet a combination of Statewide Health (Residential and Non-Residential) and Site-Specific Standards. Groundwater will be addressed in a separate report.

## 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 and Brownfields Program Manager; 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Hankee Residence**, 3406 Franklin Street, Washington Township, **Lehigh County**. Janine Jacobs and Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 submitted a Final Report on behalf

of their client, Mr. and Mrs. Ian Hankee, 3406 Franklin Street, Emerald, PA 18080, concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a release during a fuel oil delivery. The report documented attainment of the Residential Statewide Health Standard for soil and was approved on April 5, 2012.

**Bosch Rexroth Corp.**, 2315 City Line Road, Bethlehem City, **Lehigh County**. Martin Gilgallon and Dean Cruciani, Pennsylvania Tectonics, Inc., 723 Main Street, Archbald, PA 18403 submitted a Final Report on behalf of their client, Bosch Rexroth Corporation, 2315 City Line Road, Bethlehem, PA 18017-2131, concerning the remediation of soil found to have been impacted by diesel fuel as a result of a release which occurred when a saddle tank from a tractor-trailer unit struck a curb due to inclement weather conditions. The report documented attainment of the Statewide Health Standard for soil and was approved on April 2, 2012.

**Hollenbeck 1H Well Site**, Forks Hill Road, Franklin Township, **Susquehanna County**. David A. Bogovich, Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA 17857 submitted a Final Report on behalf of their client, Williams Production Appalachia, LLC, 1000 Town Center Way, Suite 130, Canonsburg, PA 15317, concerning the remediation of soil found to have been impacted by diesel fuel as a result of a release that occurred when a pump truck accidentally struck a stationary frac tank. The report documented attainment of the Statewide Health Standard for soil and was approved on April 12, 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.*

**Ruth Gingrich Residence**, 610 North Lincoln Street, Palmyra, PA 17078, Borough of Palmyra, **Lebanon County**. ARM Group, Inc., PO Box 797, Hershey, PA 17033, on behalf of Ruth Gingrich, c/o Carol Gabriel, POA, 42 Valley Stream Place, Barnegat, NJ 08005, submitted a Final Report concerning the remediation of site soils contaminated with #2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health standard, and was approved by the Department on April 10, 2012.

**Cambridge-Lee Industries, LLC**, PO Box 14026, Reading, PA 19612-4026, 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 lubricating oil and copper. The Final Report demonstrated attainment of the Statewide Health (Residential and Non-Residential) standard, and was approved by the Department on April 13, 2012.

**Higgins Key Distribution Center**, 1700 Ritner Highway, Carlisle Borough, **Cumberland County**. ARM Group, Inc., 1129 West Governor Road, P. O. Box 797, Hershey, PA 17033, on behalf of Carlisle 44, LP, 126 Seven Farms Drive, Suite 160-A, Charleston, SC 29492, submitted a Final Report concerning remediation of site soils and groundwater contaminated with VOCs, chlorinated solvents and inorganics. The Final Report demonstrated attainment of the Residential Statewide Health and Background Standards, and was approved by the Department on April 16, 2012.

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**RESIDUAL WASTE GENERAL PERMITS**


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**Permits Revoked under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (35 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit To Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.**

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

**General Permit No. WMGR028SC01A. Kinsley Construction, Incorporated, 2700 Water Street, York, PA, 17405.**

The general permit WMGR028SC01A to Kinsley Construction authorizes the use of baghouse fines and scrubber pond precipitates for use as an aggregate in roadway construction, a soil additive, a soil conditioner, or a component or ingredient in the manufacturing of construction products. This general permit is for their site located at their Codorus Facility, 135 Mundis Race Road, Manchester Township, York, PA, 17404. The permittee requested the general permit be revoked due to the fact that they will no longer be operating at this facility. The general permit was revoked by the Southcentral Office on April 12, 2012.

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


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

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

**Permit Application No. 101247. Keystone Sanitary Landfill, Keystone Sanitary Landfill, Inc. P. O. Box 249, Dunham Drive, Dunmore, PA 18512.** A major permit modification authorizing the increase in the average daily volume from 4,750 tons per day to 7,250 tons per day and the maximum daily volume from 5,000 tons per day to 7,500 tons per day at this municipal waste landfill located in Dunmore and Throop Boroughs, **Lackawanna County**. The permit was issued by the Regional Office on April 3, 2012.

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**AIR QUALITY**


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

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

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

**GP3-15-0062: Mobile Aggregate Recycling Services (273 Osborne Road, Oxford, PA 19363) on April 13, 2012, to operate a portable nonmetallic mineral processing plant in Lower Oxford Township, Chester County.**

**GP9-15-0014: Mobile Aggregate Recycling Services (273 Osborne Road, Oxford, PA 19363) on April 13, 2012, to operate a diesel/#2 fuel-fired internal combustion engines in Lower Oxford Township, Chester County.**

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

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

**39-310-045GP3: Haines & Kibblehouse (PO BOX 196, 2052 Lucon Road, Skippack, PA 19474) on April 5, 2012, to construct and operate a Portable Crushing Operation with watersprays at their site at the Huckleberry Associates Site in South Whitehall Township, Lehigh County.**

**39-329-017GP9: Haines & Kibblehouse (PO BOX 196, 2052 Lucon Road, Skippack, PA 19474) on April 5, 2012, to install and operate a Diesel I/C engine at the Huckleberry Associates Site in South Whitehall Township, Lehigh 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*

**GP5-65-01011A: CNX Gas Co. LLC (200 Evergreen Drive, Waynesburg, PA 15370) on April 11, 2012, to install and operate two (2) natural gas-fired compressor engines, Caterpillar model G3516B rated at 1,380 brake horsepower, each controlled by an oxidation catalyst at the Mamont Compressor Station in Washington Township, Westmoreland County.**

**GP5-32-00325C: EXCO Resources (PA), LLC (3000 Ericson Drive, Suite 200, Warrendale, PA 15086) on April 13, 2012, to install and continue to operate one rich burn natural gas-fired compressor engine rated at 276 bhp and controlled by a three-way catalyst, one dehydrator unit with a reboiler rated at 0.175 MMBtu/hr, and two produced water tanks with 100 and 210 bbl capacities at the Wandin Compressor Station in Green Township, Indiana County. A total of one compressor engine is authorized for operation at this site.**

**GP5-32-00417: Mountain Gathering, LLC (810 Houston Street, Suite 2000, Fort Worth, TX 76102) on April 13, 2012, for the change of ownership and continued operation of one rich burn natural gas-fired compressor engine rated at 95 bhp, one 50 bbl produced water tank, and one 50 bbl waste oil tank at the Whitacre Compressor Station in Rayne Township, Indiana County. The facility was previously owned and operated 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*

**GP4-25-1012A: Applied Coating Solutions (3152 West 22nd Street, Erie, PA 16506) on April 9, 2012, to operate a Pollution Control Products burn off oven (BAQ-GPA/GP-4) in Millcreek Township, Erie County.**

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

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

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

**23-0003V: ConocoPhillips Co.** (4101 Post Road, Trainer, PA 19061-3812) on April 12, 2012, for a project to increase ultra-low sulfur diesel production at their Trainer facility in Trainer Borough, **Delaware County**. This facility is a Title V facility. The project will result in minor emission increases. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**09-0213A: DeNucci Excavating Corp.** (2807 Old Rodgers Road, Bristol, PA 19007) on April 13, 2012, to modify an existing plan approval for a portable crusher and associated diesel-fired engine in Bristol Township, **Bucks County**. The pollutant of concern from the proposed operation is fugitive particulate matter. Emissions will be controlled by a water spray dust suppression system. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

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

**37-332A: Amerikohl Aggregates, Inc.—McMillin Mine** (1384 State Route 711, Stahlstown, PA 15687) on April 5, 2012, to construct a limestone processing plant at their facility in Wayne Township, **Lawrence 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.**

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

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

**14-00016A: Penns Valley Area School District** (4528 Penns Valley Road, Spring Mills, PA 16875) on March 30, 2012, to extend the authorization to temporarily operate a new wood-fired boiler and extend the deadline to stack test the boiler at their facility in Penn Township, **Centre County** until December 1, 2012. The plan approval has been modified. The plan approval has been extended.

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

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

**63-00549A: Arden Landfill, Inc.** (625 Charrington Parkway, Moon Township, PA 15108) on April 10, 2012, for an extension of the Plan Approval PA-63-00549A to authorize the temporary operation of a Renewable Energy Project consisting of six 1148-bhp Caterpillar Engines at Arden Landfill at Chartiers Township, **Washington County**. The plan approval has been extended.

**32-00040B: GenOn Wholesale Generation, LLC** (121 Champion Way, Suite 200, Canonsburg, PA 15317) on April 11, 2012, for a plan approval extension with an expiration date of October 11, 2012, to allow for continued temporary operation of the sources covered under this

plan approval at the GenOn Seward Generating Station in East Wheatfield Township, **Indiana County**. The Seward Generating Station is a Title V facility. The plan approval has been extended.

**30-00072E: Consol Pennsylvania Coal Co., LLC** (1000 Consol Energy Drive, Canonsburg, PA 15317) on April 10, 2012, for plan approval extension with an expiration date of October 10, 2012, for continued temporary operation of sources associated with the Crabapple Overland Conveyor, in Richhill Township, **Greene County**. The plan approval has been extended.

**26-00579A: Tri-State Bio Fuels, LLC** (Thompson Recovery Road, Lemont Furnace, PA 15456) on April 1, 2012, for a plan approval extension with an expiration date of October 1, 2012, for the Lemont Pellet Plant, a wood pellet manufacturing plant located in North Union Township, **Fayette County**. The plan approval has been extended.

**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*

**24-00012: Graftech USA LLC** (800 Theresia Street, Saint Marys, PA 15857) on March 21, 2012, to modify the Title V Operating Permit Source 187 in Saint Mary's City, **Elk County** to clarify that the requirements for the permit conditions for the Building 800 stack and monitor pertain to a 24 hour average basis. Eight hour test runs will reflect the batch nature of the graphitizing process which will capture the one emission peak per run. Averaging the three 8-hour runs will allow the proper assessment of averaging emissions occurring over a 24-hour period while accounting for normal variability among the test runs.

**24-00131: SGL Carbon Corp.** (900 Theresia Street, PO Box 1030, Saint Marys, PA 15857) on April 13, 2012, to issue an administrative amendment to the Title V Operating Permit to incorporate the conditions of plan approval 24-131N into the permit for their facility in Saint Marys City, **Elk County**.

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

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

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

**38-03017: Keystone Spikes Corp.** (255 N. Lincoln Avenue, Lebanon, PA 17046-3949) on April 10, 2012, for their railroad spike manufacturing facility in Lebanon City, **Lebanon County**. The State-only permit was renewed.

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

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

**08-00014: New Enterprise Stone and Lime Co., Inc.** (4401 Camp Meeting Road, Center Valley, PA 18034) on

April 10, 2012, to operate their Towanda Plant facility in Wysox Township, County. The State Only (Synthetic Minor) operating permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

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

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636*

**25-01000: Advanced Mold Tech** (2011 East 30th Street, Erie, PA 16510) on March 28, 2012, for renewal of the State Only Operating Permit for the plating operations facility at 2004 West 16th Street in Erie City, **Erie County**. The sources at the facility include, decorative chrome electroplating (subject to 40 CFR Part 64 Subpart N), nickel electroplating (subject to 40 CFR Part 63 Subpart WWWW), copper electroplating, copper cyanide electroplating, metal preparation area and shotblast preparation (each preparation area controlled by its own dust collector). 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.

**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*

**15-00132: Cephalon, Inc.** (145 Brandywine Parkway, West Chester, PA 19380) on April 12, 2012, in West Goshen Township, **Chester County**. The operating permit was amended to incorporate requirements of Plan Approval 15-0132B for two (2) 755 BHP diesel-fuel fired internal combustion engines, into the facility's State Only Operating Permit, 15-00132. This Administrative Amendment is issued in accordance with the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

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

**35-00061: Polarized Meat Co., Inc.** (107 Keystone Industrial Park, P. O. Box 172, Dunmore, PA 18512) on April 9, 2012, to issue a State-Only Operating Permit amendment to modify the operating parameters on the scrubber for their facility in Dunmore Borough, **Lackawanna County**.

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

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

**36-03166: L & S Sweeteners, Inc.** (388 East Main Street, Leola, PA 17540-1925) on April 5, 2012, for their liquid bulk transportation facility in Upper Leacock Township, **Lancaster County**. The State-only permit was administratively amended to incorporate the provisions of Plan Approval No. 36-03166A.

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

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

**24-00166: National Fuel Gas Supply Corp.—Bowen Compressor Station** (PO Box 2081, 1100 State Street, Erie, PA 16512) on April 12, 2012, issued an administrative amendment to the State Operating Permit to incorporate the conditions of plan approval 24-166B into the permit for their facility in Highland Township, **Elk County**.

**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

*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*

**67-03069: H & H Castings, Inc.** (R. D. 24, Box 5, York, PA 17406) Pursuant to 25 Pa. Code § 127.449(i), this *PA Bulletin* Notice is for the de minimis emissions increase of 0.38 TPY PM10 resulting from the construction of an aluminum holding/transport furnace; a vibratory attrition mill controlled by an existing fabric collector; and a shotblast booth controlled by an existing cartridge collector at its facility in Hallam Borough, **York County**. This is the first de minimis emissions increase at the facility during the term of the current operating permit.

**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*

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

**11031301 and NPDES No. PA0235539, AMFIRE Mining Company, LLC**, (One Energy Place, Latrobe, PA 15650), to revise the permit for the Madison Mine in Jackson, Cambria, and Croyle Townships, **Cambria County** to expand the underground mine permit and subsidence control plan area. Underground Acres Proposed 2801.3, Subsidence Control Plan Acres Proposed 2704.0. No additional discharges. The first downstream potable water supply intake from the point of discharge is Greater Johnstown Water Authority and intake Saltlick Reservoir from Saltlick Run. The application was consid-



ered administratively complete on February 18, 2011. Application received September 10, 2010. Permit issued April 10, 2012.

**63841302 and NPDES No. PA0090689, Maple Creek Mining, Inc.**, (c/o Murray Energy Corporation, 56854 Pleasant Ridge Road, Alledonia, OH 43902), to revise the permit for the Maple Creek Mine in Carroll, Fallowfield, Nottingham, and Somerset Townships, **Washington County** to change the post-mining surface land use at Ginger Hill Shaft, Spinner Shaft, Valley Shaft, Cherokee Shaft, and Hazel-Kirk Supply Yard from unmanaged natural habitat to industrial/commercial. No additional discharges. The application was considered administratively complete on March 12, 2004. Application received February 6, 2004. Permit issued April 11, 2012.

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

**65060101 and NPDES Permit No. PA0250856. Coal Loaders, Inc.** (210 E. Main Street, Latrobe, PA 15658). Renewal permit for continued operation issued to an existing bituminous surface mine, located in South Huntingdon Township, **Westmoreland County**, affecting 23.2 acres. Receiving stream: unnamed tributary "A" to Youghiogheny River Application received: June 24, 2011. Permit issued: April 13, 2012.

**65010102 and NPDES Permit No. PA0202967. Coal Loaders, Inc.** (210 E. Main Street, Latrobe, PA 15658). Renewal permit for continued operation issued to an existing bituminous surface mine, located in Fairfield Township, **Westmoreland County**, affecting 146.8 acres. Receiving stream: unnamed tributary to Hypocrite Run Application received: June 22, 2011. Permit issued: April 13, 2012.

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

**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 tributary to Black Fox Run and Black Fox Run; unnamed tributary to Catfish Run. This renewal is issued for reclamation only. Application received: February 9, 2012. Permit Issued: April 12, 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. Permit issued April 11, 2012.

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

**54851342R5. Little Buck Coal Company**, (57 Lincoln Road, Pine Grove, PA 17963), renewal of an existing anthracite underground mine operation in Tremont Township, **Schuylkill County** affecting 5.0 acres, receiving stream: Stumps Run. Application received: October 17, 2011. Renewal issued: April 11, 2012.

**54851342GP104. Little Buck Coal Company**, (57 Lincoln Road, Pine Grove, PA 17963), General NPDES

Permit for stormwater discharges associated with mining activities on Underground Mining Permit No. 54851342 in Tremont Township, **Schuylkill County**, receiving stream: Stumps Run. Application received: October 17, 2011. Permit issued: April 11, 2012.

**54851342C4. Little Buck Coal Company**, (57 Lincoln Road, Pine Grove, PA 17963), correction to an existing anthracite underground mine operation to add a new slope in Tremont Township, **Schuylkill County** affecting 5.0 acres, receiving stream: Stumps Run. Application received: October 17, 2011. Correction issued: April 11, 2012.

**40100201 and NPDES Permit No. PA0224928. Susquehanna Haul & Drilling, LLC**, (249 Harland Street, Exeter, PA 18643), commencement, operation and restoration of an anthracite coal refuse reprocessing operation in Salem Township and Shickshinny Borough, **Luzerne County** affecting 25.0 acres, receiving stream: Paddy Run. Application received: July 6, 2010. Permit issued: April 12, 2012.

#### *Noncoal Permits Actions*

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

**10030302. Allegheny Mineral Corporation** (P. O. Box 1022, Kittanning, PA 16201) Renewal of existing NPDES Permit No. PA0242462 in Brady Township, **Butler County**. Receiving streams: Unnamed tributaries to Big Run. Application received: January 4, 2012. Permit Issued: April 11, 2012.

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

**08110302 and NPDES No. PA0257541. Hanson Aggregates Pennsylvania, LLC** (7600 Imperial Way, Allentown, PA 18195). Commencement, operation and restoration of a large noncoal surface mine (siltstone, sandstone, shale) located in Wilmot Township, **Bradford County** affecting 61.11 acres. Receiving stream: unnamed tributary to Panther Lick Creek classified for cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received February 4, 2011. Permit issued April 10, 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*

**63124004. Aguila Exploration Management** (264 Smith Twp. Road, Burgettstown, PA 15201). Blasting activity permit to conduct seismic exploration activity for the Aguila Starvaggi 3D 2012, located in Burgettstown Borough, Hanover Township, etc., Washington County and Frankfort Springs Borough, etc., **Beaver County**. The duration of blasting is expected to last eight months. Blasting permit issued: April 10, 2012.

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

**08124123. Doug Wathen LLC** (11934 Fairway Lakes Drive, Suite 1, Fort Myers, FL 33913). Blasting for construction of a gas well pad located in Athens Township, **Bradford County**. Permit issued April 10, 2012. Permit expires April 4, 2013.

**08124124. Maurer & Scott Sales, Inc.** (122 Thomas St, Coopersburg, PA 18036-2100). Blasting for construction of a gas well pad located in Ulster Township, **Bradford County**. Permit issued April 10, 2012. Permit expires December 31, 2012.

