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# PENNSYLVANIA BULLETIN

Volume 42

Number 18

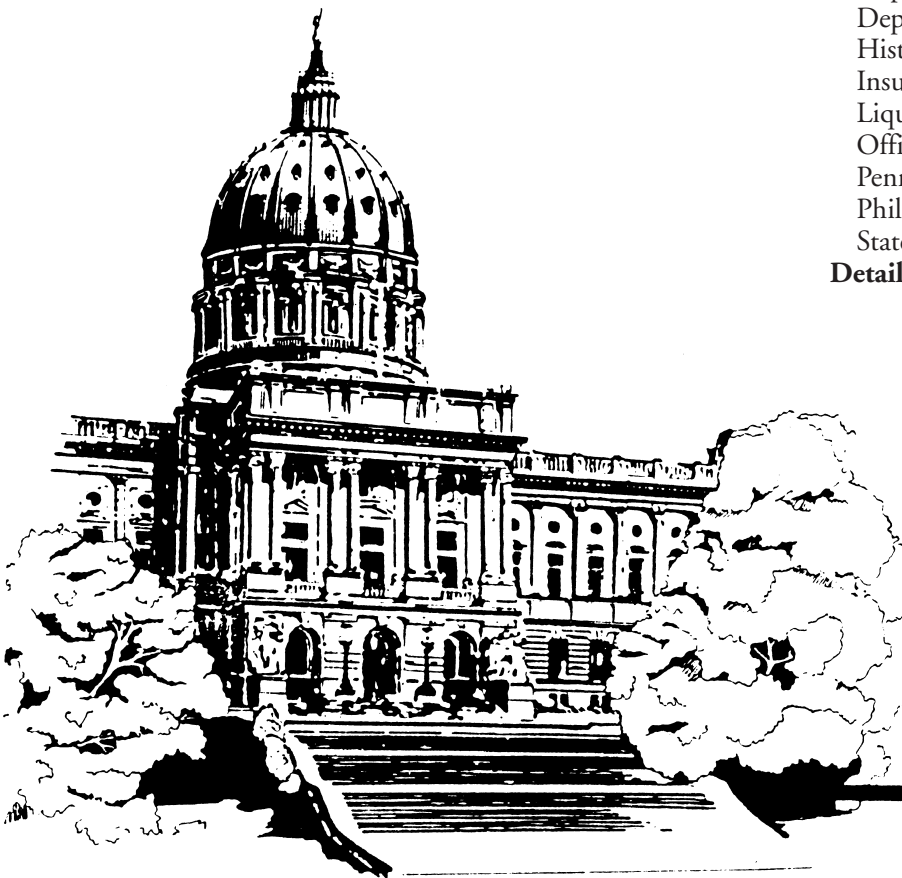
Saturday, May 5, 2012 • Harrisburg, PA

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## Agencies in this issue

The Governor  
The General Assembly  
The Courts  
Department of Agriculture  
Department of Banking  
Department of Environmental Protection  
Department of Labor and Industry  
Department of Revenue  
Department of Transportation  
Historical and Museum Commission  
Insurance Department  
Liquor Control Board  
Office of Open Records  
Pennsylvania Public Utility Commission  
Philadelphia Parking Authority  
State Board of Nursing

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

**No. 450, May 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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 2371, 2372, 2374



# THE GOVERNOR

## Proclamation of Emergency

April 23, 2012

*Whereas*, ongoing monitoring and projections made at my direction have disclosed that a winter storm, accompanied by substantial accumulations of snow and ice, will strike the Commonwealth of Pennsylvania beginning on April 23, 2012; and

*Whereas*, the winter storm conditions have the potential to cause extensive power outages, road closures, community public safety delays, property damage and other significant adverse impacts throughout the Commonwealth; and

*Whereas*, these winter storm conditions may prompt affected county and municipal governments to declare local disaster emergencies to exist; and

*Whereas*, the emergency situation caused by the winter storm may be of such magnitude and severity as to render essential the Commonwealth's supplementation of county and municipal efforts and resources and the activation of all applicable state, county and municipal emergency response plans.

*Now Therefore*, pursuant to the provisions of Subsection 7301(c) of the Emergency Management Services Code (35 Pa.C.S. Section 7101 et seq.), I do hereby proclaim the existence of a disaster emergency in the Commonwealth and authorize and direct that the Pennsylvania Emergency Management Agency Director or his designee assume command and control of all statewide emergency operations and that Commonwealth departments and agencies utilize all available resources and personnel as is deemed necessary to cope with the magnitude and severity of this disaster emergency.

*Further*, I hereby direct the Pennsylvania Emergency Management Agency to activate and staff the State Emergency Operations Center for the duration of this emergency situation and to augment it with personnel from other state agencies and departments. I also authorize the Agency to coordinate the response activities through the implementation of the State Emergency Operations Plan; and

*Further*, pursuant to the powers vested in me by the Constitution and laws of this Commonwealth (51 Pa.C.S. 508), I hereby authorize the Adjutant General of Pennsylvania to place on state active duty, for the duration of this disaster emergency, such individuals and units of the Pennsylvania National Guard for missions requested by the Pennsylvania Emergency Management Agency that are needed to address the threats caused by, and the consequences of, this disaster emergency; and

*Further*, I hereby authorize the Secretary of Transportation to use all available equipment, resources, and personnel of the Department, in whatever manner that he deems necessary, to ensure that all state highways in the areas that may be affected by the disaster are cleared of snow and any other obstructions resulting from this winter storm. In addition, I hereby waive any laws or regulations that would restrict the application and use of the Department's equipment, resources, and personnel to assist local jurisdictions in the repairs and clearing and removal of debris and other types of obstructions from non-state-owned highways. This assistance to local jurisdictions may be provided solely at the discretion of the Secretary of Transportation. This assistance, however, does not apply to privately owned highways, roads, streets, or other types of property. I further authorize the Secretary of Transportation, in his sole discretion, to waive any provision of the Vehicle Code or any other law or regulation which he is authorized by law to administer or enforce as may be necessary to respond to this impending emergency; and

*Further*, if investigations made on my behalf determine that the Commonwealth is in need of greater flexibility in the application of state and federal motor carrier regulations to accommodate truck drivers engaged in opera-

tions across the state, including the finding and transporting of fuel, food, or other commodities, to provide relief during this emergency, I authorize the Department of Transportation to hereby waive any laws or Federal or state regulations related to drivers of commercial vehicles; and

*Further*, I hereby authorize the Commissioner of the Pennsylvania State Police to use all available resources and personnel of the Department, in whatever manner he deems necessary, to aid in the response to this impending emergency; and

*Further*, I direct that the emergency response and recovery aspects of the Commonwealth and all applicable county, municipal, and other disaster emergency response and recovery plans be activated and that all state, county, and municipal actions taken to implement those plans be coordinated through the Pennsylvania Emergency Management Agency; and

*Further*, I hereby suspend the provisions of any other regulatory statute prescribing the procedures for conduct of Commonwealth business, or the orders, rules or regulations of any Commonwealth agency, if strict compliance with the provisions of any statute, order, rule or regulation would in any way prevent, hinder, or delay necessary action in coping with this disaster emergency. All Commonwealth agencies may implement their emergency assignments without regard to procedures required by other laws, except mandatory constitutional requirements, pertaining to the performance of public work, entering into contracts, incurring of obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials and expenditures of public funds; and

*Further*, all Commonwealth agencies purchasing supplies or services, including those for construction purposes, in response to this emergency are authorized to utilize the emergency procurement procedures set forth in Section 516 of the Commonwealth Procurement Code (62 Pa.C.S. § 51). This Proclamation shall serve as the written determination of the basis for the emergency under Section 516 and the time consuming bid and contract procedures and formalities normally prescribed by law shall be waived for the duration of the Proclamation, mandatory constitutional requirements excepted; and

*Still Further*, I hereby urge the governing bodies and executive officers of all political subdivisions that may be affected by this disaster emergency to act as necessary to meet the current exigencies as legally authorized, namely, by the employment of temporary workers; by the rental of equipment; and by entering into such contracts and agreements as may be required to meet the emergency, all without regard to those time-consuming procedures and formalities normally prescribed by law, mandatory constitutional requirements excepted.

*Given* under my hand and the Seal of the Governor, at the City of Harrisburg, this twenty-third day of April in the year of our Lord two thousand twelve, and of the Commonwealth the two hundred and thirty-sixth.



Governor

[Pa.B. Doc. No. 12-798. Filed for public inspection May 4, 2012, 9:00 a.m.]

# THE GENERAL ASSEMBLY

## COMMISSION ON SENTENCING

### Meetings Scheduled

The Commission on Sentencing (Commission) announces the following meetings of the Commission:

Policy Committee Meeting 9 a.m. to 12 p.m.

Quarterly Business Meeting 1 p.m. to 3 p.m.

*Date:* Thursday, June 7, 2012

*Location:* Penn State Dickinson School of Law  
Lewis Katz Building  
Room 241  
University Park, PA 16802

Commission meetings are open to the public. Direct any questions related to the Commission meetings to Mark H. Bergstrom, Executive Director, (814) 863-4368, mhb105@psu.edu.

MARK H. BERGSTROM,  
*Executive Director*

[Pa.B. Doc. No. 12-799. Filed for public inspection May 4, 2012, 9:00 a.m.]

# THE COURTS

## Title 255—LOCAL COURT RULES

### CARBON COUNTY

#### Revision of Local Rule of Criminal Procedure 117—Coverage: Issuing Warrants; Preliminary Arraignments and Summary Trials; and Setting and Accepting Bail; No. CP-13-AD-000004-2006 (Old No. 103 MI 00)

##### Administrative Order No. 10-2012

*And Now*, this 17th day of April, 2012, pursuant to Pa.R.Crim.P. 117, it is hereby

*Ordered and Decreed*, that effective June 1, 2012, the Carbon County Court of Common Pleas *Revises* Local Rule of Criminal Procedure CARB.R.Crim.P. 117 governing coverage for issuing warrants, conducting preliminary arraignments and summary trials and setting and accepting bail.

The Carbon County District Court Administrator is *Ordered and Directed* to do the following:

1. File one (1) certified copy of this Administrative Order with the Administrative Office of Pennsylvania Courts.

2. File two (2) certified copies, one (1) computer diskette and a copy of the written notification received from the Criminal Procedural Rules Committee with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. Publish a copy of this Administrative Order on the Unified Judicial System's website at <http://ujportal.pacourts.us/localrules/ruleselection.aspx>.

4. Forward one (1) copy for publication in the *Carbon County Law Journal*.

5. Forward one (1) copy to the Carbon County Law Library.

6. Keep continuously available for public inspection copies of the Order in the Clerk of Courts' Office.

*By the Court*

ROGER N. NANOVIC,  
*President Judge*

#### Rule 117. Coverage: Issuing Warrants; Preliminary Arraignments and Summary Trials; and Setting and Accepting Bail.

1. Each Magisterial District Court Office shall be open for regular business on Mondays through Fridays, excluding holidays, from 8:30 A.M. to 4:30 P.M., prevailing time, which times may be modified with the approval of the President Judge to meet the needs of the public and the Court.

2. A Magisterial District Judge shall be available on-call at all times of all days without unreasonable delay to provide continuous coverage for the issuance of search warrants and arrest warrants, for the setting and acceptance of bail, and for the issuance of emergency orders under the Protection From Abuse Act and the Older Adult Protective Services Act. This rule shall be satisfied by number 3 and 4 below.