**08124125. Meshoppen Blasting, Inc.** (Frantz Road, P. O. Box 127, Meshoppen, PA 18630). Blasting for construction of a gas well site located in Tuscarora Township, **Bradford County**. Permit issued April 10, 2012. Permit expires July 31, 2012.

**08124126. Maine Drilling & Blasting, Inc.** (P. O. Box 1140, Gardiner, ME 04345-1140). Blasting for construction of a pipeline located in Asylum Township, **Bradford County**. Permit issued April 10, 2012. Permit expires April 9, 2013.

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

**36124115. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for The Villas at Elm Tree in Rapho Township, **Lancaster County** with an expiration date of April 9, 2013. Permit issued: April 10, 2012.

**38124113. Pact Construction, Inc.**, (PO Box 74, Ringoes, NJ 08551), construction blasting for Heidelberg Township Sewer Project in Heidelberg Township, **Lebanon County** with an expiration date of March 1, 2013. Permit Issued: April 12, 2012.

**49124101. Holbert Explosives, Inc.**, (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for V & G Construction Warehouse in Coal Township, **Northumberland County** with an expiration date of December 30, 2012. Permit issued: April 12, 2012.

**58124129. M & J Explosives, Inc.**, (PO Box 608, Carlisle, PA 17013), construction blasting for WPX Gathering pipeline in Liberty Township, **Susquehanna County** with an expiration date of April 10, 2013. Permit issued: April 13, 2012.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301–303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311–1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501–508 and 701–704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483.

TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1–693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E5929-028: SWEPI LP**, 190 Thorn Hill Road, Warrendale, PA 15086, Liberty Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 16 inch diameter natural gas gathering line, an 8 inch diameter natural gas gathering line, a 10 inch diameter fresh water line, and a fiber optic cable impacting 38 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Liberty, PA Quadrangle 41° 33'55"N 77°01'57"W);

The project will result in 38 square feet (0.01 acre) of temporary wetland impacts all for the purpose of installing the natural gas gathering lines, a fresh water line, a fiber optic cable, and associated access roadways in Liberty Township, Tioga County.

**E0829-022: Chesapeake Appalachia, LLC**, 101 North Main Street, Athens, PA 18810, Terry Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. One 10 inch diameter waterline and a 16 foot wide equipment mat impacting 68 linear feet of an unnamed tributary to Susquehanna River (WWF, MF); (Wyalusing, PA Quadrangle, Latitude: 41°41'4", Longitude: -76°18'57").

2. One 10 inch diameter waterline impacting 42 linear feet of an unnamed tributary to Susquehanna River (WWF, MF); (Wyalusing, PA Quadrangle, Latitude: 41° 41'1", Longitude: -76°18'58").

3. One 10 inch diameter waterline and a 16 foot wide equipment mat impacting 44 linear feet of an unnamed

tributary to Susquehanna River (WWF, MF); (Wyalusing, PA Quadrangle, Latitude: 41°40'57", Longitude: -76°18'59").

4. One 10 inch diameter waterline and a 16 foot wide equipment mat across a Palustrine Emergent Wetland and a Palustrine Emergent Wetland. Impacted Area: 71 square feet; (Wyalusing, PA Quadrangle, Latitude: 41°40'48", Longitude: -76°18'54").

5. One 10 inch diameter waterline impacting 9 linear feet of an unnamed tributary to Susquehanna River (WWF, MF); (Wyalusing, PA Quadrangle, Latitude: 41°40'49", Longitude: -76°18'53").

6. One 10 inch diameter waterline and a 16 foot wide equipment mat impacting 28 linear feet of an unnamed tributary to Susquehanna River (WWF, MF) and an adjacent Palustrine Emergent Wetland impacting 13 square feet (Wyalusing, PA, Latitude: 41°40'48", Longitude: -76°18'53").

7. One 10 inch diameter waterline across a Palustrine Emergent Wetland, Palustrine Forested Wetland and a Palustrine Scrub-Shrub Wetland. Impacted Area: 744 square feet; (Wyalusing, PA Quadrangle, Latitude: 41°39'48", Longitude: -76°18'22").

8. One 10 inch diameter waterline and a 16 foot wide equipment mat impacting 54 linear feet of North Branch Sugar Run (CWF, MF) and an adjacent Palustrine Emergent Wetland impacting 5,799 square feet (Wyalusing, PA, Latitude: 41°39'24", Longitude: -76°18'20").

The project will result in 245 linear feet and 1,190 square feet of temporary stream impacts and 6,627 square feet (0.15 acre) of temporary PEM, PSS and PFO wetland impacts from temporary waterlines and temporary equipment mat crossings all for the purpose of establishing a temporary water supply for Marcellus well development.

**E4129-018: PVR Marcellus Gas Gathering, LLC**, 100 Penn Tower, Suite 201 & 202, 25 West Third Street, Williamsport, PA 17701, Anthony & Mifflin Townships, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

(1) two 12.0 inch diameter water pipe lines and timber matting across an unnamed tributary to Hickory Swale (EV) impacting 75 linear feet (Waterville Quadrangle 41°18'52"N 77°17'55"W),

(2) two 12.0 inch diameter water pipe lines and timber matting across Hickory Swale (EV) impacting 79 linear feet (Waterville Quadrangle 41°19'02"N 77°17'55"W),

(3) two 12.0 inch diameter water pipe lines across an unnamed tributary to Hickory Swale (EV) impacting 76 linear feet (Waterville Quadrangle 41°19'02"N 77°17'55"W),

(4) two 12.0 inch diameter water pipe lines and timber matting across an unnamed tributary to the First Fork Larrys Creek (EV) impacting 78 linear feet (Waterville Quadrangle 41°19'15"N 77°17'56"W),

(5) a two 12.0 inch diameter water pipe lines and timber matting across an unnamed tributary to the First Fork Larrys Creek (EV) impacting 81 linear feet (Waterville Quadrangle 41°19'16"N 77°17'56"W),

(6) a two 12.0 inch diameter water pipe lines and timber matting across an unnamed tributary to the First Fork Larrys Creek (EV) impacting 77 linear feet (Waterville Quadrangle 41°19'17"N 77°17'56"W).

The project will result in 466 linear feet of stream impacts and 0.0 acres of wetland impacts, all for the purpose of installing water pipe line with associated access roadways for Marcellus well development.

**E5329-009. Tenaska Resources, LLC.**, 1701 E. Lamar Blvd., Suite 100, Arlington, TX 76006-7320. Spahr Pipeline, in Abbott Township, **Potter County**, ACOE Baltimore District. (Galeton, PA Quadrangle, Latitude: N41°39'5.04", Longitude: W77°42'2.88").

To construct, operate, and maintain one 2-inch underground natural gas pipeline crossing beneath Hoppe Hollow (EV) and installed via directional drilling. The project will result in 8 linear feet of impact to Hoppe Hollow, all for the purpose of transmission of natural gas from Marcellus Shale development.

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

**E59-512. Pennsylvania Department of Transportation, Engineering District 3-0**, PO Box 218 Montoursville, PA 17754-0218. S.R. 4007 Section 003, California Brook Bridge Replacement, Westfield Township, **Tioga County**, ACOE Baltimore District (Potter Brook, PA Quadrangle N: 41° 55' 47"; W: 77° 31' 28").

PA DOT Engineering District 3-0 proposes to replace a single span, timber deck steel I-beam bridge with a single span rigid frame culvert. The existing bridge has a span of 17.9 Ft., a skew of 45 degrees an underclearance of 4.45 Ft. and a low chord of 1376.14 Ft. The proposed bridge has a span of 24 Ft., a skew of 47 degrees an underclearance of 4.44 Ft. and a low chord of 1376.13 Ft. The proposed structure is beyond the limits of the General Permit 11 for increased length upstream to downstream. The project will not impact any jurisdictional wetlands and does not require mitigation. California Brook is classified as Warm Water Fishery by Title 25, Chapter 93 Water Quality Standards. The project will not require mitigation. This permit also includes 401 Water Quality Certification.

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

**E63-634. Mark West Liberty Midstream & Resources, LLC**, 604 Technology Drive, Suite 130, Canonsburg, PA 15317, Chartiers, Cecil, and Mt. Pleasant Townships, **Washington County**; ACOE Pittsburgh District

Has been given consent to remove existing structures; operate and maintain the existing structures; to reconstruct and maintain 8 stream enclosures located in UNT's to Chartiers Run (WWF) and UNT's to Millers Run (WWF) with a total impact of 569 ft.; and to place fill in 0.66 acre of PEM and 0.008 acre of PSS wetland at 17 locations for the purpose of the construction of a 4.5 mile long rail spur. The project is located along Hornhead Road starting at the intersection with Westland Road and continuing through the intersection with Millers Run Road (Pa 50) to Southview Road as it enters the Wheeling & Lake Erie Railroad mainline in Southview, PA (Starting at Midway, PA Quadrangle; N: 4.7 inches, W: 14.4 inches; Latitude: 40° 16' 31"; Longitude: 80° 16' 16" and ending at Canonsburg, PA Quadrangle; N: 13.7", W: 0"; Latitude: 40° 19' 29"; Longitude: 80° 15' 0") Chartiers, Cecil, and Mt. Pleasant Townships, Washington County. Mitigation will be provided by including the creation of 0.66 acre of PEM and 0.016 acre of PSS wetland in the floodway of an unnamed tributary to Millers Run, the restoration of 490

linear feet of an unnamed tributary to Millers Run, and the creation of 648 linear feet of another unnamed tributary to Millers Run.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-1 # ESX12-015-0083  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Patrick Myers, Jr.  
Address 100 1st Center  
City, State, Zip Horseheads, NY 14845  
County Bradford County  
Township(s) Tuscarora and Wyalusing Townships  
Receiving Stream(s) and Classification(s) CWF, MF:  
Tuscarora Creek; Tributary 29502 to Little Tuscarora Creek; Fargo Creek; Tributaries 29479, 29480, 29478, 29476, and 29477; Tributary 295506 to Susquehanna River; Tributaries 29604, 29605 and 29606 to Wyalusing Creek

ESCGP-1 # ESX12-115-0053  
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) Dimock Township  
Receiving Stream(s) and Classification(s) UNT to Burdick Creek and White Creek/Upper Susquehanna—Tunkhannock Watershed

ESCGP-1 # ESX11-015-0007 (01)  
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) Windham Township

Receiving Stream(s) and Classification(s) Parks Creek, West Branch Parks Creek (CWF/MF)

ESCGP-1 # ESX12-081-0030  
Applicant Name XTO Energy, Inc.  
Contact Person Stacy Vehovic  
Address 395 Airport Road  
City, State, Zip Indiana, PA 15701  
County Lycoming County  
Township(s) Moreland Township  
Receiving Stream(s) and Classification(s) Jakes Run

ESCGP-1 # ESX12-115-0045  
Applicant Name Angelina Gathering Company, LLC  
Contact Person Danny Spaulding  
Address 2350 N. Sam Houston Pkwy E., STE 125  
City, State, Zip Houston, TX 77032  
County Susquehanna County  
Township(s) Lenox Township  
Receiving Stream(s) and Classification(s) UNT to Tunkhannock Creek and UNT to East Branch Tunkhannock Creek (CWF/MF)

ESCGP-1 # ESX12-115-0040  
Applicant Name Angelina Gathering Company, LLC  
Contact Person Danny Spaulding  
Address 2350 N. Sam Houston Pkwy E., STE 125  
City, State, Zip Houston, TX 77032  
County Susquehanna County  
Township(s) Lenox and Clifford Townships  
Receiving Stream(s) and Classification(s) UNT to Tunkhannock Creek and UNT to East Branch Tunkhannock Creek (CWF/MF)

ESCGP-1 # ESX12-081-0018  
Applicant Name Inflection Energy, LLC  
Contact Person Carla Suszkowski  
Address 701 Technology Drive, Suite 250  
City, State, Zip Canonsburg, PA 15317  
County Lycoming County  
Township(s) Upper Fairfield Township  
Receiving Stream(s) and Classification(s) Tributary 19861 of Loyalsock Creek (TSF/MF) and Tributary 19869 to Kaiser Hollow of Loyalsock Creek;  
Secondary: Loyalsock Creek (EV)

ESCGP-1 # ESX12-015-0069  
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) 2 UNT to Johnson Creek (CWF/MF);  
Secondary: Johnson Creek (CWF/MF)

ESCGP-1 # ESX11-115-0135 (01)  
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) Bridgewater and Dimock Township  
Receiving Stream(s) and Classification(s) Meshoppen and South Branch Wyalusing Creeks/Upper Susquehanna—Tunkhannock

ESCGP-1 # ESX12-117-0034  
Applicant Name Seneca Resources Corporation  
Contact Person Michael Clinger  
Address 51 Zents Boulevard  
City, State, Zip Brookville, PA 15825  
County Tioga County

Township(s) Delmar Township  
Receiving Stream(s) and Classification(s) Baldwin Run  
(HQ/CWF) Hibard Hollow CWF

ESCGP-1 # ESX12-015-0077  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Patrick Myers, Jr.  
Address 100 1st Center  
City, State, Zip Horseheads, NY 14845  
County Bradford County  
Township(s) Litchfield Township  
Receiving Stream(s) and Classification(s) Satterlee Creek,  
Trib 31582 to Satterlee Creek (Both CWF/MF)

ESCGP-1 # ESX11-015-0237 (01)  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Patrick Myers, Jr.  
Address 100 1st Center  
City, State, Zip Horseheads, NY 14845  
County Bradford County  
Township(s) Asylum Township  
Receiving Stream(s) and Classification(s) Tributaries to  
the Susquehanna River—WWF/MF

ESCGP-1 # ESX12-117-0032  
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 Babb  
Creek (EV)

ESCGP-1 # ESX12-115-0043  
Applicant Name WPX Energy Appalachia, LLC  
Contact Person David Freudenrich  
Address 6000 Town Center Boulevard, Suite 300  
City, State, Zip Canonsburg, PA 15317  
County Susquehanna County  
Township(s) Silver Lake  
Receiving Stream(s) and Classification(s) UNT to Snake  
Creek; Little Snake Creek Watershed (CWF/MF);  
Secondary: Susquehanna River

ESCGP-1 # ESX12-015-0075  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Patrick Myers, Jr.  
Address 100 1st Center  
City, State, Zip Horseheads, NY 14845  
County Bradford County  
Township(s) Sheshequin Township  
Receiving Stream(s) and Classification(s) Spaulding  
Creek, Mallory Creek, Tributary 30832 and 30833 to  
Spaulding Creek, Susquehanna River (all WWF/MF)

ESCGP-1 # ESX12-115-0012  
Applicant Name Southwestern Energy Production  
Company  
Contact Person Dave Sweeley  
Address 917 State Route 92 North  
City, State, Zip Tunkhannock, PA 18657  
County Susquehanna County  
Township(s) Jackson Township  
Receiving Stream(s) and Classification(s) UNT to Salt  
Lick Creek (HQ/CWF), Little Butler Creek (CWF/MF)

ESCGP-1 # ESX12-115-0041  
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) Springville Township

Receiving Stream(s) and Classification(s) UNT Meshop-  
pen Creek (CWF) Susquehanna Watershed

ESCGP-1 # ESX12-115-0055  
Applicant Name Chesapeake Appalachia, LLC  
Contact Person Eric Haskins  
Address 101 North Main Street  
City, State, Zip Athens, PA 18810  
County Susquehanna County  
Township(s) Rush Township  
Receiving Stream(s) and Classification(s) UNT to East  
Branch of Wyalusing Creek;  
Secondary: East Branch of Wyalusing Creek

ESCGP-1 # ESX12-015-0081  
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) Windham Township  
Receiving Stream(s) and Classification(s) Tribs to Parks  
Creek and Trout Brook (CWF/MF);  
Secondary: Parks Creek and Trout Brook (CWF/MF)

ESCGP-1 # ESX12-081-0047  
Applicant Name Mountain Gathering  
Contact Person Dewey Chalos  
Address 810 Houston Street  
City, State, Zip Fort Worth, TX 16102-6298  
County Lycoming County  
Township(s) Moreland Township  
Receiving Stream(s) and Classification(s) Little Muncy  
Creek and Jakes Run

ESCGP-1 # ESX11-015-0002 (03)  
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) Ross Creek  
WWF, MF and North Branch Wyalusing Creek CWF,  
MF

ESCGP-1 # ESX12-105-0002  
Applicant Name Triana Services Company, LLC  
Contact Person Walter C. Showen  
Address 900 Virginia Street, East, Suite 400  
City, State, Zip Charleston, WV 25301  
County Potter County  
Township(s) Hector Township  
Receiving Stream(s) and Classification(s) Tributary to  
Genessee Forks, Dry Run (Both HQ/CWF);  
Secondary: Genessee Forks (HQ/CWF)

ESCGP-1 # ESX10-117-0223 (01)  
Applicant Name EQT Production Company  
Contact Person Todd Klaner  
Address 455 Racetrack Road  
City, State, Zip Washington, PA 15301  
County Tioga County  
Township(s) Duncan Township  
Receiving Stream(s) and Classification(s) UNT to Rock  
Run, Rock Run (Both CWF) Pine Creek Watershed;  
Secondary: Babb Creek—CWF

ESCGP-1 # ESX12-115-0058  
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) Springville Township  
Receiving Stream(s) and Classification(s) Thomas Creek,  
Meshoppen Creek and an UNT to Meshoppen Creek/  
Upper Susquehanna—Tunkhannock Watershed

ESCGP-1 # ESX12-117-0033  
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) Liberty Township  
Receiving Stream(s) and Classification(s) Trib to Brion  
Creek (EV/MF)

ESCGP-1 # ESX12-081-0045  
Applicant Name PVR Partners  
Contact Person Kevin Roberts  
Address 100 Matsonford Road  
City, State, Zip Radmor, PA 19087  
County Lycoming County  
Township(s) Fairfield Township  
Receiving Stream(s) and Classification(s) Mill Creek East

ESCGP-1 # ESX12-113-0017  
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 and Fox Townships  
Receiving Stream(s) and Classification(s) Drains to: UNT  
to Elk Creek, Elk Creek, UNT to Porter Creek, Porter  
Creek, UNT to Hoagland Branch, Hoagland Branch,  
Fall Run, UNT to Fall Run, and Weed Creek (All EV)  
Loyalsock Watershed;  
Secondary: Elk Creek and Hoagland Branch (Both EV)

ESCGP-1 # ESX12-113-0016  
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 and Fox Townships  
Receiving Stream(s) and Classification(s) Drains to a  
UNT to Elk Creek, A UNT to Porter Creek, and Porter  
Creek (All EV), Loyalsock Watershed;  
Secondary: Elk Creek (EV)

ESCGP-1 # ESX12-035-0007  
Applicant Name Anadarko E&P Company, LP  
Contact Person Nathan S. Bennett  
Address 33 W. 3rd Street, Suite 200  
City, State, Zip Williamsport, PA 17701  
County Clinton County  
Township(s) Grugan Township  
Receiving Stream(s) and Classification(s) East Branch  
Hyner Run, (HQ-CWF/MF);  
Secondary: Hyner Run (HQ-CWF/MF)