3. The President Judge shall establish the schedule of assignment of Magisterial District Judges to on-call duty for availability on a rotating basis pursuant to a semi-annual/annual schedule prepared by the District Court Administrator. When a Magisterial District Judge who has jurisdiction over a particular matter is unavailable during regular business hours, authority to act is transferred to other Magisterial District Judges in the 56th Judicial District pursuant to the aforesaid assignment to on-call duty stated above.

4. Magisterial District Judges during regular business hours, an on-call Magisterial District Judge while on-call, the Clerk of Courts during business hours and the Warden, or in his absence, the Deputy Warden or Sergeant in charge of the Carbon County Correctional Facility, shall be authorized to accept bail in accordance with the provisions, and subject to the limitations of the Pennsylvania Rules of Criminal Procedure.

5. A Magisterial District Judge assigned to on-call duty shall be available for preliminary arraignments in accordance with the following schedule:

A. For arrests occurring after the close of regular business hours but before 10:00 P.M., and for arrests occurring on weekends or holidays between 8:00 A.M. and 10:00 P.M., the Magisterial District Judge shall respond to the call and conduct a preliminary arraignment utilizing the on-screen video arraignment connection between the police station and the Magisterial District Court prior to detention at the Carbon County Correctional Facility. Scheduling of the arraignment shall be initiated by the arresting officer contacting the Comm. Center by telephone and requesting an arraignment. Arraignments shall be scheduled whenever:

1. The defendant is arrested pursuant to a warrant, and

2. In those circumstances where an arrest has been made without a warrant and for which the defendant is to be afforded a preliminary arraignment without unnecessary delay, (See Pa.R.Crim.P. 519), after the completion of the criminal complaint.

B. For arrests occurring after 10:00 P.M. but before 8:00 A.M. on weekends or holidays, and before 8:30 A.M. on weekdays, preliminary arraignments shall be scheduled as follows:

1. For arrests pursuant to a warrant and those arrests requiring preliminary arraignment pursuant to Pennsylvania Rule of Criminal Procedure 519, the arresting agency, including the state police, municipal police or sheriff, is authorized to detain the prisoner at the Carbon County Correctional Facility until 8:30 A.M. the following morning. For Defendants so detained, the on-call Magisterial District Judge shall appear in person or by advanced communication technology at the Carbon County Correctional Facility at 8:30 A.M. to preside at the Preliminary Arraignment. The arresting officer shall be responsible to notify the Communication Center of any temporary detentions on holidays and weekends by 7:30 A.M. The Communication Center shall notify the on-call Magisterial District Judge between 7:30 A.M. and 8:00 A.M. of said temporary detentions.

2. Prior to detaining a prisoner at the Carbon County Correctional Facility under this Rule, the arresting agency shall contact the facility to ascertain that adequate detention facilities are available for temporary

detention in accordance with this Rule. If no detention facilities are available at the facility, the arresting agency shall notify the on-call Magisterial District Judge through the Communication Center of that fact and a preliminary arraignment shall be required prior to detention or commitment to Prison.

3. The arresting agency detaining the Defendant shall provide the Magisterial District Judge with copies of the Criminal Complaint, of the Affidavit of Probable Cause in support thereof, and a copy of the Bail Information Sheet for Overnight Arraignments regarding the defendant's criminal record and flight risk, and the officer's bail recommendation, by depositing the same at the Carbon County Correctional Facility and faxing copies to the Magisterial District Court Office. The arresting agency shall be responsible to deliver or mail within twenty-four (24) hours all original documents to the Magisterial District Court office who issued the warrant or within whose jurisdiction the offense occurred.

4. The arresting officer(s) need not appear at the Preliminary Arraignment provided the documents identified in paragraph (B)(3) are provided. In the alternative, the arresting officer may appear at the Preliminary Arraignment in lieu of prior submission of these documents; however, no person shall be detained under this rule without the completion and submission of a completed criminal Complaint and Affidavit of Probable Cause. A copy shall be delivered to the Carbon County Correctional Facility and a copy faxed to the Magisterial District Court office for the Judge's use.

5. The provisions of this Rule allowing for temporary detention of prisoners shall not apply to the performance of any other duties of the on-duty Magisterial District Judge during the hours of 10:00 P.M. to 8:00 A.M.

6. The Carbon County Correctional Facility shall identify a detention area for prisoners so detained in accordance with the Standard Operating Procedures of the Carbon County Correctional Facility for temporary detention of individuals at the Prison.

7. The Carbon County Correctional Facility is directed to make available to the on-duty Magisterial District Judge appropriate space or advanced communication technology availability between the hours of 8:30 A.M. and 9:00 A.M. to perform the Preliminary Arraignment at the Prison.

8. Upon completion of the Preliminary Arraignment, the detention authorized by this Rule shall terminate and the person detained shall be processed in accordance with the Orders of the Magisterial District Judge at the Preliminary Arraignment or, if no Preliminary Arraignment has been done, the person shall be released from detention and the arresting agency shall arrange for the Preliminary Arraignment of the person otherwise in accordance with the Rules of Criminal Procedure.

9. If the Preliminary Arraignment is conducted by advanced communication technology, upon completion of the Preliminary Arraignment, copies of all commitment orders, bail orders, etc. shall be faxed from the Magisterial District Judge to the Carbon County Correctional Facility and the originals mailed to the Carbon County Correctional Facility on the next regular business day. If the Preliminary Arraignment is conducted at the Correctional Facility, original documents shall be provided to the Carbon County Correctional Facility at the time of the Preliminary Arraignment.

C. Nothing in this Rule shall alter the requirements of Carbon County Local Criminal Rules of Procedure 202

regarding approval of search warrant application by attorney for the Commonwealth and Rule 507 regarding approval of police complaints and arrest warrant affidavits by the Attorney for the Commonwealth.

[Pa.B. Doc. No. 12-800. Filed for public inspection May 4, 2012, 9:00 a.m.]