ESCGP-1 # ESX12-015-0066  
Applicant Name Chesapeake Appalachia, LLC  
Contact Person Eric Haskins  
Address 101 North Main Street  
City, State, Zip Athens, PA 18810  
County Bradford County  
Township(s) Wilmot Township  
Receiving Stream(s) and Classification(s) UNT to  
Susquehanna River (CWF);  
Secondary: Susquehanna River (CWF)

ESCGP-1 # ESX12-015-0086  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Patrick Myers, Jr.  
Address 100 Ist Center  
City, State, Zip Horseheads, NY 14845  
County Bradford and Wyoming Counties  
Township(s) Wilmot, Windham and North Branch Town-  
ships  
Receiving Stream(s) and Classification(s) Drains to Sciota  
Brook (CWF), UNT to Sugar Run Creek (CWF)  
Wysox—Wyalusing Creeks Watershed and Mehoop-  
any—Bowman Creeks Watershed;  
Secondary: Sugar Run Creek (CWF)

ESCGP-1 # ESX12-115-0051  
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 Township  
Receiving Stream(s) and Classification(s) Butler Creek, a  
trib. to Butler Creek/Upper Susquehanna—Tunkhan-  
nock Watershed

ESCGP-1 # ESX12-117-0035  
Applicant Name Seneca Resources Corporation  
Contact Person Michael Clinger  
Address 51 Zents Boulevard  
City, State, Zip Brookville, PA 15825  
County Tioga County  
Township(s) Chatham Township  
Receiving Stream(s) and Classification(s) Right Straight  
Run, UNT to Right Straight Run, UNT to Right  
Straight Run (All HQ/CWF)

ESCGP-1 # ESX12-015-0085  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Patrick Myers, Jr.  
Address 100 Ist Center  
City, State, Zip Horseheads, NY 14845  
County Bradford and Sullivan Counties  
Township(s) Wilmot and Colley Townships  
Receiving Stream(s) and Classification(s) The Sugar Run  
Creek, UNT to Sugar Run Creek (Both CWF/MF)

ESCGP-1 # ESX12-015-0084  
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 and Athens Township  
Receiving Stream(s) and Classification(s) Mallory Creek,  
Trib 30842 to Mallory Creek (Both WWF/MF)

ESCGP-1 # ESX12-081-0036  
Applicant Name Anadarko Marcellus Midstream LLC  
Contact Person Nathan S. Bennett  
Address 33 W. 3rd Street, Suite 200  
City, State, Zip Williamsport, PA 18810  
County Lycoming County  
Township(s) Pine Township  
Receiving Stream(s) and Classification(s) Rock Hollow,  
Bonnell Run (Both EV/MF);  
Secondary: Bonnell Run, Little Pine Creek (Both EV/  
MF)

ESCGP-1 # ESX12-035-0006  
Applicant Name XTO Energy Inc.  
Contact Person Stacey Vehovic  
Address 395 Airport Road  
City, State, Zip Indiana, PA 15701

County Clinton County  
Township(s) Chapman Township  
Receiving Stream(s) and Classification(s) Long Fork &  
Abes Run (EQ)

ESCGP-1 # ESX12-033-0015  
Applicant Name EOG Resources, Inc.  
Contact Person Greg Shaffer  
Address 191 Beaver Drive  
City, State, Zip Dubois, PA 15801  
County Clearfield County  
Township(s) Lawrence Township  
Receiving Stream(s) and Classification(s) Lick Run (HQ);  
Secondary: West Branch Susquehanna River

ESCGP-1 # ESX12-015-0071  
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) Burlington Township  
Receiving Stream(s) and Classification(s) Bailey Run  
(WWF, MF);  
Secondary: Sugar Creek (WWF, MF)

*Northwest Region: Oil and Gas Program Manager; 230  
Chestnut St., Meadville, PA 16335*

ESCGP-1 #ESX12-019-0133—Thomas Pajer, et al, B1H,  
B2H  
Applicant XTO Energy Inc  
Contact Melissa Breitenbach  
Address 502 Keystone Drive  
City Warrendale State PA Zip Code 15086  
County Butler Township(s) Buffalo(s)  
Receiving Stream(s) and Classification(s) UNT of  
McDowell Run—TSF, Little Bull Creek—TSF, Bull  
Creek—TSF

ESCGP-1 #ESX12-085-0002—Phillips Well Pad  
Applicant Carrizo (Utica) LLC  
Contact Gary Byron  
Address 331 Enterprise Drive, Suite B  
City Philipsburg State PA Zip Code 16866  
County Mercer Township(s) West Salem(s)  
Receiving Stream(s) and Classification(s) Booth Run to  
the Shenango River, Pymatuning Creek

ESCGP-1 #ESX12-047-0041—Spring Creek Surface Water  
Withdrawal and Waterline  
Applicant Seneca Resources Corp  
Contact Michael R Ogden  
Address 51 Zentz Blvd  
City Brookville, State PA Zip Code 15825  
County Elk Township(s) Spring Creek and Highland(s)  
Receiving Stream(s) and Classification(s) UNT to Big  
Run, Big Run, Hill Run, UNT to Spring Creek, Spring  
Creek -HQ

ESCGP-1 #ESX12-053-0029—WT 5236  
Applicant SWEPI LP  
Contact H. James Sewell  
Address 190 Thorn Hill Road  
City Warrendale State PA Zip Code 15086  
County Forest Township(s) Kingsley(s)  
Receiving Stream(s) and Classification(s) Unnamed Tribu-  
taries to Tionesta Creek (CWF), UNT to Bob's Creek  
(HQ-CWF)

ESCGP-1 #ESX11-019-0106A—Jefferson Twp Compressor  
Station  
Applicant Mountain Gathering LLC  
Contact Christopher Hamm  
Address 810 Houston Street

City Fort Worth State TX Zip Code 76102  
County Butler Township(s) Jefferson(s)  
Receiving Stream(s) and Classification(s) Thorn Creek

ESCGP-1 #ESX12-019-0134—Pajer Freshwater Impound-  
ment B  
Applicant XTO Energy  
Contact Jesse Hickman  
Address 502 Keystone Drive  
City Warrendale State PA Zip Code 15086  
County Butler Township(s) Buffalo(s)  
Receiving Stream(s) and Classification(s) UNT of  
MacDowell Run-TSF, Little Bull Creek-TSF

*Southwest Region: Oil & Gas Program Mgr: 400 Water-  
front Dr. Pittsburgh PA 3/1/12*

ESCGP-1 No: Esx10-059-0092 MAJOR REVISION  
Applicant Name: LAUREL MOUNTAIN MIDSTREAM  
LLC  
Contact Person MR CLAYTON ROESLER  
Address: 1605 CORAOPOLIS HEIGHTS ROAD  
City: MOON TOWNSHIP State: PA Zip Code: 15108  
County: GREENE Township: DUNKARD  
Receiving Stream (s) And Classifications: UNT's TO  
MEADOW RUN (WWF)/ LOWER MONONGAHELA  
WATERSHED; OTHER

3/22/12  
ESCGP-1 No.: ESX12-007-0007  
Applicant Name: CHESAPEAKE APPALACHIA LLC  
Contact Person: ERIC HASKINS  
Address: 101 NORTH MAIN STREET  
City: ATHENS State: PA Zip Code: 18810  
County: BEAVER Township(s): SHIPPINGPORT  
Receiving Stream(s) and Classifications: UNT TO PEGGS  
RUN-(WWF) OHIO RIVER; OTHER

12/28/11  
ESCGP-1 No.: ESX11-125-0118  
Applicant Name: CHESAPEAKE APPALACHIA LLC  
Contact Person: MR ERIC HASKINS  
Address: 101 NORTH MAIN STREET City: ATHENS  
State: PA Zip Code: 18810  
County: WASHINGTON Township(s): DONEGAL  
Receiving Stream(s) and Classifications: UNT-(HQ-WWF)-  
DUTCH FORK-(HQ-WWF)/UPPER OHIO-SOUTH; HQ

3/5/12  
ESCGP-1 No.: ESX11-051-0009 MAJOR REVISION  
Applicant Name: LAUREL MOUNTAIN MIDSTREAM  
LLC  
Contact Person: STEPHANIE L RANKER  
Address: 2620 MEMORIAL BOULEVARD SUITE A  
City: CONNELLSVILLE State: PA Zip Code: 15425  
County: FAYETTE Township(s): REDSTONE  
Receiving Stream(s) and Classifications: UNT's TO  
ROWES RUN/MIDDLE MONONGAHELA RIVER WA-  
TERSHED; OTHER

3/20/12  
ESCGP-1 No.: ESX12-125-0035  
Applicant Name: RANGE RESOURCES APPALACHIA  
LLC  
Contact Person: MR GLENN D TRUZZI  
Address: 3000 TOWN CENTER BOULEVARD  
City: CANONSBURG State: PA Zip Code: 15317  
COUNTY WASHINGTON Township(s): WEST FINDLEY  
Receiving Stream(s) and Classifications: ROBINSON  
FORK AND UNT TO ROBINSON FORK/WHEELING-  
BUFFALO CREEKS WATERSHED; OTHER

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## SPECIAL NOTICES

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### Categorical Exclusion

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#### **Special Notice Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P. L. 1535, as amended, 35 P. S. § 750.5**

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Prospect Borough	159 Monroe Street, Prospect, PA 16052	Butler

*Description:* The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. Prospect Borough proposes to make modifications to the existing equalization tank, make repairs to the sewer collection system, and perform pump station repairs. The Department's review of the project and the information received has not identified any significant, adverse environmental impacts resulting from this proposal. The Department has categorically excluded this project from the State Environmental Review Process.

#### **Request for Comments and Notice of Public Meeting for the Proposed Total Maximum Daily Loads (TMDLs) Developed for the Hemlock Creek Watershed**

The Pennsylvania Department of Environmental Protection (PADEP) and the Susquehanna River Basin Commission (SRBC) are holding a public meeting on May 16, 2012, at 6:00 p.m., at the Hemlock Township Building at 26 Firehall Road, Bloomsburg, PA 17815. The purpose of the meeting is to discuss and accept comments on the proposed TMDL developed for the Hemlock Creek Watershed. In accordance with the requirements of Section 303(d) of the Clean Water Act, stream segments in the Hemlock Creek Watershed have been identified as impaired due to high levels of sediment, as a result of agricultural land uses.

The proposed TMDLs set allowable loadings to meet water quality standards at specified points in Hemlock Creek Watershed for sediment. Loads have been allocated to nonpoint sources. The TMDLs were established using ArcView Generalized Watershed Loading Function (AVGWLF), a PADEP-approved method.

The data and all supporting documentation used to develop the proposed TMDLs are available from PADEP. The proposed TMDL and information on the TMDL program can be viewed on PADEP's website ([www.dep.state.pa.us/watermanagement\\_apps/tmdl/](http://www.dep.state.pa.us/watermanagement_apps/tmdl/)). To request a copy of any of the TMDLs, contact Bill Brown, PADEP, Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2951.

Written comments will be accepted at the above address and must be postmarked no later than May 28, 2012. PADEP will consider all comments in developing the final TMDL, which will be submitted to the U.S. Environmental Protection Agency for approval.

#### **Request for Comments and Notice of Public Meeting for the Proposed Total Maximum Daily Loads (TMDLs) Developed for the Mahantango Creek Watershed**

The Pennsylvania Department of Environmental Protection (PADEP) and the Susquehanna River Basin Commission (SRBC) are holding a public meeting on May 8, 2012, at 6:00 p.m., at the Klingerstown Fire Company Building at 52 Main Street, Klingerstown, PA 17941. The purpose of the meeting is to discuss and accept comments on the proposed TMDL developed for the Mahantango Creek Watershed. In accordance with the requirements of Section 303(d) of the Clean Water Act, stream segments in the Mahantango Creek Watershed have been identified as impaired due to high levels of sediment, as a result of agricultural land uses.

The proposed TMDLs set allowable loadings to meet water quality standards at specified points in Mahantango Creek Watershed for sediment. Loads have been allocated to nonpoint sources. The TMDLs were established using ArcView Generalized Watershed Loading Function (AVGWLF), a PADEP-approved method.

The data and all supporting documentation used to develop the proposed TMDLs are available from PADEP. The proposed TMDL and information on the TMDL program can be viewed on PADEP's website ([www.dep.state.pa.us/watermanagement\\_apps/tmdl/](http://www.dep.state.pa.us/watermanagement_apps/tmdl/)). To request a copy of any of the TMDLs, contact Bill Brown, PADEP, Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2951.

Written comments will be accepted at the above address and must be postmarked no later than May 28, 2012. PADEP will consider all comments in developing the final TMDL, which will be submitted to the U.S. Environmental Protection Agency for approval.

(Pa.B. Doc. No. 12-766. Filed for public inspection April 27, 2012, 9:00 a.m.)

#### **Environmental Laboratory Accreditation Proficiency Test Study Requirements**

In accordance with 25 Pa. Code § 252.501(a) (relating to proficiency test study requirements), the Department of Environmental Protection (Department) is providing the following list of fields of accreditation (FOA) and fields of proficiency testing (FoPT) for which proficiency test (PT) studies are available. To obtain or maintain a FOA, the Department requires that an environmental laboratory successfully participate in PT studies when available.

The following FoPT listing updates the previous listings published at 36 Pa.B. 8006 (December 30, 2006), 39 Pa.B. 1447 (March 21, 2009) and 39 Pa.B. 2636 (May 23, 2009). The new FoPT listings are effective immediately. Note that this listing of FoPTs includes additions to those previously printed on December 30, 2006, March 21, 2009, and May 23, 2009. Environmental laboratories seeking to maintain accreditation for an analyte that has been added to the tables by this notice must successfully complete a PT study for that analyte(s) by April 1, 2013. The new analytes are identified by an asterisk "\*" after the analyte name.

Additionally, the Department has identified some analytes as multi-matrix analytes using the identifier



“DW/NPW” in the “Matrix” column of the tables. Laboratories seeking to obtain or maintain accreditation for these analytes must successfully complete a PT in either the Drinking Water or Non-Potable Water matrix, as specified by the appropriate footnote for each analyte, to obtain or maintain accreditation in both matrices. Environmental laboratories seeking to maintain accreditation for an analyte that has been designated as “DW/NPW” by this notice must successfully complete a PT study for that analyte by June 30, 2012.

Environmental laboratories seeking initial accreditation or laboratories seeking to add FOAs to their current Scope of Accreditation must successfully complete a PT study before accreditation is granted. Accredited environ-

mental laboratories must successfully complete at least one PT study for each FOA, where available, once every 12 months to maintain accreditation. Additional information regarding the proficiency test study requirements is in 25 Pa. Code Chapter 252, Subchapter E (relating to proficiency test study requirements).

Updates to the following additions will be published in the *Pennsylvania Bulletin* as revisions are made. Questions concerning this notice, including the lists of proficiency testing currently available, should be directed to Aaren S. Alger, Department of Environmental Protection, Bureau of Laboratories, (717) 346-8212, [aaalger@pa.gov](mailto:aaalger@pa.gov).

MICHAEL L. KRANCER,  
Secretary

**Pennsylvania State (Chapter 252) Accreditation  
Fields of Proficiency Testing  
Drinking Water  
Effective April 28, 2012**

<i>Matrix</i>	<i>Analyte</i> <sup>9</sup>	<i>PTRL</i>	<i>Units</i>
	<b>Microbiology</b>		
DW	Total Coliform <sup>1</sup>	P/A	N/A
DW	Fecal Coliform <sup>1</sup>	P/A	N/A
DW	E.coli <sup>1</sup>	P/A	N/A
DW	Heterotrophic Plate Count (MF, PP) <sup>2</sup>	2	CFU (MPN)/mL
DW	Heterotrophic Plate Count (MPN) <sup>3</sup>	2	CFU (MPN)/mL
DW	E.coli (MF) <sup>2</sup>	2	CFU (MPN)/100 mL
DW	E.coli (MPN) <sup>3</sup>	2	CFU (MPN)/100 mL
DW	Fecal Coliform (MF) <sup>2</sup>	2	CFU (MPN)/100 mL
DW	Fecal Coliform (MPN) <sup>3</sup>	2	CFU (MPN)/100 mL
DW	Total Coliform (MF) <sup>2</sup>	2	CFU (MPN)/100 mL
DW	Total Coliform (MPN) <sup>3</sup>	2	CFU (MPN)/100 mL
	<b>Trace Metals</b>		
DW	Aluminum	104	µg/L
DW	Antimony	4.2	µg/L
DW	Arsenic	3.5	µg/L
DW	Barium	420	µg/L
DW	Beryllium	1.7	µg/L
DW	Boron	680	µg/L
DW	Cadmium	1.6	µg/L
DW	Chromium	8.5	µg/L
DW	Hexavalent Chromium (VI)*	4	µg/L
DW	Copper	45	µg/L
DW	Iron	80	µg/L
DW	Lead	3.5	µg/L
DW	Manganese	34	µg/L
DW	Mercury	0.35	µg/L
DW	Molybdenum	13	µg/L
DW	Nickel	8.5	µg/L
DW	Selenium	8	µg/L
DW	Silver	14	µg/L
DW	Thallium	1.4	µg/L
DW	Vanadium	42	µg/L
DW	Zinc	170	µg/L
DW/NPW	Cobalt <sup>8</sup>	22	µg/L
DW/NPW	Strontium <sup>8</sup>	22	µg/L
DW/NPW	Tin <sup>8</sup>	790	µg/L
DW/NPW	Titanium <sup>8</sup>	67	µg/L
	<b>Nutrients</b>		
DW	Nitrate as N	2.7	mg/L
DW	Nitrate + Nitrite as N	2.6	mg/L
DW	Nitrite as N	0.34	mg/L

<i>Matrix</i>	<i>Analyte</i> <sup>9</sup>	<i>PTRL</i>	<i>Units</i>
DW	Orthophosphate as P	0.43	mg/L
DW/NPW	Ammonia as N <sup>8</sup>	0.35	mg/L
DW/NPW	Total Kjeldahl-Nitrogen <sup>8</sup>	1.1	mg/L
DW/NPW	Total Phosphorus <sup>8</sup>	0.34	mg/L
<b>Minerals</b>			
DW	Chloride	17	mg/L
DW	Fluoride	0.9	mg/L
DW	Sulfate	21	mg/L
DW	Potassium	8.5	mg/L
DW	Sodium	11	mg/L
DW	Calcium	26	mg/L
DW	Magnesium	1.7	mg/L
DW	Ca Hardness as CaCO <sub>3</sub>	64	mg/L
DW	Total Hardness as CaCO <sub>3</sub>	71	mg/L
DW/NPW	Sulfide <sup>8</sup>	0.1	mg/L
DW/NPW	Total Solids <sup>8</sup>	106	mg/L
<b>Inorganic Disinfection By-Products</b>			
DW	Bromate	4.9	µg/L
DW	Bromide	42	µg/L
DW	Chlorate	42	µg/L
DW	Chlorite	70	µg/L
<b>Misc Analytes</b>			
DW	Alkalinity as CaCO <sub>3</sub> /L	22	mg/L
DW	Asbestos	1	MF/L
DW	Corrosivity*	N/A	N/A
DW	Cyanide, Total	0.075	mg/L
DW	Dissolved Organic Carbon (DOC)*	1.1	mg/L
DW	Perchlorate*	3.2	ug/L
DW	pH	N/A	N/A
DW	Residual Free Chlorine	0.37	mg/L
DW	Silica as SiO <sub>2</sub> *	4.2	mg/L
DW	Specific Conductance	117	µmhos/cm
DW	Surfactants - MBAS*	0.02	mg/L
DW	Total Residual Chlorine	0.4	mg/L
DW	Total Filterable Residue	80	mg/L
DW	Total Organic Carbon	1	mg/L
DW	Turbidity	0.36	NTU
DW	UV 254 Absorbance*	0.038	cm-1
DW/NPW	Acidity as CaCO <sub>3</sub> /L <sup>8</sup>	585	mg/L
DW/NPW	Non-Filterable Residue (TSS) <sup>8</sup>	14	mg/L
DW/NPW	Total Phenolics (4AAP) <sup>8</sup>	0.01	mg/L
DW/NPW	5-day BOD <sup>8</sup>	4.5	mg/L
DW/NPW	Carbonaceous BOD <sup>8</sup>	3.7	mg/L
DW/NPW	COD <sup>8</sup>	17	mg/L
DW/NPW	n-Hexane Extractable Material (O&G) <sup>8,14</sup>	8.8	mg/L
DW/NPW	Non-Polar Extractable Material (TPH) <sup>8,15</sup>	7.6	mg/L
<b>Regulated Volatile Organic Compounds (VOCs)<sup>7</sup></b>			
DW	Benzene <sup>7,13</sup>	1.2	µg/L
DW	Carbon Tetrachloride <sup>7,13</sup>	1.2	µg/L
DW	Chlorobenzene <sup>7,13</sup>	1.2	µg/L
DW	1,2-Dichlorobenzene <sup>7,13</sup>	1.2	µg/L
DW	1,4-Dichlorobenzene <sup>7,13</sup>	1.2	µg/L
DW	1,2-Dichloroethane <sup>7,13</sup>	1.2	µg/L
DW	1,1-Dichloroethylene <sup>7,13</sup>	1.2	µg/L
DW	Cis-1,2-Dichloroethylene <sup>7,13</sup>	1.2	µg/L
DW	Trans-1,2-Dichloroethylene <sup>7,13</sup>	1.2	µg/L
DW	Dichloromethane (Methylene Chloride) <sup>7,13</sup>	1.2	µg/L
DW	1,2 Dichloropropane <sup>7,13</sup>	1.2	µg/L
DW	Ethylbenzene <sup>7,13</sup>	1.2	µg/L
DW	Styrene <sup>7,13</sup>	1.2	µg/L
DW	Tetrachloroethylene <sup>7,13</sup>	1.2	µg/L
DW	Toluene <sup>7,13</sup>	1.2	µg/L
DW	1,1,1-Trichloroethane <sup>7,13</sup>	1.2	µg/L
DW	1,1,2-Trichloroethane <sup>7,13</sup>	1.2	µg/L

<i>Matrix</i>	<i>Analyte</i> <sup>9</sup>	<i>PTRL</i>	<i>Units</i>
DW	Trichloroethylene <sup>7,13</sup>	1.2	µg/L
DW	1,2,4-Trichlorobenzene <sup>7,13</sup>	1.2	µg/L
DW	Vinyl Chloride <sup>7</sup>	1.2	µg/L
DW	Total Xylenes <sup>7,13</sup>	1.2	µg/L
<b>Low Level Volatile Organic Compounds (VOCs)<sup>16</sup></b>			
DW	1,2-Dibromo-3-chloropropane (DBCP) <sup>16</sup>	0.06	µg/L
DW	Ethylene Dibromide (EDB) <sup>16</sup>	0.03	µg/L
DW	1,2,3-Trichloropropane <sup>16</sup>	0.12	µg/L
<b>Total Trihalomethanes (TTHMs)<sup>4</sup></b>			
DW	Bromodichloromethane <sup>4</sup>	4	µg/L
DW	Bromoform <sup>4</sup>	4	µg/L
DW	Chlorodibromomethane <sup>4</sup>	4	µg/L
DW	Chloroform <sup>4</sup>	4	µg/L
<b>Volatile Organic Compounds (VOCs)</b>			
DW	Bromobenzene	1.2	µg/L
DW	Bromochloromethane	1.2	µg/L
DW	Bromomethane	3	µg/L
DW	n-Butylbenzene	1.2	µg/L
DW	Sec-Butylbenzene	1.2	µg/L
DW	Tert-Butylbenzene	1.2	µg/L
DW	Chloroethane	3	µg/L
DW	Chloromethane	3	µg/L
DW	2-Chlorotoluene	1.2	µg/L
DW	4-Chlorotoluene	1.2	µg/L
DW	Dibromomethane	1.2	µg/L
DW	1,3-Dichlorobenzene	1.2	µg/L
DW	Dichlorodifluoromethane	3	µg/L
DW	1,1-Dichloroethane	1.2	µg/L
DW	1,3-Dichloropropane	1.2	µg/L
DW	2,2-Dichloropropane	1.2	µg/L
DW	1,1-Dichloropropene	1.2	µg/L
DW	Cis-1,3-Dichloropropene	1.2	µg/L
DW	Trans-1,3-Dichloropropene	1.2	µg/L
DW	Hexachlorobutadiene	3	µg/L
DW	Isopropylbenzene	1.2	µg/L
DW	4-Isopropyltoluene	1.2	µg/L
DW	Methyl-tert-butylether (MTBE)	3	µg/L
DW	Naphthalene*	1.2	µg/L
DW	n-Propylbenzene	1.2	µg/L
DW	1,1,1,2-Tetrachloroethane	1.2	µg/L
DW	1,1,2,2-Tetrachloroethane	1.2	µg/L
DW	1,2,3-Trichlorobenzene	3	µg/L
DW	Trichlorofluoromethane	3	µg/L
DW	1,2,3-Trichloropropane	1.2	µg/L
DW	1,2,4-Trimethylbenzene	1.2	µg/L
DW	1,3,5-Trimethylbenzene	1.2	µg/L
<b>Pesticides</b>			
DW	Alachlor	1.1	µg/L
DW	Aldrin	0.08	µg/L
DW	Atrazine	1.1	µg/L
DW	Butachlor	1.1	µg/L
DW	Chlordane (technical)	1.1	µg/L
DW	Dieldrin	0.28	µg/L
DW	Endrin	0.14	µg/L
DW	Heptachlor	0.11	µg/L
DW	Heptachlor Epoxide (beta)	0.11	µg/L
DW	Hexachlorobenzene	0.22	µg/L
DW	Hexachlorocyclopentadiene	0.49	µg/L
DW	Lindane	0.11	µg/L
DW	Methoxychlor	1.1	µg/L
DW	Metolachlor	1.1	µg/L
DW	Metribuzin	1	µg/L
DW	Propachlor	0.55	µg/L
DW	Simazine	1.1	µg/L

<i>Matrix</i>	<i>Analyte</i> <sup>9</sup>	<i>PTRL</i>	<i>Units</i>
DW	Toxaphene (total)	1.1	µg/L
DW	Trifluralin	0.55	µg/L
<b>Carbamates &amp; Vydate</b>			
DW	Aldicarb	11	µg/L
DW	Aldicarb Sulfone	11	µg/L
DW	Aldicarb Sulfoxide	11	µg/L
DW	Carbaryl	11	µg/L
DW	Carbofuran	8.3	µg/L
DW	3-Hydroxycarbofuran	12	µg/L
DW	Methomyl	12	µg/L
DW	Oxamyl (Vydate)	11	µg/L
<b>Chlorinated Acid Herbicides</b>			
DW	Acifluorfen	5	µg/L
DW	2,4-D	5	µg/L
DW	2,4-DB	10	µg/L
DW	Dalapon	5	µg/L
DW	Dicamba	10	µg/L
DW	Dinoseb	3.1	µg/L
DW	Pentachlorophenol	0.5	µg/L
DW	Picloram	5	µg/L
DW	2,4,5-TP (Silvex)	5	µg/L
DW	2,4,5-T	5	µg/L
<b>Other Herbicides</b>			
DW	Diquat	4	µg/L
DW	Endothall	40	µg/L
DW	Glyphosate	300	µg/L
<b>Haloacetic acids</b>			
DW	Bromochloroacetic Acid	3	µg/L
DW	Dibromoacetic Acid <sup>5</sup>	3	µg/L
DW	Dichloroacetic Acid <sup>5</sup>	3	µg/L
DW	Monobromoacetic Acid <sup>5</sup>	3	µg/L
DW	Monochloroacetic Acid <sup>5</sup>	6	µg/L
DW	Trichloroacetic Acid <sup>5</sup>	3	µg/L
<b>Adipate/Phthalate</b>			
DW	Di(2-Ethylhexyl) Adipate	2.5	µg/L
DW	Di(2-Ethylhexyl) Phthalate	2.4	µg/L
<b>PCBs in Water<sup>6</sup></b>			
DW	PCBs as Decachlorobiphenyl <sup>6</sup>	0.05	µg/L
DW	PCB Aroclor Identification <sup>6</sup>	N/A	N/A
<b>PAH</b>			
DW	Benzo(a)pyrene	0.02	µg/L
<b>Dioxin</b>			
DW	2,3,7,8-Tetrachloro-dibenzodioxin	11	pg/L
<b>Radiochemistry</b>			
DW/NPW	Gross Alpha <sup>12</sup>	3	pCi/L
DW/NPW	Gross Beta <sup>12</sup>	3	pCi/L
DW/NPW	Iodine-131 <sup>12</sup>	2.1	pCi/L
DW/NPW	Radium-226 <sup>12</sup>	0.86	pCi/L
DW/NPW	Radium-228 <sup>12</sup>	0.88	pCi/L
DW/NPW	Natural Uranium <sup>12</sup>	1.2	pCi/L
DW/NPW	Uranium (mass) <sup>12</sup>	1.8	ug/L
DW/NPW	Strontium-89 <sup>12</sup>	3.8	pCi/L
DW/NPW	Strontium-90 <sup>12</sup>	1.4	pCi/L
DW/NPW	Tritium <sup>12</sup>	760	pCi/L
<b>Gamma Emitters</b>			
DW/NPW	Barium-133 <sup>10,12</sup>	6.4	pCi/L
DW/NPW	Cesium-134 <sup>10,11,12</sup>	6.6	pCi/L
DW/NPW	Cesium-137 <sup>10,11,12</sup>	16	pCi/L

<i>Matrix</i>	<i>Analyte</i> <sup>9</sup>	<i>PTRL</i>	<i>Units</i>
DW/NPW	Cobalt-60 <sup>10,12</sup>	7.2	pCi/L
DW/NPW	Zinc-65 <sup>10,12</sup>	25	pCi/L

\*) Identifies New Field of Proficiency Testing.

- 1) Laboratories analyzing qualitative sample sets for more than one method in a particular study shall obtain a unique ten-sample set for each method reported.
- 2) These limits are for quantitative methods using membrane filtration (MF) or pour-plate (PP) techniques.
- 3) These limits are for quantitative methods using most probable number (MPN) techniques.
- 4) Laboratories seeking or maintaining accreditation for DW TTHMs must meet PT requirements for all 4 TTHM FoPTs in the given study, by method.
- 5) Laboratories seeking or maintaining accreditation for DW HAA5 must meet PT requirements for 4 out of 5 HAA5 FoPTs in the given study, by method.
- 6) One sample in every study, containing one Aroclor, selected at random from among the Aroclors listed (1016, 1221, 1232, 1242, 1248, 1254 or 1260) for the analysis of PCBs as decachlorobiphenyl. Laboratories must analyze and report results for all Arochlors in an individual PT study. Incorrect identification or quantitation of one Arochlor will result in failure for the group.
- 7) Unless a fixed limit is specified, the acceptance limits for regulated volatiles are  $\pm 20\%$  at  $\geq 10\mu\text{g/L}$  or  $< 40\%$  at  $< 10\mu\text{g/L}$ .
- 8) Laboratories seeking to obtain or maintain accreditation for these analytes in the DW matrix must successfully perform a PT in the Non-Potable Water Matrix, also known as a WP study.
- 9) All FoPTs must meet the design, verification, homogeneity, stability, and acceptance limits described in 40 CFR Part 141, V3 of the TNI Standard, and the TNI FoPT Tables.
- 10) Laboratories seeking or maintaining accreditation for Gamma (Photon) Emitters must meet PT requirements for all Gamma Emitter analytes in the FoPT in a given PT study, by technology/method (Barium-133, Cesium-134, Cesium-137, Cobalt-60, Zinc-65).
- 11) Laboratories seeking or maintaining accreditation for Radioactive Cesium must meet PT requirements for both Radioactive Cesium analytes in the FoPT in a given PT study, by technology/method (Cesium-134, Cesium-137).
- 12) Laboratories seeking to obtain or maintain accreditation for these analytes in the NPW matrix must successfully perform a PT in the Drinking Water Matrix, also known as a WS study.
- 13) These 20 VOCs constitute the USEPA's Group 1 VOCs. Laboratories seeking or maintaining accreditation for Group 1 VOCs must analyze and report results for all 20 Group 1 VOCs in a given study. Not Acceptable results for  $\geq 5$  compounds results in a Failure for all 20 compounds.
- 14) n-Hexane Extractable Material (HEM) per solvent extraction followed by gravimetric or infrared spectrometric analysis (Oil & Grease).
- 15) non-Polar Extractable Material per solvent extraction and Silica Gel Treated (SGT) followed by gravimetric or infrared spectrometric analysis (Total Petroleum Hydrocarbons).
- 16) The Low Level Analytes are specifically intended for technologies/methods that can achieve the listed PTRL. Laboratories analyzing routine environmental samples using technologies/methods that can achieve the listed PTRLs must analyze the Low Level Analyte PT samples.

**Pennsylvania State (Chapter 252) Accreditation  
Fields of Proficiency Testing  
Nonpotable Water  
Effective April 28, 2012**

<i>Matrix</i>	<i>Analyte</i> <sup>7</sup>	<i>PTRL</i>	<i>Units</i>
	<b>Microbiology</b>		
NPW	Total Coliform, MF	2	CFU/100mL
NPW	Fecal Coliform, MF	2	CFU/100mL
NPW	E.coli, MF	2	CFU/100mL
NPW	Enterococci, MF	2	CFU/100mL
NPW	Total Coliform, MPN	2	MPN/100 mL
NPW	Fecal Coliform, MPN	2	MPN/100 mL
NPW	E.coli, MPN	2	MPN/100 mL
NPW	Enterococci, MPN	2	MPN/100 mL
	<b>Trace Metals</b>		
NPW	Aluminum	130	$\mu\text{g/L}$
NPW	Antimony	55	$\mu\text{g/L}$
NPW	Arsenic	54	$\mu\text{g/L}$
NPW	Barium	86	$\mu\text{g/L}$

<i>Matrix</i>	<i>Analyte</i> <sup>7</sup>	<i>PTRL</i>	<i>Units</i>
NPW	Beryllium	5.3	µg/L
NPW	Boron	660	µg/L
NPW	Cadmium	5.9	µg/L
NPW	Chromium, total	12	µg/L
NPW	Chromium VI	31	µg/L
DW/NPW	Cobalt <sup>8</sup>	22	µg/L
NPW	Copper	32	µg/L
NPW	Iron	170	µg/L
NPW	Lead	54	µg/L
NPW	Manganese	60	µg/L
NPW	Mercury	1.2	µg/L
NPW	Molybdenum	45	µg/L
NPW	Nickel	65	µg/L
NPW	Selenium	67	µg/L
NPW	Silver	21	µg/L
DW/NPW	Strontium <sup>8</sup>	22	µg/L
NPW	Thallium	21	µg/L
DW/NPW	Tin <sup>8</sup>	790	µg/L
DW/NPW	Titanium <sup>8</sup>	67	µg/L
NPW	Vanadium	47	µg/L
NPW	Zinc	83	µg/L
<b>Demands</b>			
DW/NPW	5-day BOD <sup>8</sup>	4.5	mg/L
DW/NPW	Carbonaceous BOD <sup>8</sup>	3.7	mg/L
DW/NPW	COD <sup>8</sup>	17	mg/L
NPW	TOC	4.8	mg/L
<b>Minerals</b>			
NPW	Alkalinity, total (CaCO <sub>3</sub> )	6.8	mg/L
NPW	Bromide*	0.56	mg/L
NPW	Calcium	2.7	mg/L
NPW	Chloride	29	mg/L
NPW	Fluoride	0.13	mg/L
NPW	Calcium hardness as CaCO <sub>3</sub>	6.8	mg/L
NPW	Hardness, total (CaCO <sub>3</sub> )	8.4	mg/L
NPW	Magnesium	1.6	mg/L
NPW	Potassium	3	mg/L
NPW	Sodium	5.1	mg/L
NPW	Spec. Cond. (25°C)	170	µmhos/cm
NPW	Sulfate	2.8	mg/L
DW/NPW	Sulfide <sup>8</sup>	0.1	mg/L
NPW	Total Dissolved Solids at 180°C	98	mg/L
DW/NPW	Total Solids <sup>8</sup>	106	mg/L
<b>Nutrients</b>			
DW/NPW	Ammonia as N <sup>8</sup>	0.35	mg/L
NPW	Nitrate as N	0.19	mg/L
NPW	Nitrate-nitrite as N	0.2	mg/L
NPW	Nitrite as N	0.28	mg/L
NPW	Orthophosphate as P	0.34	mg/L
DW/NPW	Total Kjeldahl-Nitrogen <sup>8</sup>	1.1	mg/L
DW/NPW	Total Phosphorus <sup>8</sup>	0.34	mg/L
<b>Misc. Analytes</b>			
DW/NPW	Acidity, as CaCO <sub>3</sub> <sup>8*</sup>	585	mg/L
NPW	Color*	1.7	PC units
DW/NPW	Non-Filterable Residue (TSS) <sup>8</sup>	14	mg/L
NPW	pH	N/A	N/A
NPW	Total Cyanide	0.01	mg/L
DW/NPW	Total Phenolics (4AAP) <sup>8</sup>	0.01	mg/L
NPW	Total Residual Chlorine	0.36	mg/L
NPW	Settleable solids*	2.9	mL/L
NPW	Silica as SiO <sub>2</sub> *	38	mg/L
NPW	Surfactants - MBAS	0.1	mg/L
NPW	Turbidity*	1.2	NTU
NPW	Volatile solids, Total*	41	mg/L