## CARBON COUNTY

### Revision of Preliminary Arraignment—Policy and Procedures; No. CP-13-AD-000002-2011

#### Administrative Order No. 11-2012

*And Now*, this 17th day of April, 2012, in order to create systematic procedures for preliminary arraignments during normal business hours and outside normal business hours utilizing video conferencing as indicated, it is hereby

*Ordered and Decreed*, that effective June 1, 2012, the Carbon County Court of Common Pleas *Revises* the following policy and procedures for Preliminary Arraignment for every adult person arrested.

The Carbon County District Court Administrator is *Ordered and Directed* to do the following:

1. File one (1) certified copy of this Administrative Order with the Administrative Office of Pennsylvania Courts.
2. File two (2) certified copies, one (1) computer diskette and a copy of the written notification received from the Criminal Procedural Rules Committee with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Publish a copy of this Administrative Order on the Unified Judicial System's website at <http://ujportal.pacourts.us/localrules/ruleselection.aspx>.
4. Forward one (1) copy for publication in the *Carbon County Law Journal*.
5. Forward one (1) copy to the Carbon County Law Library.
6. Keep continuously available for public inspection copies of the Order in the Clerk of Courts' Office.

*By the Court*

ROGER N. NANOVIC,  
*President Judge*

#### Carbon County Arrest and Central Booking Policy and Procedures

##### 1. Preliminary Arraignment Procedures

###### A. During Normal Office Hours

1. If the criminal complaint is completed so that the defendant may be arraigned by the Magisterial District Judge (MDJ) during their normal operating hours of 8:30 A.M. to 12:00 noon and 1:00 PM to 4:30 PM Monday through Friday, exclusive of holidays, the arresting officer shall either proceed to the office of the MDJ who issued the warrant or within whose jurisdiction the offense occurred or shall conduct a video arraignment from the police station for preliminary arraignment. The method used for the preliminary arraignment shall be at the sole discretion of the Magisterial District Judge.

*B. Outside Normal Business Hours*

1. Between the hours of 4:30 P.M. and 10:00 P.M. Monday through Friday and on weekends and holidays from 8:00 A.M. to 10:00 P.M., the police officer shall contact the on-call MDJ through the Communications Center (Comm. Center) to conduct a preliminary arraignment. Scheduling of the arraignment shall be initiated by the arresting officer who shall contact the Comm. Center by telephone to request an arraignment. Arraignments shall be scheduled whenever:

a. The defendant is arrested pursuant to a warrant, and

b. In those circumstances where an arrest has been made without a warrant and for which the defendant is to be afforded a preliminary arraignment without unnecessary delay, (See Pa.R.Crim.P. 519), after the completion of the criminal complaint.

2. An information sheet for a public defender should be given to the defendant. The MDJ will go over this form with the defendant.

3. The arresting officer shall conduct a video arraignment from the police station during the hours of 4:30 P.M. and 10:00 P.M. Monday through Friday and on weekends and holidays from 8:00 A.M. to 10:00 P.M. unless the Magisterial District Judge requests an in court arraignment or the arrest occurs within the same municipality as the Magisterial District Court. Prior to the arraignment the arresting officer shall fax the following paperwork to the MDJ location:

a. Criminal complaint and Affidavit of Probable Cause; and

b. Copy of the Bail Information Sheet for Overnight Arraignments regarding the defendant's criminal record and flight risk, and the officer's bail recommendation for the MDJ.

4. When the MDJ is ready for the arraignment to begin, he will notify the police officer and fax any necessary paperwork back.

5. The police officer will then utilize the on-screen video arraignment connection from the police station and the MDJ will announce the beginning of the proceedings before the court and to the defendant.

6. It is the duty and obligation of the police officer to assure that the defendant being arraigned can clearly see and hear the actions of the Magisterial District Judge before him/her and be sure that all background noises are to a minimum. The MDJ will also confirm same.

7. Upon completion of the arraignment, the police officer shall speak to the MDJ and be notified of the disposition of the defendant. (Bail, ROR or incarceration) The MDJ will also notify the defendant of his/her disposition.

8. The MDJ will fax back the necessary paperwork as follows:

a. In the event of incarceration:

1. Signed criminal complaint;
2. Signed affidavit of probable cause;
3. Notice of preliminary arraignment;
4. Notice of preliminary hearing;
5. Commitment;
6. Release of Prisoner;
7. Bail conditions;

8. Bail bond;

9. Surety;

10. Public Defender application; and

11. Fingerprint Order.

b. In the event of bail release:

1. Signed criminal complaint;
2. Signed affidavit of probable cause;
3. Notice of preliminary arraignment;
4. Notice of preliminary hearing;
5. Bail bond;
6. Bail Conditions, if any;
7. Surety;
8. Public Defender application
9. Fingerprint Order.

9. Bail bond must be signed by the defendant. The form must be faxed back to the arraignment MDJ.

10. Surety information page will be signed by the defendant in the event of unsecured bail. This form must be faxed back to the arraignment MDJ.

11. The defendant shall receive a copy of all paperwork.

12. A copy of all paperwork shall be given to the Magisterial District Court for distribution.

13. All original documents are to be delivered or mailed within twenty-four (24) hours by the police officer to the Magisterial District Judge's office who has jurisdiction over the matter.

14. In the event of incarceration, a copy of the commitment, bail information, surety information, police criminal complaint and probable cause affidavit shall be given to the Carbon County Correctional Facility.

15. The arresting police department shall receive a copy of the arrest warrant, criminal complaint, probable cause affidavit, notice of preliminary arraignment, notice of preliminary hearing, commitment, release of prisoner, bail conditions, bail bond, and surety information page.

16. The police officer will be responsible to fax all pertinent paperwork back to the MDJ. The MDJ's office will be responsible for making copies and distributing the paperwork to the proper persons. Booking center files will be kept and maintained by the Carbon County Correctional Facility.

17. Once the preliminary arraignment is completed by the MDJ, the defendant shall be provided with the opportunity to post bail with the office of the MDJ or the Carbon County Correctional Facility. The defendant's opportunity to post bail prior to being incarcerated shall be a reasonable time determined by the MDJ.