<i>Matrix</i>	<i>Analyte</i> <sup>7</sup>	<i>PTRL</i>	<i>Units</i>
	<b>Low Level Analytes 1</b>		
NPW	Mercury <sup>1</sup>	9.7	ng/L
NPW	Total Residual Chlorine <sup>1</sup>	15	µg/L
	<b>Volatile Aromatics</b>		
NPW	Benzene	4.6	µg/L
NPW	Chlorobenzene	7.1	µg/L
NPW	1,2-Dichlorobenzene <sup>2</sup>	4.9	µg/L
NPW	1,3-Dichlorobenzene <sup>2</sup>	5.2	µg/L
NPW	1,4-Dichlorobenzene <sup>2</sup>	4.9	µg/L
NPW	Ethylbenzene	5.8	µg/L
NPW	Naphthalene <sup>2*</sup>	6.3	µg/L
NPW	Toluene	4.9	µg/L
NPW	1,2,4-Trichlorobenzene <sup>2*</sup>	4.3	µg/L
NPW	Xylenes, total	10	µg/L
	<b>Volatile Ketones/Ethers</b>		
NPW	2-Hexanone*	4.4	µg/L
NPW	4-Methyl-2-pentanone (MIBK)	4.3	µg/L
NPW	Methyl tert-butyl ether (MTBE)*	9	µg/L
	<b>Volatile Halocarbons</b>		
NPW	Bromodichloromethane	5	µg/L
NPW	Bromoform	5.6	µg/L
NPW	Bromomethane	8	µg/L
NPW	Carbon tetrachloride	6	µg/L
NPW	Chloroethane	8	µg/L
NPW	Chloroform	8.1	µg/L
NPW	Chloromethane	8	µg/L
NPW	Dibromochloromethane	7.2	µg/L
NPW	1,1-Dichloroethane*	6.4	µg/L
NPW	1,2 Dichloroethane	6.8	µg/L
NPW	1,1-Dichloroethene	6.1	µg/L
NPW	Cis-1,2-Dichloroethene*	7	µg/L
NPW	Trans-1,2-Dichloroethene	3.6	µg/L
NPW	1,2-Dichloropropane	5.9	µg/L
NPW	Cis-1,3-Dichloropropene*	5.1	µg/L
NPW	Trans-1,3-Dichloropropene	3.9	µg/L
NPW	Methylene Chloride	5.8	µg/L
NPW	Styrene	13	µg/L
NPW	1,1,2,2-Tetrachloroethane	3.9	µg/L
NPW	Tetrachloroethene	4.3	µg/L
NPW	1,1,1-Trichloroethane	6.5	µg/L
NPW	1,1,2-Trichloroethane	17	µg/L
NPW	Trichloroethene	6.2	µg/L
NPW	Trichlorofluoromethane	8	µg/L
NPW	Vinyl chloride	8	µg/L
	<b>Volatile Petroleum Hydrocarbons</b>		
NPW	Gasoline range organics (GRO)*	55	µg/L
	<b>Base/Neutrals</b>		
NPW	Acenaphthene	5.6	µg/L
NPW	Acenaphthylene	3	µg/L
NPW	Anthracene	4.9	µg/L
NPW	Benzidine	20	µg/L
NPW	Benzo(a)anthracene	3.9	µg/L
NPW	Benzyl butyl phthalate	5	µg/L
NPW	Benzo(b)fluoranthene	5.8	µg/L
NPW	Benzo(k)fluoranthene	5	µg/L
NPW	Benzo(g,h,i)perylene	2.9	µg/L
NPW	Benzo(a)pyrene	6.4	µg/L
NPW	4-Bromophenyl-phenylether	8.1	µg/L
NPW	bis(2-Chloroethoxy)methane	3.6	µg/L
NPW	bis(2-Chloroethyl)ether	4.8	µg/L
NPW	bis(2-Chloroisopropyl) ether	9.6	µg/L
NPW	4-Chlorophenyl-phenylether	9.9	µg/L
NPW	2-Chloronaphthalene	5.4	µg/L

<i>Matrix</i>	<i>Analyte</i> <sup>7</sup>	<i>PTRL</i>	<i>Units</i>
NPW	Chrysene	5.2	µg/L
NPW	Dibenzo(a,h)anthracene	4.9	µg/L
NPW	Dibenzofuran	11	µg/L
NPW	1,2-Dichlorobenzene <sup>2</sup>	3	µg/L
NPW	1,3-Dichlorobenzene <sup>2</sup>	4.5	µg/L
NPW	1,4-Dichlorobenzene <sup>2</sup>	3	µg/L
NPW	3,3'-Dichlorobenzidine	10	µg/L
NPW	Diethyl phthalate	10	µg/L
NPW	Dimethyl phthalate	10	µg/L
NPW	Di-n-butyl phthalate	14	µg/L
NPW	2,4-Dinitrotoluene	5.3	µg/L
NPW	2,6-Dinitrotoluene	6.7	µg/L
NPW	Di-n-octyl phthalate	14	µg/L
NPW	bis(2-Ethylhexyl) phthalate	6.6	µg/L
NPW	Fluoranthene	14	µg/L
NPW	Fluorene	10	µg/L
NPW	Hexachlorobenzene	7.7	µg/L
NPW	Hexachlorobutadiene	5	µg/L
NPW	Hexachlorocyclopentadiene	10	µg/L
NPW	Hexachloroethane	5	µg/L
NPW	Indeno(1,2,3-cd)pyrene	4.3	µg/L
NPW	Isophorone	13	µg/L
NPW	2-Methylnaphthalene	3.5	µg/L
NPW	Naphthalene <sup>2</sup>	10	µg/L
NPW	Nitrobenzene	7.2	µg/L
NPW	N-Nitrosodimethylamine	7.5	µg/L
NPW	N-Nitroso-di-n-propylamine	4.8	µg/L
NPW	N-Nitrosodiphenylamine	6.4	µg/L
NPW	Phenanthrene	15	µg/L
NPW	Pyrene	9.6	µg/L
NPW	1,2,4-Trichlorobenzene <sup>2</sup>	5	µg/L
<b>Acids</b>			
NPW	4-Chloro-3-methylphenol	10	µg/L
NPW	2-Chlorophenol	10	µg/L
NPW	2,4-Dichlorophenol	11	µg/L
NPW	2,6-Dichlorophenol*	15	µg/L
NPW	2,4-Dimethylphenol	10	µg/L
NPW	2,4-Dinitrophenol	10	µg/L
NPW	2-Methyl-4,6-Dinitrophenol	14	µg/L
NPW	2-Methylphenol (o-Cresol)	9.5	µg/L
NPW	4-Methylphenol (p-Cresol) <sup>3</sup>	5	µg/L
NPW	2-Nitrophenol	16	µg/L
NPW	4-Nitrophenol	10	µg/L
NPW	Phenol	10	µg/L
NPW	Pentachlorophenol	11	µg/L
NPW	2,4,5-Trichlorophenol	19	µg/L
NPW	2,4,6-Trichlorophenol	16	µg/L
<b>PCBs in Water</b> <sup>4</sup>			
NPW	Aroclor 1016 <sup>4</sup>	1.4	µg/L
NPW	Aroclor 1221 <sup>4</sup>	0.13	µg/L
NPW	Aroclor 1232 <sup>4</sup>	0.61	µg/L
NPW	Aroclor 1242 <sup>4</sup>	1.4	µg/L
NPW	Aroclor 1248 <sup>4</sup>	0.6	µg/L
NPW	Aroclor 1254 <sup>4</sup>	0.64	µg/L
NPW	Aroclor 1260 <sup>4</sup>	0.62	µg/L
<b>Organochlorine Pesticides</b>			
NPW	Aldrin	0.17	µg/L
NPW	alpha-BHC	0.6	µg/L
NPW	beta-BHC	0.77	µg/L
NPW	delta-BHC	0.57	µg/L
NPW	gamma-BHC (Lindane)	0.74	µg/L
NPW	alpha-Chlordane	0.43	µg/L
NPW	gamma-Chlordane	0.55	µg/L
NPW	Chlordane (total)	1.1	µg/L
NPW	4,4'-DDD	0.97	µg/L



<i>Matrix</i>	<i>Analyte</i> <sup>7</sup>	<i>PTRL</i>	<i>Units</i>
NPW	4,4'-DDE	0.84	µg/L
NPW	4,4'-DDT	0.38	µg/L
NPW	Dieldrin	0.43	µg/L
NPW	Endosulfan I	0.83	µg/L
NPW	Endosulfan II	1.4	µg/L
NPW	Endosulfan sulfate	0.69	µg/L
NPW	Endrin	0.85	µg/L
NPW	Endrin aldehyde	0.93	µg/L
NPW	Endrin ketone*	2	µg/L
NPW	Heptachlor	0.33	µg/L
NPW	Heptachlor Epoxide (beta)	0.42	µg/L
NPW	Methoxychlor	0.4	µg/L
NPW	Toxaphene	2	µg/L
<b>Herbicides</b>			
NPW	2,4-D	0.2	µg/L
NPW	Dicamba	0.2	µg/L
NPW	2,4,5-T	0.2	µg/L
NPW	2,4,5-TP (Silvex)	0.2	µg/L
<b>Low Level Polyaromatic Hydrocarbons (PAHs)<sup>1</sup></b>			
NPW	Acenaphthene <sup>1*</sup>	0.79	µg/L
NPW	Acenaphthylene <sup>1*</sup>	0.73	µg/L
NPW	Anthracene <sup>1*</sup>	0.14	µg/L
NPW	Benzo(a)anthracene <sup>1*</sup>	0.2	µg/L
NPW	Benzo(a)pyrene <sup>1*</sup>	0.21	µg/L
NPW	Benzo(b)fluoranthene <sup>1*</sup>	0.25	µg/L
NPW	Benzo(g,h,i)perylene <sup>1*</sup>	0.18	µg/L
NPW	Benzo(k)fluoranthene <sup>1*</sup>	0.22	µg/L
NPW	Chrysene <sup>1*</sup>	0.23	µg/L
NPW	Dibenz(a,h)anthracene <sup>1*</sup>	0.1	µg/L
NPW	Fluoranthene <sup>1*</sup>	0.25	µg/L
NPW	Fluorene <sup>1*</sup>	0.74	µg/L
NPW	Indeno(1,2,3-cd)pyrene <sup>1*</sup>	0.2	µg/L
NPW	Naphthalene <sup>1*</sup>	0.56	µg/L
NPW	Phenanthrene <sup>1*</sup>	0.24	µg/L
NPW	Pyrene <sup>1*</sup>	0.28	µg/L
<b>Petroleum Hydrocarbons</b>			
NPW	Diesel range organics (DRO) *	80	µg/L
DW/NPW	n-Hexane Extractable Material (O&G) <sup>5,8</sup>	8.8	mg/L
DW/NPW	non-Polar Extractable Material (TPH) <sup>6,8</sup>	7.6	mg/L
<b>Radiochemistry</b>			
DW/NPW	Gross Alpha <sup>11</sup>	3	pCi/L
DW/NPW	Gross Beta <sup>11</sup>	3	pCi/L
DW/NPW	Iodine-131 <sup>11</sup>	2.1	pCi/L
DW/NPW	Radium-226 <sup>11</sup>	0.86	pCi/L
DW/NPW	Radium-228 <sup>11</sup>	0.88	pCi/L
DW/NPW	Natural Uranium <sup>11</sup>	1.2	pCi/L
DW/NPW	Uranium (mass) <sup>11</sup>	2	ug/L
DW/NPW	Strontium-89 <sup>11</sup>	3.8	pCi/L
DW/NPW	Strontium-90 <sup>11</sup>	1.4	pCi/L
DW/NPW	Tritium <sup>11</sup>	760	pCi/L
<b>Gamma Emitters</b>			
DW/NPW	Barium-133 <sup>9,11</sup>	6.4	pCi/L
DW/NPW	Cesium-134 <sup>9,10,11</sup>	6.6	pCi/L
DW/NPW	Cesium-137 <sup>9,10,11</sup>	16	pCi/L
DW/NPW	Cobalt-60 <sup>9,11</sup>	7.2	pCi/L
DW/NPW	Zinc-65 <sup>9,11</sup>	25	pCi/L

\*) Identifies new FoPT.

1) The Low Level Analytes are specifically intended for technologies/methods that can achieve the listed PTRL. Laboratories analyzing routine environmental samples using technologies/methods that can achieve the listed PTRLs must analyze the Low Level Analyte PT samples.

2) Analysis required per volatile analytical technologies and solvent extraction/semivolatile analytical technologies.

- 3) Laboratories seeking or maintaining accreditation for Non-Potable Water 4-Methylphenol or the coeluting isomer pair of 3-Methylphenol and 4-Methylphenol must meet the PT requirements for this FoPT (4-Methylphenol).
- 4) Laboratories must analyze and report results for all Arochlors in an individual PT study. Incorrect identification or quantitation of one Arochlor will result in failure for the group.
- 5) n-Hexane Extractable Material (HEM) per solvent extraction followed by gravimetric or infrared spectrometric analysis (Oil & Grease).
- 6) non-Polar Extractable Material per solvent extraction and Silica Gel Treated (SGT) followed by gravimetric or infrared spectrometric analysis (Total Petroleum Hydrocarbons).
- 7) All FoPTs must meet the design, verification, homogeneity, stability, and acceptance limits described in V3 of the TNI Standard and the TNI FoPT Tables.
- 8) Laboratories seeking to obtain or maintain accreditation for these analytes in the DW matrix must successfully perform a PT in the Non-Potable Water Matrix, also known as a WP study.
- 9) Laboratories seeking or maintaining accreditation for Gamma (Photon) Emitters must meet PT requirements for all Gamma Emitter analytes in the FoPT in a given PT study, by technology/method (Barium-133, Cesium-134, Cesium-137, Cobalt-60, Zinc-65).
- 10) Laboratories seeking or maintaining accreditation for Radioactive Cesium must meet PT requirements for both Radioactive Cesium analytes in the FoPT in a given PT study, by technology/method (Cesium-134, Cesium-137).
- 11) Laboratories seeking to obtain or maintain accreditation for these analytes in the NPW matrix must successfully perform a PT in the Drinking Water Matrix, also known as a WS study.

**Pennsylvania State (Chapter 252) Accreditation  
Fields of Proficiency Testing  
Solid and Chemical Materials  
Effective April 28, 2012**

<i>Matrix</i>	<i>Analyte<sup>6</sup></i>	<i>PTRL</i>	<i>Units</i>
	<b>Trace Metals</b>		
SOLIDS	Aluminum	100	mg/kg
SOLIDS	Antimony	8	mg/kg
SOLIDS	Arsenic	4	mg/kg
SOLIDS	Barium	10	mg/kg
SOLIDS	Beryllium	4	mg/kg
SOLIDS	Boron*	48	mg/kg
SOLIDS	Cadmium	4	mg/kg
SOLIDS	Calcium	150	mg/kg
SOLIDS	Chromium	4	mg/kg
SOLIDS	Chromium VI	4	mg/kg
SOLIDS	Cobalt	4	mg/kg
SOLIDS	Copper	4	mg/kg
SOLIDS	Iron	100	mg/kg
SOLIDS	Lead	4	mg/kg
SOLIDS	Magnesium	120	mg/kg
SOLIDS	Manganese	10	mg/kg
SOLIDS	Mercury	0.1	mg/kg
SOLIDS	Molybdenum	3	mg/kg
SOLIDS	Nickel	4	mg/kg
SOLIDS	Potassium	140	mg/kg
SOLIDS	Selenium	4	mg/kg
SOLIDS	Silver	2	mg/kg
SOLIDS	Sodium	15	mg/kg
SOLIDS	Strontium	4	mg/kg
SOLIDS	Thallium	4	mg/kg
SOLIDS	Tin	7.5	mg/kg
SOLIDS	Vanadium	4	mg/kg
SOLIDS	Zinc	10	mg/kg
	<b>Minerals</b>		
SOLIDS	Bromide*	1	mg/kg
SOLIDS	Chloride*	20	mg/kg
SOLIDS	Fluoride*	2.5	mg/kg
SOLIDS	Nitrate as N*	2.5	mg/kg
SOLIDS	Sulfate*	2.5	mg/kg
	<b>Nutrients</b>		
SOLIDS	Ammonia as N*	30	mg/kg
SOLIDS	Total Kjeldahl-Nitrogen*	40	mg/kg
SOLIDS	Total Phosphorus*	30	mg/kg