18. If the defendant posts bail, he/she shall be released immediately and provided with the following information:

a. If the defendant posts bail, the MDJ shall verbally advise the defendant of the requirement to appear at the Carbon County Correctional Facility or Pennsylvania State Police Barracks prior to his/her preliminary hearing for fingerprinting.

b. The MDJ shall also issue a fingerprint order, AOPC Form 405-05, which shall order the defendant to call the

Carbon County Correctional Facility or appear at the Pennsylvania State Police Barracks for electronic fingerprinting and photos.

c. A receipt for bail shall be issued to the defendant or bail poster.

d. Arresting officer shall remain with the defendant until the bail is posted at the MDJ office.

19. If the defendant was arraigned at the MDJ's office or by video-arraignment procedures and fails to post bail, the arresting officer shall transport the defendant to the Carbon County Correctional Facility for booking.

20. Preliminary Arraignments for arrests made between 10:00 P.M. and 8:00 A.M. will be pursuant to Carbon County Local Rule of Criminal Procedure 117.

#### *Preliminary Hearings*

A. Prior to the commencement of the preliminary hearing, the defendant must be processed through Livescan/CPIN.

B. If the defendant appears at the preliminary hearing after having failed to be processed through Livescan/CPIN as he/she was advised to do at the preliminary arraignment, the MDJ shall have the following options:

1. Require that the defendant submit to Livescan/CPIN processing prior to the commencement of the preliminary hearing at the Magisterial District Court; or

2. Continue the preliminary hearing and order the defendant to be processed through Livescan/CPIN at a specific time and date prior to the continued preliminary hearing.

3. Conduct the preliminary hearing and set bail conditions to ensure compliance with Livescan/CPIN processing prior to the next scheduled Common Pleas Court event.

C. Each defendant shall be assessed a fee of \$100.00 for Livescan/CPIN processing as required by 42 Pa.C.S.A. 1725.5 unless the defendant prepays the Livescan/CPIN processing fee of \$75.00.

[Pa.B. Doc. No. 12-801. Filed for public inspection May 4, 2012, 9:00 a.m.]

### MONROE COUNTY

#### **Residential Mortgage Foreclosure Program; No. 2012-PJ; 5 CV 12; Admin No. 34**

#### **Order**

*And Now*, this 28th day of March, 2012, recognizing that some changes are necessary for the efficient functioning of the Monroe County Residential Mortgage Foreclosure Diversion Program *It Is Hereby Ordered* that:

1. All complaints for mortgage foreclosure filed with the Monroe County Prothonotary will be given a dedicated filing designation of RM for mortgage foreclosures on owner-occupied residential properties containing less than five residential units and CM for other mortgage foreclosures. Mortgage foreclosure complaints shall have a specific cover sheet attached at time of filing, an example of which follows in Exhibit "A," certifying real estate location, occupancy status, and contact information, including the name, address and telephone number of the representative of the lending institution.

2. An "Urgent Notice" in substantially the form as follows in Exhibit "B" and a "Certificate of Participation" in substantially the form as follows in Exhibit "C" shall also be affixed to the complaint and the copy of the complaint to be served upon the defendant(s). The defendant(s) in cases involving owner-occupied residential properties with fewer than five units may then request to participate in the Residential Mortgage Foreclosure Diversion Program, by signing and filing the Certificate of Participation form as follows in Exhibit "C." The Prothonotary will not accept a residential mortgage complaint for filing without the cover sheet, Urgent Notice and Certificate of Participation.

3. In the event that the Sheriff is unable to personally serve the defendant(s) with the complaint, Urgent Notice and Certificate of Participation, the Sheriff shall post the subject property with the Complaint, Urgent Notice and Certificate of Participation. The Sheriff's return shall reflect the date and manner of posting the property.

4. When the defendant files a written request for a conciliation conference under this program, an order will be entered substantially in the form as follows in Exhibit "D." The order will provide that further proceedings in the action other than service of process will be stayed pending the result of the conciliation conference.

5. The order will refer the matter to a conciliation conference before a conciliator appointed for that purpose by the court. The borrower will submit an application and a proposal to resolve the mortgage foreclosure action to the lender's counsel and the Court Administrator at least 60 days before the scheduled conference. The lender's counsel or other representative must have the authority at the conference to specifically address the proposal made by the borrower to settle the matter, and the conciliator will work with the parties to achieve a settlement. The conciliator will submit his or her recommendation for further action to the court following the conference, which may include lifting the stay if the parties are unable to come to an agreement, maintaining the stay while the parties engage in further negotiations or attempt a modification of the mortgage, a stipulation for judgment, a deed in lieu of foreclosure, a "cash for keys" arrangement or other settlement options. The court will then act upon the conciliator's recommendation.

6. Plaintiff's counsel shall serve a copy of the Urgent Notice and the Certificate of Participation on the defendant(s) at the time of service of a:

- 1) Motion for judgment on the pleadings, or
- 2) Motion for summary judgment,

if the defendant(s) was not served with them at the time of service of the original complaint. Service shall not be required if the defendant(s) has already had the opportunity to participate in the Monroe County Residential Foreclosure Program.

The Court in its discretion may also refer other pending mortgage foreclosure cases to the Residential Mortgage Foreclosure Diversion Program on motion of an interested party.