<i>Matrix</i>	<i>Analyte</i> <sup>6</sup>	<i>PTRL</i>	<i>Units</i>
	<b>Misc Analytes</b>		
SOLIDS	Corrosivity (pH)	N/A	N/A
SOLIDS	Cyanide, total	2	mg/kg
SOLVENT	Ignitability (Flashpoint)	N/A	N/A
	<b>Low Level Volatile Aromatics</b> <sup>1</sup>		
SOLIDS	Benzene <sup>1</sup>	10	µg/kg
SOLIDS	Chlorobenzene <sup>1</sup>	10	µg/kg
SOLIDS	1,2-Dichlorobenzene <sup>1,2</sup>	8.9	µg/kg
SOLIDS	1,3-Dichlorobenzene <sup>1,2</sup>	5.1	µg/kg
SOLIDS	1,4-Dichlorobenzene <sup>1,2</sup>	7	µg/kg
SOLIDS	Ethylbenzene <sup>1</sup>	9.4	µg/kg
SOLIDS	Naphthalene <sup>1,2</sup>	6	µg/kg
SOLIDS	Styrene <sup>1*</sup>	24	µg/kg
SOLIDS	Toluene <sup>1</sup>	11	µg/kg
SOLIDS	1,2,4-Trichlorobenzene <sup>1,2</sup>	16	µg/kg
SOLIDS	Xylenes, total <sup>1</sup>	18	µg/kg
	<b>Low Level Volatile Halocarbons</b> <sup>1</sup>		
SOLIDS	Bromodichloromethane <sup>1</sup>	10	µg/kg
SOLIDS	Bromoform <sup>1</sup>	9.3	µg/kg
SOLIDS	Carbon tetrachloride <sup>1</sup>	9.9	µg/kg
SOLIDS	Chloroform <sup>1</sup>	11	µg/kg
SOLIDS	Dibromochloromethane <sup>1</sup>	9.9	µg/kg
SOLIDS	1,2-Dibromo-3-chloropropane (DBCP) <sup>1*</sup>	4	µg/kg
SOLIDS	1,2-Dibromoethane (EDB) <sup>1 *</sup>	24	µg/kg
SOLIDS	1,1-Dichloroethane <sup>1</sup>	11	µg/kg
SOLIDS	1,2-Dichloroethane <sup>1</sup>	12	µg/kg
SOLIDS	1,1-Dichloroethene <sup>1*</sup>	13	µg/kg
SOLIDS	cis-1,2-Dichloroethene <sup>1*</sup>	20	µg/kg
SOLIDS	trans-1,2-Dichloroethene <sup>1*</sup>	23	µg/kg
SOLIDS	Dichloromethane (Methylene chloride) <sup>1</sup>	9	µg/kg
SOLIDS	1,2-Dichloropropane <sup>1</sup>	12	µg/kg
SOLIDS	1,1,1,2-Tetrachloroethane <sup>1</sup>	12	µg/kg
SOLIDS	1,1,2,2-Tetrachloroethane <sup>1</sup>	8.9	µg/kg
SOLIDS	Tetrachloroethene <sup>1</sup>	8.3	µg/kg
SOLIDS	1,1,1-Trichloroethane <sup>1</sup>	9	µg/kg
SOLIDS	1,1,2-Trichloroethane <sup>1</sup>	13	µg/kg
SOLIDS	Trichloroethene <sup>1</sup>	9.7	µg/kg
SOLIDS	1,2,3-Trichloropropane <sup>1</sup>	8.3	µg/kg
	<b>Low Level Volatile Ketone/Ethers</b> <sup>1</sup>		
SOLIDS	Acetone <sup>1</sup>	20	µg/kg
SOLIDS	2-Butanone (Methyl ethyl ketone) <sup>1</sup>	10	µg/kg
SOLIDS	2-Hexanone <sup>1*</sup>	20	µg/kg
SOLIDS	4-Methyl-2-pentanone (MIBK) <sup>1</sup>	32	µg/kg
SOLIDS	Methyl-tert-butyl ether (MTBE) <sup>1</sup>	7.8	µg/kg
	<b>Medium Level Volatile Aromatics</b>		
SOLIDS	Benzene	656	µg/kg
SOLIDS	Chlorobenzene	648	µg/kg
SOLIDS	1,2-Dichlorobenzene <sup>2</sup>	618	µg/kg
SOLIDS	1,3-Dichlorobenzene <sup>2</sup>	500	µg/kg
SOLIDS	1,4-Dichlorobenzene <sup>2</sup>	596	µg/kg
SOLIDS	Ethylbenzene	697	µg/kg
SOLIDS	Naphthalene <sup>2</sup>	721	µg/kg
SOLIDS	Styrene <sup>*</sup>	1200	µg/kg
SOLIDS	Toluene	665	µg/kg
SOLIDS	1,2,4-Trichlorobenzene <sup>2</sup>	1200	µg/kg
SOLIDS	Xylenes, total	931	µg/kg
	<b>Medium Level Volatile Halocarbons</b>		
SOLIDS	Bromodichloromethane	479	µg/kg
SOLIDS	Bromoform	415	µg/kg
SOLIDS	Carbon tetrachloride	480	µg/kg
SOLIDS	Chloroform	550	µg/kg
SOLIDS	Dibromochloromethane	642	µg/kg

<i>Matrix</i>	<i>Analyte</i> <sup>6</sup>	<i>PTRL</i>	<i>Units</i>
SOLIDS	1,2-Dibromo-3-chloropropane (DBCP)*	1200	µg/kg
SOLIDS	1,2-Dibromoethane (EDB)*	1200	µg/kg
SOLIDS	Dibromomethane	1200	µg/kg
SOLIDS	1,1-Dichloroethane	676	µg/kg
SOLIDS	1,2-Dichloroethane	663	µg/kg
SOLIDS	1,1-Dichloroethene*	1000	µg/kg
SOLIDS	cis-1,2-Dichloroethene*	1200	µg/kg
SOLIDS	trans-1,2-Dichloroethene*	1200	µg/kg
SOLIDS	Dichloromethane (Methylene chloride)	435	µg/kg
SOLIDS	1,2-Dichloropropane	1400	µg/kg
SOLIDS	1,1,1,2-Tetrachloroethane	520	µg/kg
SOLIDS	1,1,2,2-Tetrachloroethane	455	µg/kg
SOLIDS	Tetrachloroethene	543	µg/kg
SOLIDS	1,1,1-Trichloroethane	530	µg/kg
SOLIDS	1,1,2-Trichloroethane	732	µg/kg
SOLIDS	Trichloroethene	638	µg/kg
SOLIDS	1,2,3-Trichloropropane	407	µg/kg
<b>Medium Level Volatile Ketone/Ethers</b>			
SOLIDS	Acetone	929	µg/kg
SOLIDS	2-Butanone (Methyl ethyl ketone)	808	µg/kg
SOLIDS	2-Hexanone*	2000	µg/kg
SOLIDS	4-Methyl-2-pentanone (MIBK)	1630	µg/kg
SOLIDS	Methyl-tert-butyl ether (MTBE)	1400	µg/kg
<b>Volatile Petroleum Hydrocarbons</b>			
SOLIDS	Gasoline Range Organics (GRO)	10	mg/kg
<b>Base/Neutrals</b>			
SOLIDS	Acenaphthene	100	µg/kg
SOLIDS	Acenaphthylene	100	µg/kg
SOLIDS	Anthracene	100	µg/kg
SOLIDS	Benzo(a)anthracene	100	µg/kg
SOLIDS	Benzo(b)fluoranthene	100	µg/kg
SOLIDS	Benzo(k)fluoranthene	100	µg/kg
SOLIDS	Benzo(g,h,i)perylene	100	µg/kg
SOLIDS	Benzo(a)pyrene	100	µg/kg
SOLIDS	4-Bromophenyl-phenylether	150	µg/kg
SOLIDS	Butylbenzylphthalate	150	µg/kg
SOLIDS	bis(2-Chloroethyl)ether*	150	µg/kg
SOLIDS	bis(2-Chloroethoxy)methane	150	µg/kg
SOLIDS	bis(2-Chloroisopropyl)ether	150	µg/kg
SOLIDS	2-Chloronaphthalene	100	µg/kg
SOLIDS	4-Chlorophenyl-phenylether	150	µg/kg
SOLIDS	Chrysene	100	µg/kg
SOLIDS	Dibenz(a,h)anthracene	100	µg/kg
SOLIDS	Dibenzofuran	150	µg/kg
SOLIDS	1,2-Dichlorobenzene <sup>2</sup>	150	µg/kg
SOLIDS	1,3-Dichlorobenzene <sup>2</sup>	150	µg/kg
SOLIDS	1,4-Dichlorobenzene <sup>2</sup>	150	µg/kg
SOLIDS	Diethylphthalate	150	µg/kg
SOLIDS	Dimethylphthalate	150	µg/kg
SOLIDS	Di-n-butylphthalate	150	µg/kg
SOLIDS	2,4-Dinitrotoluene	150	µg/kg
SOLIDS	2,6-Dinitrotoluene	150	µg/kg
SOLIDS	Di-n-octylphthalate	150	µg/kg
SOLIDS	bis(2-Ethylhexyl)phthalate	150	µg/kg
SOLIDS	Fluoranthene	100	µg/kg
SOLIDS	Fluorene	100	µg/kg
SOLIDS	Hexachloroethane*	150	µg/kg
SOLIDS	Hexachlorobenzene	150	µg/kg
SOLIDS	Hexachlorobutadiene	150	µg/kg
SOLIDS	Indeno(1,2,3-cd)pyrene	100	µg/kg
SOLIDS	Isophorone*	150	µg/kg
SOLIDS	2-Methylnaphthalene*	100	µg/kg
SOLIDS	Naphthalene <sup>2</sup>	100	µg/kg
SOLIDS	Nitrobenzene	150	µg/kg
SOLIDS	N-Nitroso-di-n-propylamine	150	µg/kg

<i>Matrix</i>	<i>Analyte</i> <sup>6</sup>	<i>PTRL</i>	<i>Units</i>
SOLIDS	Phenanthrene	100	µg/kg
SOLIDS	Pyrene	100	µg/kg
SOLIDS	1,2,4-Trichlorobenzene <sup>2</sup>	150	µg/kg
<b>Acids</b>			
SOLIDS	4-Chloro-3-methylphenol	150	µg/kg
SOLIDS	2-Chlorophenol	150	µg/kg
SOLIDS	2,4-Dichlorophenol	150	µg/kg
SOLIDS	2-Methylphenol (o-Cresol)	300	µg/kg
SOLIDS	4-Methylphenol (p-Cresol)* <sup>4</sup>	300	µg/kg
SOLIDS	2-Nitrophenol	300	µg/kg
SOLIDS	4-Nitrophenol	300	µg/kg
SOLIDS	Phenol	150	µg/kg
SOLIDS	Pentachlorophenol	300	µg/kg
SOLIDS	2,4,5-Trichlorophenol	150	µg/kg
SOLIDS	2,4,6-Trichlorophenol	150	µg/kg
<b>PCBs</b> <sup>3</sup>			
SOLIDS	Aroclor 1016 <sup>3</sup>	0.1	mg/kg
SOLIDS	Aroclor 1221 <sup>3</sup>	0.1	mg/kg
SOLIDS	Aroclor 1232 <sup>3</sup>	0.1	mg/kg
SOLIDS	Aroclor 1242 <sup>3</sup>	0.1	mg/kg
SOLIDS	Aroclor 1248 <sup>3</sup>	0.1	mg/kg
SOLIDS	Aroclor 1254 <sup>3</sup>	0.1	mg/kg
SOLIDS	Aroclor 1260 <sup>3</sup>	0.1	mg/kg
<b>PCBs in Oil</b> <sup>3</sup>			
OIL	Aroclor 1016 <sup>3</sup>	1.7	mg/kg
OIL	Aroclor 1242 <sup>3</sup>	1.7	mg/kg
OIL	Aroclor 1254 <sup>3</sup>	1.6	mg/kg
OIL	Aroclor 1260 <sup>3</sup>	2.4	mg/kg
<b>Organochlorine Pesticides</b>			
SOLIDS	Aldrin	5	µg/kg
SOLIDS	alpha-BHC	5	µg/kg
SOLIDS	beta-BHC	5	µg/kg
SOLIDS	delta-BHC	5	µg/kg
SOLIDS	gamma-BHC(Lindane)	5	µg/kg
SOLIDS	alpha-Chlordane	5	µg/kg
SOLIDS	gamma-Chlordane	5	µg/kg
SOLIDS	Chlordane, Technical	20	µg/kg
SOLIDS	4,4'-DDD	5	µg/kg
SOLIDS	4,4'-DDE	5	µg/kg
SOLIDS	4,4'-DDT	5	µg/kg
SOLIDS	Dieldrin	5	µg/kg
SOLIDS	Endosulfan I	5	µg/kg
SOLIDS	Endosulfan II	5	µg/kg
SOLIDS	Endosulfan sulfate	5	µg/kg
SOLIDS	Endrin	5	µg/kg
SOLIDS	Endrin aldehyde	5	µg/kg
SOLIDS	Endrin ketone	5	µg/kg
SOLIDS	Heptachlor	5	µg/kg
SOLIDS	Heptachlor epoxide (beta)	5	µg/kg
SOLIDS	Methoxychlor	5	µg/kg
SOLIDS	Toxaphene	20	µg/kg
<b>Herbicides</b>			
SOLIDS	2,4-D	10	µg/kg
SOLIDS	2,4-DB*	10	µg/kg
SOLIDS	Dicamba	10	µg/kg
SOLIDS	Dinoseb*	10	µg/kg
SOLIDS	Pentachlorophenol*	10	µg/kg
SOLIDS	2,4,5-T	10	µg/kg
SOLIDS	2,4,5-TP (Silvex)	10	µg/kg
<b>Petroleum Hydrocarbons</b>			
SOLIDS	Diesel Range Organics (DRO)	30	mg/kg
SOLIDS	n-Hexane Extractable Material (O&G) <sup>5</sup>	30	mg/kg

<i>Matrix</i>	<i>Analyte</i> <sup>6</sup>	<i>PTRL</i>	<i>Units</i>
<b>Low Level Polyaromatic Hydrocarbons (PAHs)<sup>1</sup></b>			
SOLIDS	Acenaphthene <sup>1</sup>	15	µg/kg
SOLIDS	Acenaphthylene <sup>1</sup>	15	µg/kg
SOLIDS	Anthracene <sup>1</sup>	10	µg/kg
SOLIDS	Benzo(a)anthracene <sup>1</sup>	5	µg/kg
SOLIDS	Benzo(b)fluoranthene <sup>1</sup>	5	µg/kg
SOLIDS	Benzo(k)fluoranthene <sup>1</sup>	5	µg/kg
SOLIDS	Benzo(g,h,i)perylene <sup>1</sup>	10	µg/kg
SOLIDS	Benzo(a)pyrene <sup>1</sup>	5	µg/kg
SOLIDS	Chrysene <sup>1</sup>	5	µg/kg
SOLIDS	Dibenz(a,h)anthracene <sup>1</sup>	5	µg/kg
SOLIDS	Fluoranthene <sup>1</sup>	10	µg/kg
SOLIDS	Fluorene <sup>1</sup>	5	µg/kg
SOLIDS	Indeno(1,2,3-cd)pyrene <sup>1</sup>	5	µg/kg
SOLIDS	Naphthalene <sup>1</sup>	15	µg/kg
SOLIDS	Phenanthrene <sup>1</sup>	10	µg/kg
SOLIDS	Pyrene <sup>1</sup>	5	µg/kg

\*) Identifies new FoPT.

- 1) The Low Level Analytes are specifically intended for technologies/methods that can achieve the listed PTRL. Laboratories analyzing routine environmental samples using technologies/methods that can achieve the listed PTRLs must analyze the Low Level Analyte PT samples.
- 2) Analysis required per volatile analytical technologies and solvent extraction/semivolatile analytical technologies.
- 3) Laboratories must analyze and report results for all Arochlors for a given matrix in an individual PT study. Incorrect identification or quantitation of one Arochlor will result in failure for the group.
- 4) Laboratories seeking to report data for Solid and Chemical Material analyte 4-Methylphenol or the coeluting isomer pair of 3-Methylphenol and 4-Methylphenol must report the data as 4-Methylphenol.
- 5) n-Hexane Extractable Material (HEM) per solvent extraction followed by gravimetric or infrared spectrometric analysis (Oil & Grease).
- 6) All FoPTs must meet the design, verification, homogeneity, stability, and acceptance limits described in V3 of the TNI Standard and the TNI FoPT Tables.

[Pa.B. Doc. No. 12-767. Filed for public inspection April 27, 2012, 9:00 a.m.]

### Interstate Pollution Transport Reduction; Final 2012 Ozone Season Nitrogen Oxide Emission Limits for Nonelectric Generating Units

The Department of Environmental Protection (Department) is providing notice of the final Nonelectric Generating Unit (non-EGU) 2012 Ozone Season Nitrogen Oxide (NO<sub>x</sub>) emission limitations established in accordance with 25 Pa. Code § 145.8(d) (relating to transition to CAIR NO<sub>x</sub> trading programs).

Notice of a 15-day public comment period on the proposed limits was published at 42 Pa.B. 1324 (March 10, 2012). The public comment period offered the public an opportunity to review the information and data as a way to ensure the information was correct. No comments were received. In this final notice, the Department has added to Table I the retired and exempt units, for clarity and a Martins Creek unit with a 0 tpy limit that was inadvertently omitted from the proposal. No other changes to Table I were made.

In this notice, the NO<sub>x</sub> emissions cap provides 181 tons of NO<sub>x</sub> emissions for non-EGUs and the other units that need to address their emissions through accounting adjustments, including units that previously participated in the NO<sub>x</sub> Budget Trading Program; emissions from these units were below the 25-ton exemption threshold. Adjustments were also made for the permanent retirement of NO<sub>x</sub> allowances due to generation of emission reduction credits. The Department will also use a portion of the 181

tons of the budgeted NO<sub>x</sub> emissions, if necessary, to address mistakes or miscalculations. This year, the Department is using 121 tons of the 181 tons of NO<sub>x</sub> for account adjustments, leaving 60 tons available for any additional adjustments at the end of the control period.

The Department made accounting adjustments for the following facilities:

*Retired Units:* Naval Surface Warfare Division Unit 98; Shenango Units: Nos. 6 and 9 (the generation of emission offsets for small non-NO<sub>x</sub> Budget Trading Program units resulted in a permanent NO<sub>x</sub> accounting adjustment of 45 tons).

*Exempt Units:* Each of the following units has a 25-ton NO<sub>x</sub> permit limit: Armagh Compressor Station (Unit 31301); Entriken Compressor Station (Unit 31601); and the Naval Surface Warfare Division (Unit 100). The Naval Surface Warfare Division (Unit 99) has a 1-ton NO<sub>x</sub> permit limit. All of these 25-ton exempt status units account for a total adjustment of 76 tons of NO<sub>x</sub> emissions.

Units subject to the requirements in 25 Pa. Code § 145.8 are required to meet the monitoring and reporting requirements of the United States Environmental Protection Agency's CAIR, found in 40 CFR Part 96, Subpart HHHH (relating to monitoring and reporting) and maintain general accounts and account representatives under 40 CFR Part 96, Subparts BBBB and FFFF (relating to CAIR designated representative for CAIR NO<sub>x</sub> ozone season sources; and CAIR NO<sub>x</sub> ozone season

allowance tracking system). “Table 1: Final Non-EGU 2012 Ozone Season NO<sub>x</sub> Emission Limits,” as follows lists the following: the Facility Name, ORIS Code, the Unit ID for each non-EGU unit, the operating year, the NO<sub>x</sub> rate, NO<sub>x</sub> mass in tons, the heat input for the 2011 Ozone Season, the calculated 2012 rate and the 2012 Ozone Season Limit.

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 may 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*, 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.

Questions concerning this notice should be directed to Randy Bordner at (717) 772-3921. 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

**Table 1: Final Non-EGU 2012 Ozone Season NO<sub>x</sub> Emission Limits**

<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>OP Year</i>	<i>NO<sub>x</sub> Rate lb/MMBtu</i>	<i>NO<sub>x</sub> Mass tons</i>	<i>Heat Input MMBtu</i>	<i>2012 Rate</i>	<i>2012 OS Limit</i>
Armagh Compressor Station	880071	31301	2011	25-Ton Exemption (Limit 25-ton)	0	0	0.000	0
Bernville Station	880049	32001	2011	0	0	0	0.000	0
ConocoPhillips Co., Trainer Refinery	880025	33	2011	0.1707	49.691	575399.6	0.254	73
ConocoPhillips Co., Trainer Refinery	880025	34	2011	0.0044	1.097	513279.1	0.254	65
ConocoPhillips Co., Trainer Refinery	880025	35	2011	0.0041	1.416	672467.4	0.254	85
Domtar Paper Company, LLC	54638	40	2011	0.305	132.183	877754.9	0.254	112
Domtar Paper Company, LLC	54638	41	2011	0.3056	125.553	830653.337	0.254	106
Entriken Compressor Station	880072	31601	2011	25-Ton Exemption (Limit 25-ton)	0.529	1511.8	0.254	0
FPL Energy MH50	50074	1	2011	0.1086	5.823	122856.436	0.254	16
FPL Energy Marcus Hook, LP	55801	AB01	2011	0.023	5.49	473152.405	0.254	60
FPL Energy Marcus Hook, LP	55801	AB02	2011	0.0306	10.084	652180.461	0.254	83
FPL Energy Marcus Hook, LP	55801	AB03	2011	0.0277	7.446	540079.541	0.254	69

<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>OP Year</i>	<i>NO<sub>x</sub> Rate lb/MMBtu</i>	<i>NO<sub>x</sub> Mass tons</i>	<i>Heat Input MMBtu</i>	<i>2012 Rate</i>	<i>2012 OS Limit</i>
FPL Energy Marcus Hook, LP	55801	AB04	2011	0.0351	11.708	663033.281	0.254	84
Honeywell Resins & Chemicals, LLC	880007	52	2011	0.0717	18.987	531722.569	0.254	68
Kimberly—Clark Tissue Company	50410	34	2011	2	0.001	1.2	0.254	0
Kimberly—Clark Tissue Company	50410	35	2011	0.0635	92.288	2913048.075	0.254	370
Martins Creek	3148	AUX4B	2011	0	0	0	0.000	0
Merck & Company—West Point	52149	39	2011	0.0841	12.473	298184.649	0.254	38
Merck & Company—West Point	52149	40	2011	0.0219	15.005	1331429.092	0.254	169
Naval Surface Warfare Division	880009	98	2011	Retired	0.0	0	0.000	0
Naval Surface Warfare Division	880009	99	2011	25-Ton Exemption (Limit 1-ton)	0.0	0	0.000	0
Naval Surface Warfare Division	880009	100	2011	25-Ton Exemption (Limit 25-Tons)	0.0	0	0.000	0
P H Glatfelter Company	50397	34	2011	0.4839	294.795	1222578.925	0.254	155
P H Glatfelter Company	50397	35	2011	0.4841	232.474	957308.15	0.254	122
P H Glatfelter Company	50397	36	2011	0.1374	121.857	1797582.275	0.254	229
Philadelphia Refinery	52106	150137	2011	0.0395	14.733	747469.612	0.254	95
Philadelphia Refinery	52106	150138	2011	0	0	0	0.000	0
Philadelphia Refinery	52106	150139	2011	0.0395	17.365	893684.8	0.254	114
Philadelphia Refinery	52106	150140	2011	0.0395	29.404	1464095.2	0.254	186
Procter & Gamble Paper Products	50463	328001	2011	0.1392	125.598	1816778.899	0.254	231
Shenango Incorporated	54532	6	2011	Retired	0.0	0	0.000	0
Shenango Incorporated	54532	9	2011	Retired	0.0	0	0.000	0
Shermans Dale Station	880050	31801	2011	0	0	0	0.000	0
US Steel (Clairton Coke)	50729	CLBLR1	2011	0.1803	146.607	1537965.9	0.254	196



<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>OP Year</i>	<i>NO<sub>x</sub> Rate lb/MMBtu</i>	<i>NO<sub>x</sub> Mass tons</i>	<i>Heat Input MMBtu</i>	<i>2012 Rate</i>	<i>2012 OS Limit</i>
US Steel (Clairton Coke)	50729	CLBLR2	2011	0.0845	6.952	163243.47	0.254	21
US Steel (Edgar Thomson)	50732	ETBLR1	2011	0.0166	12.629	1545487.825	0.254	196
US Steel (Edgar Thomson)	50732	ETBLR2	2011	0.0161	11.449	1523492.693	0.254	194
US Steel (Edgar Thomson)	50732	ETBLR3	2011	0.0201	29.827	1855491.3	0.254	236
Veolia Energy Philadelphia—Edison Sta	880006	1	2011	0.3504	0.588	4156	0.254	1
Veolia Energy Philadelphia—Edison Sta	880006	2	2011	2	0.035	35.1	0.254	0
Veolia Energy Philadelphia—Edison Sta	880006	3	2011	0.2993	1.197	9899.5	0.254	1
Veolia Energy Philadelphia—Edison Sta	880006	4	2011	0.2671	1.299	11245.9	0.254	1
United Refining	880099	4	2011	0.0734	14.2	488399.5	0.254	62
				<b>TOTALS</b>	<b>1550.783</b>	<b>27035668.9</b>		<b>3438</b>

[Pa.B. Doc. No. 12-768. Filed for public inspection April 27, 2012, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Lease Office Space to the Commonwealth Westmoreland County

Proposals are invited to provide the Department of General Services with 37,890 usable square feet of office space for the Department of Environmental Protection in Westmoreland County, New Stanton. For more information on SFP No. 10001433, which is due on Monday, June 11, 2012, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact Scott Shelton at (717) 787-5546.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 12-769. Filed for public inspection April 27, 2012, 9:00 a.m.]

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [ra-paexcept@pa.gov](mailto:ra-paexcept@pa.gov).

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 12-770. Filed for public inspection April 27, 2012, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Advanced Center for Surgery, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Advanced Center for Surgery, LLC has requested an exception to the requirement of 28 Pa. Code § 569.35 (relating to general safety precautions).

### Application of Bryn Mawr Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Bryn Mawr Hospital has requested an exception to the requirements of 28 Pa. Code § 123.25(2) (relating to regulations for control of anesthetic explosion hazards).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 12-771. Filed for public inspection April 27, 2012, 9:00 a.m.]

### Application of Bryn Mawr Medical Specialists for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Bryn Mawr Medical Specialists has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: Guidelines for Design and Construction of Hospitals and Healthcare Facilities. The facility specifically requests exemption from the following standard contained in this publication: 2.1-8.7.2.3 (relating to dimensions and clearances).

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 12-772. Filed for public inspection April 27, 2012, 9:00 a.m.]

### Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee Public Meetings

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247b), will hold a public meeting on Wednesday, May 16, 2012, from

9 a.m. to 4 p.m. and Thursday, May 17, 2012, from 9 a.m. to 2:30 p.m. The meetings will be held at the Park Inn Harrisburg West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

For additional information, contact Kenneth McGarvey, Department of Health, Bureau of Communicable Diseases, 625 Forster Street, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so should also contact Kenneth McGarvey at the previously listed number, or at V/TT (717) 783-6514 for speech and/or hearing impaired persons, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

The Department reserves the right to cancel this meeting without prior notice.

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 12-773. Filed for public inspection April 27, 2012, 9:00 a.m.]

### Human Immunodeficiency Virus (HIV) Integrated Council Public Meetings

The Statewide Integrated HIV Planning Council, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247b), will hold a public meeting on Tuesday, May 15, 2012, from 9:00 a.m. to 2:00 p.m.

The meeting will be held at the Park Inn Hotel Harrisburg West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

The Department reserves the right to cancel this meeting without prior notice.

For additional information contact Joseph Pease, Department of Health, Bureau of Communicable Diseases, Division of HIV/AIDS, 625 Forster Street, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so should also contact Joseph Pease at the previously listed number, or at 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. 12-774. Filed for public inspection April 27, 2012, 9:00 a.m.]

### Pennsylvania Cancer Control, Prevention and Research Advisory Board Meeting

The Pennsylvania Cancer Control, Prevention and Research Advisory Board, established under section 3 of the Pennsylvania Cancer Control, Prevention and Research Act (35 P.S. § 5633), will hold a conference call (WebEx) on Monday, May 7, 2012, from 3:30 p.m. to 4 p.m. The

conference call can be accessed through WebEx by contacting (717) 783-1457 by May 4, 2012.

For additional information, contact Sharon H. Sowers, Section Chief, Department of Health, Cancer Prevention and Control, Room 1011, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 783-1457.

Persons who wish to attend this meeting and require an auxiliary aid, service or other accommodation to do so should contact Sharon Sowers at the telephone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 12-775. Filed for public inspection April 27, 2012, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Additional Class of Disproportionate Share Payments

The Department of Public Welfare (Department) is announcing its intent to decrease the funding allotted for Fiscal Year (FY) 2011-2012 for an additional class of disproportionate share hospital (DSH) payments to certain qualifying hospitals that the Department determines provide a high volume of services to Medical Assistance (MA) eligible and low-income populations. This decrease in funding is required to be consistent with the FY 2011-2012 appropriated amount for inpatient hospital services. There is no change in the qualifying criteria or payment methodology for this additional class of DSH payments.

In making these payments, the Department will ensure that no acute care hospital will receive any DSH payment that is in excess of its hospital-specific limit and the Commonwealth will not exceed its aggregate annual DSH allotment. Any funds available due to the application of the hospital-specific DSH upper payment limit will be redistributed to other hospitals qualifying under this class of disproportionate share payments on a proportionate basis.

#### *Fiscal Impact*

The FY 2011-2012 fiscal impact of this reduced allocation for the additional class of DSH payments is \$4.258 million (\$1.913 million in State general funds and \$2.345 million in Federal funds) pending approval by the Centers for Medicare and Medicaid Services.

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

GARY D. ALEXANDER,  
*Secretary*

**Fiscal Note:** 14-NOT-755. (1) General Fund; (2) Implementing Year 2011-12 is \$1,913,000; (3) 1st Succeeding Year 2012-13 is \$0; 2nd Succeeding Year 2013-14 is \$0; 3rd Succeeding Year 2014-15 is \$0; 4th Succeeding Year 2015-16 is \$0; 5th Succeeding Year 2016-17 is \$0; (4) 2010-11 Program—\$243,809,000; 2009-10 Program—\$371,515,000; 2008-09 Program—\$426,822,000; (7) MA—Inpatient; (8) recommends adoption. Funds have been included in the budget to cover these payments.

[Pa.B. Doc. No. 12-776. Filed for public inspection April 27, 2012, 9:00 a.m.]

### Excess Home Equity Limit for Individuals Applying for or Receiving Medical Assistance and Payment of Long-Term Care Services

The Department of Public Welfare increased the excess home equity limit described in 55 Pa. Code §§ 178.62a and 178.104b (relating to clarification of disqualification for payment of long-term care services due to substantial home equity—statement of policy; and clarification of fair consideration provisions for disposition of assets made on or after February 8, 2006—statement of policy). These statements of policy provide guidance for determining disqualification for payment of long-term care services due to excess home equity. These standards are required to be published annually in the *Pennsylvania Bulletin* and are available to the public upon request at the local County Assistance Office.

The following limit became effective January 1, 2012, as required under section 6014(f)(1)(C) of the Deficit Reduction Act of 2005 (42 U.S.C.A. § 1396p(f)(1)(C)):

Excess Home Equity Limit—\$525,000

#### *Fiscal Impact*

It is anticipated that there will be no fiscal impact.

#### *Public Comment*

Interested persons are invited to submit written comments, suggestions or objections regarding this information to the Department of Public Welfare, Office of Income Maintenance, Edward J. Zogby, Director, Bureau of Policy, Room 431, Health and Welfare Building, Harrisburg, PA 17120.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

GARY D. ALEXANDER,  
*Secretary*

**Fiscal Note:** 14-NOT-754. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 12-777. Filed for public inspection April 27, 2012, 9:00 a.m.]

# ENVIRONMENTAL QUALITY BOARD

## Meeting Cancellation

The May 15, 2012, meeting of the Environmental Quality Board (Board) is cancelled. The next regularly scheduled meeting of the Board will occur on Tuesday, June 19, 2012, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. An agenda and meeting materials for the June 19, 2012, meeting will be available on the Department of Environmental Protection's web site at <http://www.depweb.state.pa.us> (Select "Public Participation;" "Public Participation Center").

Questions concerning the Board's next scheduled meeting may be directed to Michele Tate at (717) 783-8727 or [mtate@pa.gov](mailto:mtate@pa.gov).

MICHAEL L. KRANCER,  
*Chairperson*

[Pa.B. Doc. No. 12-778. Filed for public inspection April 27, 2012, 9:00 a.m.]

# FISH AND BOAT COMMISSION

## Additions to List of Class A Wild Trout Waters

The Fish and Boat Commission (Commission) has approved the addition of 18 stream sections to its list of Class A Wild Trout Streams as set forth at 41 Pa.B. 6355 (November 26, 2011) and 42 Pa.B. 739 (February 4, 2012) (as corrected by 42 Pa.B. 1103 (February 25, 2012)). Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource and to conserve that resource and the angling that it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries. The Commission manages these stream sections for wild trout with no stocking.

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 12-779. Filed for public inspection April 27, 2012, 9:00 a.m.]

## Classification of Wild Trout Streams; Additions to the List

The Fish and Boat Commission (Commission) has approved the addition of 30 new waters to its list of wild trout streams as published at 41 Pa.B. 6356 (November 26, 2011) and 42 Pa.B. 738 (February 4, 2012). Under 58 Pa. Code § 57.11 (relating to listing of wild trout streams), it is the policy of the Commission to accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The listing of a stream section as a wild trout stream is a biological designation that does not determine how it is managed. The Commission relies upon many factors in

determining the appropriate management of streams. The Commission's Fisheries Management Division maintains the complete list of wild trout streams, and it is available on the Commission's web site at [http://www.fish.state.pa.us/trout\\_repro.htm](http://www.fish.state.pa.us/trout_repro.htm).

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 12-780. Filed for public inspection April 27, 2012, 9:00 a.m.]

## Special Regulation; Designations and Redesignations

The Fish and Boat Commission (Commission) designated or redesignated the following streams, stream sections and lakes as waters subject to 58 Pa. Code Chapter 65 (relating to special fishing regulations), effective upon publication of this notice in the *Pennsylvania Bulletin*:

### 58 Pa. Code § 65.5. Catch and release areas

The Commission historically has regulated and managed 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 extended 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 removed Laurel Run, Clearfield County, from its Approved Trout Waters Open to Year-Round Fishing Program managed under 58 Pa. Code § 65.19.

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 12-781. Filed for public inspection April 27, 2012, 9:00 a.m.]

# HEALTH CARE COST CONTAINMENT COUNCIL

## Meetings Scheduled

The Health Care Cost Containment Council (Council) has scheduled the following meetings: Wednesday, May 2, 2012, Data Systems Committee at 10 a.m. and Education Committee at 1 p.m.; Thursday, May 3, 2012, Council Meeting at 10 a.m.

The meetings will be held at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons in need of accommodation due to a disability who wish to attend the meeting should contact Renee Greenawalt, (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

JOE MARTIN,  
*Executive Director*

[Pa.B. Doc. No. 12-782. Filed for public inspection April 27, 2012, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are 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 Commission's web site, [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
47-15	Milk Marketing Board Electronic Methods for Testing Milk for Fat Content	4/13/12	5/17/12
14-524	Department of Public Welfare Participation Review Process for Medical Assistance Nursing Facilities	4/16/12	5/17/12

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 12-783. Filed for public inspection April 27, 2012, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Approval to Acquire Control of Highmark, Inc. and its Pennsylvania Domiciled Insurance Subsidiaries; Conclusion of Public Comment Period

The Insurance Department (Department) published notice of receipt of the previously-referenced filing at 41 Pa.B. 6310 (November 19, 2011). The notice afforded persons the opportunity to provide written comments on the filing to the Department on the grounds of public or private interest for an indefinite period of time to afford persons ample opportunity to provide written comments on the filing to the Department. In the notice published at 41 Pa.B. 6310, the Insurance Commissioner committed to a subsequent notice in the *Pennsylvania Bulletin* announcing the closing of the comment period. The Department subsequently held a public informational hearing on the filing in Pittsburgh on April 17, 2012. At the conclusion of the public informational hearing, the Department announced that the public comment period would remain open until June 1, 2012. The Department also announced that it would reopen the public comment period once again for a brief period once the Department's consultants have issued their reports.

Persons wishing to comment on the grounds of public or private interest are invited to submit a written statement to the Department on or before June 1, 2012. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Chief, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or [rbrackbill@pa.gov](mailto:rbrackbill@pa.gov).

Comments received will be part of the public record regarding this filing. Additionally, copies of the comments

received will be forwarded to the applicant for appropriate response. The applicant's responses will also be made available on the Department's web site.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 12-784. Filed for public inspection April 27, 2012, 9:00 a.m.]

### Qualified Annuity Contractors for Awarded Periodic Medical Professional Liability Payments

Under section 509(b)(6) of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.509(b)(6)), the Insurance Commissioner hereby lists insurers designated by the Insurance Department as qualified to participate in the funding of periodic payment judgments:

#### NAIC Insurer Qualified to Issue Annuity Contracts # Under MCARE Act

93432	C.M. Life Insurance Company
70025	Genworth Life Insurance Company
88072	Hartford Life Insurance Company
65838	John Hancock Life Insurance Company (USA)
65935	Massachusetts Mutual Life Insurance Company
87726	Metlife Insurance Company of Connecticut
65978	Metropolitan Life Insurance Company
70416	MML Bay State Life Insurance Company
66281	Monumental Life Insurance Company
66915	New York Life Insurance Company
61271	Principal Life Insurance Company
68241	The Prudential Insurance Company of America

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 12-785. Filed for public inspection April 27, 2012, 9:00 a.m.]

### Review Procedure Hearings under the Unfair Insurance Practices Act

The following insurer has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the company's termination of the insured's homeowners policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Pittsburgh, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in Room 2018, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Encompass Home & Auto Insurance Company; file no. 11-130-112056; Edward A. Massucci; Doc. No. P12-01-013; May 30, 2012, 9:00 a.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 12-786. Filed for public inspection April 27, 2012, 9:00 a.m.]

### Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with their companies' termination of the insureds' homeowners policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Pittsburgh, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in Room 2018, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Catherine Myron; file no. 12-183-116715; Erie Insurance Exchange; Doc. No. P12-04-003; May 30, 2012, 1 p.m.

Appeal of Steven G. Perkovic; file no. 11-130-112745; Donegal Mutual Insurance Company; Doc. No. P12-02-003; May 30, 2012, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 12-787. Filed for public inspection April 27, 2012, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Extension of the Fuel Cost Recovery Surcharge Special Permission 28207

Public Meeting held  
April 12, 2012

*Commissioners Present:* Robert F. Powelson, Chairperson; John F. Coleman, Jr., Vice Chairperson; Wayne E. Gardner; James H. Cawley; Pamela A. Witmer

*Extension of the Fuel Cost Recovery Surcharge Special  
Permission 28207; R-2009-2094616*

#### Order

*By the Commission:*

Tristate Household Goods Conference, Inc. (Tristate), a tariff publishing agency, represents approximately 275 PUC household good carriers. Substantially large increases in the cost of diesel fuel, which were unanticipated, motivated Tristate to request the implementation of the Fuel Cost Recovery Surcharge. The Fuel Cost

Recovery Surcharge Special Permission 28207 was approved in Public Meeting held April 17, 2003, and extended in subsequent Public Meetings. The extension was approved for duration of one year unless changed, cancelled or extended. The current surcharge grants approval to temporarily increase the Tristate tariff to recover temporarily increased fuel costs when transporting household goods for moves more than 40 miles (weight and distance) and moves that are 40 miles or less (hourly) by the use of a Fuel Cost Recovery Surcharge. Tristate filed a request on January 31, 2012 to permit members of its conference to continue assessing a fuel cost recovery surcharge to defray the continuing rise in costs of diesel fuel.