*By the Court*

MARGHERITA PATTI WORTHINGTON,  
*President Judge*

Exhibit "A"

IN THE COURT OF COMMON PLEAS OF MONROE COUNTY, PENNSYLVANIA CIVIL

Plaintiff, : No. \_\_\_\_ Civil 20\_\_
v. :
: Mortgage Foreclosure
Defendant, :

MONROE COUNTY MORTGAGE FORECLOSURE COVER SHEET

Pursuant to the Administrative Order dated 2010, pertaining to the Residential Mortgage Foreclosure Diversion Program, I hereby certify that:

1. The property in this case is known and numbered as:

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

2. The property is:

A. \_\_\_ Owner-occupied residential

B. \_\_\_ Non-owner occupied residential

\_\_\_ four units or less

\_\_\_ over four units

C. \_\_\_ Commercial

D. \_\_\_ Other (explain) \_\_\_\_\_

3. If owner-occupied residential, the name, address and telephone number of a representative of the lending institution with authority to bind the plaintiff to a stipulation:

\_\_\_\_\_ .
\_\_\_\_\_ .

4. That the URGENT NOTICE and CERTIFICATE OF PARTICIPATION are being served upon the defendant(s) along with the complaint in mortgage foreclosure.

The undersigned verifies that the statements made herein are true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_
Signature of Plaintiff or Counsel for Plaintiff
Address: \_\_\_\_\_
\_\_\_\_\_

Exhibit "B"

URGENT NOTICE

IMPORTANT NOTICE TO DEFENDANT(S) YOU MAY RECEIVE HELP THAT MIGHT SAVE YOUR HOME MONROE COUNTY RESIDENTIAL MORTGAGE FORECLOSURE DIVERSION PROGRAM

You have been sued. The Plaintiff alleges you have defaulted on your mortgage.

The Court has a program that may help save your home from foreclosure if: 1) you are an owner (or an heir to a deceased owner) of the property, 2) you live in the property and 3) the property is your principal residence.

You must complete and return the attached Certificate of Participation to the Prothonotary (3rd Floor, Monroe County Courthouse, Stroudsburg, PA 18360) immediately. When you file this form, an order staying the mortgage foreclosure case against you will be entered by the court.

A conciliation conference before the court will be scheduled with you, your attorney if you have one, and a representative of your lender.

You will be required to submit a complete, written application and proposal for modification of your mortgage, along with supporting financial and employment documentation to the Plaintiff's attorney and to Court Administration (Monroe County Courthouse, 610 Monroe Street, Stroudsburg, PA 18360, tel. (570) 517-3888), no later than sixty (60) days before the Conciliation/Case Management Conference. Further information about the application package may be found at www.co.monroe.pa.us under the Monroe County Residential Mortgage Diversion Program sub-heading. Any question about the use of these forms and the borrower's rights should be referred to an attorney as the court does not give legal advice.

You may have an attorney of your choosing assist you in making your application and proposal to your lender. If you do not have an attorney, you may contact the Monroe County Bar Association ((570) 424-7288, www.monroebar.org for a list of attorneys who will represent homeowners in the Monroe County Residential Foreclosure Diversion program for a fee.

You may also call a housing counselor for assistance. The U.S. Department of Housing and Urban Development maintains a list of agency-approved housing counselors in Pennsylvania at the website www.hud.gov. The HUD approved housing counselor in Monroe County is CCCS of Northeastern Pennsylvania, 411 Main Street, Suite 102, Stroudsburg, Pennsylvania. Their telephone number is (570) 420-8980. Their services are at no cost to you. Neither the Court nor the County of Monroe endorse any particular housing counselor or program.

Exhibit "C"

IN THE COURT OF COMMON PLEAS OF MONROE COUNTY FORTY-THIRD JUDICIAL DISTRICT COMMONWEALTH OF PENNSYLVANIA CIVIL DIVISION

: No. Civil 201\_\_
Plaintiff, :
vs. :
Defendant(s). : Mortgage Foreclosure

CERTIFICATION OF PARTICIPATION

I wish to participate in the Monroe County Residential Mortgage Foreclosure Diversion Program.

I am the owner of the property listed below:

Premises Address: \_\_\_\_\_
\_\_\_\_\_, Monroe County, PA

This property is my primary residence. It is the subject of foreclosure, and I would like to try to save my residence from foreclosure.



At least sixty (60) days before the date of my Conciliation/Case Management Conference, (to be scheduled by the court) I will submit, a complete, written application and proposal for modification of my mortgage to the Plaintiff's counsel (the lawyer for my mortgage lender) and to Court Administration, Monroe County Courthouse, 610 Monroe Street, Stroudsburg, PA 18360, tel. (570) 517-3888.

Further information about the application package may be found at www.co.monroe.pa.us under the Monroe County Residential Mortgage Diversion Program sub-heading. Any question about the use of these forms and the borrower's rights should be referred to an attorney as the court does not give legal advice.

I understand that I may have an attorney of my choosing assist me in submitting this plan to my lender and that if I do not have an attorney, the Monroe County Bar Association (570) 424-7288, www.monroebar.org, has a list of attorneys who will represent mortgage borrowers in the Monroe County Mortgage Foreclosure Diversion Program for a fee.

I also understand that I may seek the assistance of a housing counselor. The U.S. Department of Housing and Urban Development maintains a list of agency-approved housing counselors in Pennsylvania at the website www.hud.gov. The HUD approved housing counselor in Monroe County is CCCS of Northeastern Pennsylvania, 411 Main Street, Suite 102, Stroudsburg, Pennsylvania 18360. Their telephone number is (570) 420-8980. Their services are at no cost to you.

Neither the Court nor the County of Monroe endorse any particular housing counselor or program.

\_\_\_\_\_  
Signature Date: \_\_\_\_\_

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature Date: \_\_\_\_\_

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Telephone number

This form must be filed to obtain a stay of this mortgage foreclosure action and a Conciliation/Case Management Conference under the Monroe County Mortgage Foreclosure Diversion Program. This certification is only for Defendants with a case caption of 2011 or later. For those with captions before 2011, a Petition must be filed with the court requesting inclusion in the program, explaining the reasons why participation may lead to a successful modification of the mortgage without undue delay of a foreclosure.

File this form with:

GEORGE J. WARDEN, PROTHONOTARY  
THIRD FLOOR  
MONROE COUNTY COURTHOUSE  
STROUDSBURG, PA 18360  
(570) 517-3370

**Exhibit "D"**  
**IN THE COURT OF COMMON PLEAS OF  
MONROE COUNTY  
FORTY-THIRD JUDICIAL DISTRICT  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL DIVISION**

Plaintiff, : No. Civil 201\_\_\_\_  
:   
:   
vs. :   
:   
Defendant(s). : Residential Mortgage  
Foreclosure

**CONCILIATION/CASE MANAGEMENT ORDER**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, a complaint having been filed to foreclose upon a residential mortgage, and the defendant(s) having opted into the Monroe County Residential Mortgage Diversion Program, IT IS ORDERED pursuant to Pa.R.C.P. 212.3 and 1141:

1. A Conciliation/Case Management Conference is scheduled for \_\_\_\_\_, 20\_\_, at \_\_\_\_ a.m./p.m. in Hearing Room No. \_\_, Monroe County Courthouse, Stroudsburg, PA 18360. Counsel for the Plaintiff must be present and either (i) have actual authority to modify the mortgage, enter into an alternative payment agreement or otherwise resolve the action, or (ii) must have a designated agent of the Plaintiff who has such authority present in person or by telephone. Following the initial conference, the conciliator may require the designated agent to be present in person at future conferences. Defendant(s) are also required to attend the Conciliation/Case Management Conference.

2. The Defendant(s) shall, no later than sixty (60) days before the Conciliation/Case Management Conference, complete a written proposal to modify their mortgage, along with supporting financial and employment information and documentation. This written proposal and accompanying documentation must be submitted to the Plaintiff's counsel and to Court Administration (Monroe County Courthouse, 610 Monroe Street, Stroudsburg, Pa. 18360). Defendant(s) who need help in preparing this proposal should promptly contact an attorney or obtain other assistance so that their written proposal to the Plaintiff is not delayed. Forms which may be useful in making an application for modification to a lender may be found at www.co.monroe.pa.us under the Monroe County Residential Mortgage Diversion Program sub-heading. Any question about the use of these forms and the borrower's rights should be referred to an attorney as the court does not give legal advice.

3. Although an attorney is not required, the Defendant(s) may work with an attorney of their choosing to prepare their case for conciliation. If the Defendant(s) do not have an attorney, a list of attorneys who have agreed to provide assistance for a fee is available from the Monroe County Bar Association, (570) 424-7288, www.monroebar.org.

4. Housing counselors may also assist the Defendant(s) in addressing their mortgage delinquency. The U.S. Department of Housing and Urban Development maintains a list of agency-approved housing counselors in Pennsylvania at the website www.hud.gov. The HUD approved housing counselor in Monroe County is CCCS of Northeastern Pennsylvania, 411 Main Street, Suite 102, Stroudsburg, Pennsylvania. Their telephone number is

(570) 420-8980. Their services are at no cost to you. The court does not endorse any particular housing counselor or program.

4) PENDING FURTHER ORDER OF COURT, ALL PROCEEDINGS ARE STAYED EXCEPT FOR SERVICE OF ORIGINAL PROCESS; DEFENDANT(S) NEED NOT FILE AN ANSWER TO THE COMPLAINT; AND NO DEFAULT JUDGMENT MAY BE TAKEN OR SHERIFF'S SALE SCHEDULED OR HELD.

5) Failure to Comply with this order may result in the cancellation of the Conciliation/Case Management Conference; an order lifting the stay of proceedings and allowing the case to proceed to judicial disposition, including the taking of a default judgment or Sheriff's sale; or the scheduling of a subsequent Conciliation/Case Management Conference.

BY THE COURT:

\_\_\_\_\_

J.

[Pa.B. Doc. No. 12-802. Filed for public inspection May 4, 2012, 9:00 a.m.]

\_\_\_\_\_

# DISCIPLINARY BOARD OF THE SUPREME COURT

## Notice of Disbarment

Notice is hereby given that John Milton Merritt having been disbarred from the practice of law in the State of Oklahoma by Order of the Supreme Court of Oklahoma dated June 27, 2011, the Supreme Court of Pennsylvania issued an Order on April 18, 2012, disbaring John Milton Merritt from the Bar of this Commonwealth, effective May 18, 2012. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 12-803. Filed for public inspection May 4, 2012, 9:00 a.m.]

\_\_\_\_\_

# PROPOSED RULEMAKING

## DEPARTMENT OF LABOR AND INDUSTRY

[ 34 PA. CODE CH. 65 ]

### Unemployment Compensation; Active Search for Work

The Department of Labor and Industry (Department) proposes to amend § 65.11 (relating to active search for work) to read as set forth in Annex A.

#### A. *Statutory Authority*

This rulemaking is proposed under section 201(a) of the Unemployment Compensation Law (law) (43 P. S. § 761(a)), which authorizes the Department to promulgate and amend rules and regulations necessary to administer the law, and section 401(b) of the law (43 P. S. § 801(b)), which directs the Department to establish the requirements a claimant shall meet to “make an active search for suitable employment.”

#### B. *Background and Description of Proposed Rulemaking*

Section 401 of the law contains various eligibility criteria for unemployment compensation (UC) benefits. As amended by the act of June 17, 2011 (P. L. 6, No. 6) (Act 6), section 401 of the law provides that “[c]ompensation shall be payable to any employee who is or becomes unemployed, and who—” . . . “(b)(1) [i]s making an active search for suitable employment.”

The requirement in section 401(b) of the law that a claimant make an active search for suitable employment took effect on January 1, 2012, and applies to benefit years that begin on or after that date.

This proposed rulemaking will amend § 65.11 to contain the requirements a claimant shall meet to be eligible for benefits under section 401(b) of the law. This rulemaking is proposed in accordance with the General Assembly’s directive in section 401(b)(1) of the law that “[t]he requirements for ‘active search’ shall be established by the department . . . .”