The surcharge is determined by a formula which attempts to approximate the amount of fuel used on a particular trip and multiplies that amount by the increased cost of fuel, allowing the carrier to recover only the additional fuel charges incurred. The formula includes the following constant factors: (1) base price per gallon of fuel<sup>1</sup>; (2) average vehicle fuel consumption of 5 miles per gallon; and (3) a terminal factor which allows the carrier to recover the additional cost of fuel used in traveling to and from the carrier's terminal to the origin point of the move. The formula also includes one variable factor, the current month's diesel fuel price.<sup>2</sup>

Moves of 40 miles or less will be divided into 4 categories according to average mileage: 5 mile average for trips ranging from 1 to 10 miles, 15 mile average for trips ranging from 10 to 20 miles, 25 mile average for trips ranging from 20 to 30 miles, and 35 mile average for trips ranging from 30 to 40 miles. An example calculation for an 8 mile move is as follows<sup>3</sup>:

Origin of move to destination	8 miles	= 5 miles average
Terminal factor		= 40 miles
Total miles		= 45 miles
Average miles per gallon		= 5
Fuel used		= 9 gallons
DOE current Fuel Price as of	1/24/11	= \$3.430
Base fuel Price		= \$1.267
Fuel price difference		= \$2.163
Gallons X Fuel price difference		= 9 × 2.163 = \$19.47

Moves of more than 40 miles will be calculated using actual mileage from the move's origin to destination and return. An example calculation for a 100 mile move is as follows:

Origin of move to destination		= 100 miles
Empty Return (dest. to origin)		= 100 miles
Terminal factor		= 40 miles
Total miles		= 240 miles
Average miles per gallon		= 5
Fuel used		= 48 gallons
DOE current Fuel Price as of	1/24/11	= \$3.430
Base fuel Price		= \$1.267
Fuel price difference		= \$2.163
Gallons X Fuel price difference		= 48 × 2.163 = \$103.82

<sup>1</sup> The proposed base price is \$1.267, which was the price of a gallon of diesel fuel according to the Department of Energy report of Retail On-Highway Diesel Prices for the Central Atlantic Region as of February 15, 2002. Tristate proposes this as a base price since fuel prices have steadily increased from that date.

<sup>2</sup> This figure is determined by the Department of Energy's report of Retail On-Highway Diesel Prices for the Central Atlantic Region. The current month's diesel fuel price will be effective beginning the 15th day of each month through the 14th day of the subsequent month.

<sup>3</sup> All fuel surcharges shall be calculated and provided to the customer as part of the Estimate of Charges.

On January 31, 2012, Tristate filed a request to again extend the Fuel Cost Recovery Surcharge. The request was filed in response to the volatile nature of the petroleum market, which continues to produce unanticipated increases in diesel fuel prices.

In support of the request for extension, Tristate has submitted data from the Department of Energy for the Central Atlantic Region. The average price of diesel fuel for the period of January 2011 to December 2011 was \$4.00 per gallon, which is a 29.0% increase over the previous 12-month period.

The Federal Department of Transportation has responded to the escalating fuel costs for interstate transportation by approving a fuel surcharge on a similar sliding scale. The Federal Fuel Surcharge became effective May 15, 2000 and continues in effect.

Pursuant to 66 Pa.C.S. § 1301, the Commission is required to ensure that all rates charged by a public utility are just and reasonable. Additionally, the Commission is obligated to address industry-wide problems "without creating a chaotic rate structure impossible to manage or police." Emergency Fuel Surcharge, 47 Pa. P.U.C. 389, 391 (1974). The current surcharge addresses the problem of rising fuel costs, while being just and reasonable in that carriers are compensated only for the additional cost of the fuel used.

Based on our review, it appears that the extension of the Fuel Cost Recovery Surcharge for transportation of household goods is necessary, is an appropriate means to address this regulatory problem and will result in just and reasonable rates. In order to prevent financial hardship, it is imperative that Pennsylvania household goods carriers be afforded an opportunity to temporarily adjust rates to offset escalating fuel costs using the proposed extended Fuel Cost Recovery Surcharge and, accordingly, we shall allow the proposed extended surcharge to become effective for a period of one year unless changed, cancelled or further extended.

*Therefore,*

*It is Ordered That:*

1. Tristate members rendering service under authority of this Commission shall charge a Fuel Cost Recovery Surcharge on transportation provided for over 40 mile charges and for 40 miles or less hourly charges in accordance with all other tariff rules of this Commission. The Fuel Cost Recovery Surcharge is to be extended effective April 18, 2012.

2. The Extended Fuel Cost Recovery Surcharge shall be in effect for one year to April 18, 2013 unless changed, cancelled or further extended by the Commission.

3. Copies of this order shall be served by the Secretary to the Office of Consumer Advocate and Office of Small Business Advocate. The Secretary shall forward this Order to the *Pennsylvania Bulletin* for publication.

4. Each carrier shall post a copy of this Extended Fuel Cost Recovery Surcharge along with the original Fuel Cost Recovery Surcharge dated April 17, 2003 in a conspicuous place in the office and vehicles. In addition, each carrier shall include the surcharge as a separate line item of the Estimate of Charges provided to prospective shippers and on the Bill of Lading.

5. The rates collected to the Extended Fuel Cost Recovery Surcharge are subject to refund in the event that any formal complaints are filed, within 30 days of the date of publication of this order, and are successful in challenging the surcharge.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 12-788. Filed for public inspection April 27, 2012, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by May 14, 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.

### Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

**A-2012-2287217. Manito Transportation Services, Inc.** (7564 Browns Mill Road, Chambersburg, PA 17202) for the right to begin to transport, as a common carrier by motor vehicle, persons in group and party service, in vehicles seating 11-15 passengers including the driver, from points in the Counties of Adams, Cumberland, Franklin and Fulton, to points in Pennsylvania and return, as excluding areas under the jurisdiction of the Philadelphia Parking Authority.

**A-2012-2287481. F & S Transportation, Inc.** (37 South Main Street, Manchester, PA 17345) for the right to begin to transport, as a common carrier, by motor vehicle, persons in Airport Transfer service, from points in the Counties of York, Adams, Cumberland, Dauphin and Lancaster to the following airports: Lehigh Valley, Erie, Middletown-HIA, Pittsburgh International, Allegheny County, University Park, Wilkes-Barre/Scranton, Williamsport Regional, Northeast Philadelphia, Altoona-Blair County, Lancaster, York, Capital City, Reading Regional, New Castle Municipal, and return.

**A-2012-2287514. F & S Transportation, Inc.** (37 South Main Street, Manchester, PA 17345) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of York, Adams, Cumberland, Dauphin and Lancaster to points in Pennsylvania and return.

**A-2012-2293232. Albert E. Frank, Jr.** (110 Friends Meeting House Road, Cochranville, PA 19330), for the right to begin to transport as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County to points in Pennsylvania, and return.

**A-2012-2294015. Hallcon Crew Transport, Inc.** (5775 Yonge Street, Suite 1010, Toronto, Ontario M2M 4J1)—to begin to transport, as a contract carrier, by motor vehicle, employees of Canadian Pacific Railway, between points in Pennsylvania. *Attorney:* Dorsey & Whitney, LLP, 51 West 52nd Street, New York, NY 10019.

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Shakia Priester,  
t/a Sure Ride Paratransit Company;  
Doc. No. C-2012-2267505*

### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Shakia Priester, t/a Sure Ride Paratransit Company, (respondent) is under suspension effective June 25, 2011 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 3955 Frankford Avenue, Philadelphia, PA 19124.
3. That respondent was issued a Certificate of Public Convenience by this Commission on June 24, 2009, at A-649716.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 and causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00120554 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

### VERIFICATION

I, Michael E. Hoffman, Manager, Bureau of Investigation and Enforcement, hereby state that the facts above



set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_ 1/23/12 \_\_\_

Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor  
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, Pennsylvania 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing the penalty proposed in this Complaint. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing the proposed penalty in this Complaint, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth in this Complaint.

F. If you have questions regarding this Complaint or if you would like an alternative format of this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-789. Filed for public inspection April 27, 2012, 9:00 a.m.]

#### **Transfer of Membership Interests**

**A-2012-2299431, A-2012-2299433, A-2012-2299434 and A-2012-2299394. Penn Estates Utilities, Inc., Utilities, Inc. of Pennsylvania, Utilities, Inc.—Westgate, Utilities, Inc., Highstar Capital Fund, II, LP and Corix Utilities (Illinois), LLC.** Joint application of Penn Estates Utilities, Inc., Utilities, Inc. of Pennsylvania, Utilities, Inc.—Westgate, Utilities, Inc., Highstar Capital Fund, II, LP and Corix Utilities (Illinois), LLC for approval for a transfer of membership interests resulting in a change of control of Utilities, Inc.'s Pennsylvania subsidiaries.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before May 14, 2012. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between the hours of 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.

*Applicants:* Penn Estates Utilities, Inc., Utilities, Inc. of Pennsylvania, Utilities, Inc.—Westgate

*Through and By Counsel:* Daniel P. Delaney, Esquire,  
George A. Bibikos, Esquire, K & L Gates, LLP, 17 North  
Second Street, 18th Floor, Harrisburg, PA 17101-1507  
ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-790. Filed for public inspection April 27, 2012, 9:00 a.m.]

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### Water Service

**A-2012-2299333. Pennsylvania-American Water Company.** Application of Pennsylvania-American Water Company for approval of: 1) the transfer by sale of the water works property and rights of two water satellite systems of the North Fayette County Municipal Authority, namely the Balsinger Public Water System and the Springfield Pike Public Water System, to Pennsylvania American Water Company; and 2) the commencement by the Pennsylvania American Water Company of water service to the public in portions of Menallen Township and German Township, presently being served by the Balsinger Public Water System, and Connellsville Township, presently being served by the Springfield Pike Public Water System, Fayette County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before May 14, 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:* Pennsylvania American Water Company

*Through and By Counsel:* Velma A. Redmond, Esquire,  
Susan Simms Marsh, Esquire, Seth A. Mendelsohn, Esquire,  
800 West Hersheypark Drive, Hershey, PA 17033  
ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-791. Filed for public inspection April 27, 2012, 9:00 a.m.]

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## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 12-022.1, TMT Access Control and Fencing, until 2 p.m. on Thursday, May 31, 2012. Information (including mandatory prebid 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. 12-792. Filed for public inspection April 27, 2012, 9:00 a.m.]

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 12-026.4, TMT Access Control Electric, until 2:30 p.m. on Thursday, May 31, 2012. Information (including mandatory prebid 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. 12-793. Filed for public inspection April 27, 2012, 9:00 a.m.]

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## STATE BOARD OF BARBER EXAMINERS

### Bureau of Professional and Occupational Affairs v. Russell Jones; Doc. No. 0053-42-2012

On January 10, 2012, the State Board of Barber Examiners (Board) suspended the license of Russell Jones, license no. BL051543L of Philadelphia, Philadelphia County. The Board took this action under the Order of the Court of Common Pleas of Philadelphia County dated December 6, 2011, which the Court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the order by writing to Cynthia K. Montgomery, Senior Counsel in Charge, State Board of Barber Examiners, P. O. Box 2649, Harrisburg, PA 17105-2649.

JOHN E. PAYNE, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 12-794. Filed for public inspection April 27, 2012, 9:00 a.m.]

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## STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

### Bureau of Professional and Occupational Affairs v. Jermaine Maurice Lewis; Doc. No. 0051-60-2012; File 12-60-00065

On January 10, 2012, Jermaine Maurice Lewis, license no. MV218163 of Philadelphia, Philadelphia County, was suspended under the Order of the Court of Common Pleas of Philadelphia County dated December 6, 2011, which the Court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the order by writing to Cynthia K. Montgomery, Senior Counsel in Charge, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

KENNETH GLOTFELTY,  
*Chairperson*

[Pa.B. Doc. No. 12-795. Filed for public inspection April 27, 2012, 9:00 a.m.]

## STATE CONSERVATION COMMISSION

### Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), 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, Rachael 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 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, so individuals interested in challenging this action 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.

#### Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New or Amended</i>	<i>Action Taken</i>
Robert Peachey 127 Smorgasbord Drive McClure, PA 17841	Snyder County/ West Beaver Township	0	Layer	Amended	Approved
Rowe Family Farm Co. 216 Pawling Station Road Selinsgrove, PA 17870	Snyder County/ Middle Creek Township	244.11	Broilers	Amended	Approved
Earl Leinbach 2381 Neitz Valley Road Selinsgrove, PA 17870	Snyder County/ Washington Township	91.3	Pullet	New	Approved
John Pepper Enterprise, LLC 2642 Granville Road Granville, PA 16926	Bradford County/Granville Township	784.92	Swine and Cattle	New	Approved
Eric Gemmill 458 Gemmill Road Delta, PA 17314	York County/ Peach Bottom Township	517.15	Swine	New	Rescinded Plan Approval
Jake Hardy 20 Taylor Mill Road Bellville, PA 17004	Mifflin County/ Brown Township	0	Cattle	New	Approved

GEORGE D. GREIG,  
*Chairperson*

[Pa.B. Doc. No. 12-796. Filed for public inspection April 27, 2012, 9:00 a.m.]

# SUSQUEHANNA RIVER BASIN COMMISSION

## Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has approved by rule the following list of projects during March 1, 2012, through March 31, 2012.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436, rcairo@srbc.net; or regular mail inquiries may be sent to the Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391.

### *Supplementary Information*

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process set forth in 18 CFR 806.22(f) (relating to standards for consumptive uses of water) for the time period specified previously:

### *Approvals By Rule Issued Under 18 CFR 806.22(f):*

1. EXCO Resources (PA), LLC, Pad ID: Elk Run Hunt Club Drilling Pad 1, ABR-201203001, Davidson Township, Sullivan County, PA; Consumptive Use of Up to 8.000 mgd; Approval Date: March 8, 2012.

2. EOG Resources, Inc., Pad ID: WOLFE B Pad, ABR-201203002, Athens Township, Bradford County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: March 12, 2012.

3. EOG Resources, Inc., Pad ID: SGL 94D Pad, ABR-201203003, Lawrence Township, Clearfield County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: March 12, 2012.

4. Southwestern Energy Production Company, Pad ID: EASTMAN, ABR-201203004, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: March 12, 2012.

5. Southwestern Energy Production Company, Pad ID: GREMMEL, ABR-201203005, Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: March 12, 2012.

6. Southwestern Energy Production Company, Pad ID: BIENKO, ABR-201203006, New Milford and Jackson Townships, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: March 12, 2012.

7. Talisman Energy USA, Inc., Pad ID: 03 109 Alderfer H, ABR-201203007, Columbia Township, Bradford County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: March 12, 2012.

8. EOG Resources, Inc., Pad ID: SGL 94C Pad, ABR-201203008, Lawrence Township, Clearfield County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: March 13, 2012.

9. EOG Resources, Inc., Pad ID: GHFC Pad D, ABR-201203009, Goshen Township, Clearfield County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: March 13, 2012.

10. Inflection Energy, LLC, Pad ID: Nature Boy East, ABR-201203010, Upper Fairfield Township, Lycoming County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: March 13, 2012.

11. WPX Energy Appalachia, LLC, Pad ID: McNamara Well Pad, ABR-201203011, Silver Lake Township, Susquehanna County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: March 13, 2012.

12. WPX Energy Appalachia, LLC, Pad ID: Adams Well Pad, ABR-201203012, Silver Lake Township, Susquehanna County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: March 13, 2012.

13. Cabot Oil & Gas Corporation, Pad ID: ManzerA P1, ABR-201203013, Gibson Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: March 14, 2012.

14. Chesapeake Appalachia, LLC, Pad ID: R&N, ABR-201203014, Cherry Township, Sullivan County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 14, 2012.

15. Cabot Oil & Gas Corporation, Pad ID: MackeyR P1, ABR-201203015, Lathrop Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: March 14, 2012.

16. Cabot Oil & Gas Corporation, Pad ID: TeddickM P1, ABR-201203016, Brooklyn Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: March 14, 2012.

17. Ultra Resources, Inc., Pad ID: Granger 853, ABR-201203017, Gaines Township, Tioga County, PA; Consumptive Use of Up to 4.990 mgd; Approval Date: March 19, 2012.

18. Chesapeake Appalachia, LLC, Pad ID: Matthews, ABR-201203018, Sheshequin Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 20, 2012.

19. Chesapeake Appalachia, LLC, Pad ID: Floydie, ABR-201203019, Tuscarora Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 20, 2012.

20. Chesapeake Appalachia, LLC, Pad ID: Maggie, ABR-201203020, Tuscarora Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 20, 2012.

21. Chesapeake Appalachia, LLC, Pad ID: CMI, ABR-201203021, Wysox Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 20, 2012.

22. SWEPI, LP, Pad ID: Parker 727, ABR-201203022, Liberty Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: March 21, 2012.

23. SWEPI, LP, Pad ID: Schanbacher 711, ABR-201203023, Liberty Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: March 21, 2012.

24. Chesapeake Appalachia, LLC, Pad ID: Schulze, ABR-201203024, Rush Township, Susquehanna County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 21, 2012.

25. Chief Oil & Gas, LLC, Pad ID: Stasiak Drilling Pad No. 1, ABR-201203025, Pike Township, Bradford County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: March 23, 2012.

26. Chief Oil & Gas, LLC, Pad ID: Ober Drilling Pad No. 1, ABR-201203026, Asylum Township, Bradford County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: March 23, 2012.

27. SWEPI, LP, Pad ID: Wilson 286, ABR-201203027, Charleston Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: March 27, 2012.

28. Range Resources—Appalachia, LLC, Pad ID: Porter, Stephen, ABR-201203028, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: March 27, 2012.

29. Range Resources—Appalachia, LLC, Pad ID: Roaring Run Unit, ABR-201203029, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: March 27, 2012.

30. Chesapeake Appalachia, LLC, Pad ID: Hattie BRA, ABR-201203030, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 30, 2012.

31. Chesapeake Appalachia, LLC, Pad ID: Circle Z BRA, ABR-201203031, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 30, 2012.

32. Chesapeake Appalachia, LLC, Pad ID: RBF BRA, ABR-201203032, Wysox Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 30, 2012.

33. Chesapeake Appalachia, LLC, Pad ID: Rainbow BRA, ABR-201203033, Terry Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 30, 2012.

*Authority:* Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: April 13, 2012.

PAUL O. SWARTZ,  
*Executive Director*

[Pa.B. Doc. No. 12-797. Filed for public inspection April 27, 2012, 9:00 a.m.]