Under proposed subsection (b), a claimant’s initial active search requirement is to register for employment search services in the Pennsylvania Careerlink® system within 30 days after the claimant files his application for benefits. Section 401(b)(1) of the law provides that this requirement must be part of the Department’s overall work search requirements. If the claimant fails to register within that 30-day period, he is ineligible for benefits for weeks that end beyond that 30-day period unless the claimant has registered no later than Sunday of the week.

In addition to the initial requirement to register for employment search services, generally a claimant shall satisfy the requirements of subsection (d)(1), (2) and (5) during each week for which compensation is claimed, beginning with the third week of the benefit year. During the third through eighth weeks, subsection (d)(1) requires the claimant to apply for at least two positions each week. However, the claimant may limit his applications to positions that would provide employment and wages similar to those the claimant had prior to his unemployment and are within a generally accepted commuting distance. During the ninth week of the benefit year and subsequent weeks, subsection (d)(2) requires the claimant

to apply for not less than three positions each week that would provide suitable employment under section 4(t) of the law (43 P. S. § 753(t)). A claimant may apply for a position by mail, phone or electronic transmission, by submitting an application or resume to the employer, or by following a hiring procedure established by the employer.

Subsection (d)(5) enumerates seven types of job search activities other than applying directly to an employer for a position. Generally, a claimant shall engage in at least one of these activities during each week. If a claimant applies in a week for more than the number of positions required under subsection (d)(1) or (2), the additional application may substitute for a work search activity under subsection (d)(6).

There are certain exceptions and alternative requirements under proposed subsection (e). Notwithstanding the registration requirement in subsection (b) and the weekly work search activities required under subsection (d), the Department may determine that a claimant has satisfied the active search requirement in section 401(b) of the law if the claimant engages in work search efforts that are comparable to the way in which jobs in the claimant’s trade or occupation are found in the claimant’s community and labor market. Work search activities under subsection (d) are not required for a week if the claimant is a member of a union that has a hiring hall or the claimant is registered with a hiring hall, the claimant is required to obtain employment through the hiring hall, and the claimant fulfills the requirements to maintain eligibility for referral by the hiring hall during the week. Work search activities under subsection (d) also are not required for a week if the claimant actively participates during the week in a program or activity that is approved by the Department as an acceptable work search alternative. If the claimant works part time during a week and earns in excess of the partial benefit credit under section 4(m.3) of the law, the claimant will satisfy subsection (d)(1) by applying for one position and subsection (d)(2) by applying for two positions, and the claimant is not required to satisfy subsection (d)(5) for the week. If a claimant’s labor market is located outside of this Commonwealth, the claimant shall register for employment search services with the employment service that serves the claimant’s labor market in addition to registering with the Pennsylvania Careerlink® system.

Under proposed subsection (f), the active search requirement does not apply to a week in which the claimant is in training with the approval of the Secretary of Labor and Industry or a week in which the claimant is participating in work sharing. The exception for weeks in which the claimant is in approved training is required under section 3304(a)(8) of the Federal Unemployment Tax Act (26 U.S.C.A. § 3304(a)(8)).

Section 401(b)(5) of the law provides that the active search requirement is not applicable to a claimant who is laid off for lack of work and is advised by his employer of the date when he will return to work. Subsection (f)(2) articulates certain criteria to determine if a claimant has been given a return-to-work date for purposes of section 401(b)(5) of the law and specifies certain circumstances when section 401(b)(5) of the law would not apply.

For purposes of eligibility for extended benefits, subsection (g) states that a claimant shall satisfy work search

requirements for extended benefits in addition to meeting the requirements of section 401(b) of the act and § 65.11.

#### C. *Affected Persons*

This proposed rulemaking will affect claimants who file an application for UC benefits that takes effect on or after January 1, 2012.

#### D. *Fiscal Impact*

The Department anticipates that a claimant will be able to meet the active search requirement in section 401(b) of the law and § 65.11 at minimal or no cost.

The Department will integrate administration of the active search requirement into its day-to-day administration of all of the eligibility provisions of the law. It is not possible to accurately isolate the cost to administer only the active search provision.

#### E. *Paperwork Requirements*

Proposed subsection (c) requires a claimant to create a record of his work search activities that contains the information required by the Department, retain the record for 2 years from the effective date of the application for benefits and produce the record for the Department's review at the times and in the format and manner as the Department requires.

#### F. *Sunset Date*

The regulation will be monitored through practice and application. Therefore, a sunset date is not designated.

#### G. *Effective Date*

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

#### H. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on April 19, 2012, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Labor and Industry Committee and House Labor and Industry Committee. A copy of this material is available to the public upon request.

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

#### I. *Public Comment*

Interested parties are invited to submit written comments, objections or suggestions about the proposed rulemaking to Susann Morrison, Executive Assistant to the Deputy Secretary for UC Programs, Room 1721B, Labor and Industry Building, 651 Boas Street, Harrisburg, PA 17121, (717) 705-3799 within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Written comments received by the Department may be made available to the public. Comments may also be submitted electronically at [sumorrison@pa.gov](mailto:sumorrison@pa.gov). A subject heading referencing the proposed rulemaking, name and return mailing address must be included in each

transmission. In addition, electronic comments must be contained in the text of the transmission, not in an attachment.

JULIA K. HEARTHWAY,  
*Secretary*

**Fiscal Note:** 12-96. No fiscal impact; (8) recommends adoption.

### Annex A

#### TITLE 34. LABOR AND INDUSTRY

#### PART II. BUREAU OF EMPLOYMENT SECURITY

#### Subpart A. UNEMPLOYMENT COMPENSATION

#### CHAPTER 65. [ EMPLOYE ] EMPLOYEE PROVISIONS

#### Subchapter B. PREREQUISITES FOR ELIGIBILITY

#### [ REGISTRATION ] ACTIVE SEARCH FOR WORK

#### § 65.11. [ Work registration; effective period ] Active search for work.

(a) [ A claimant who files an application for benefits in accordance with § 65.41 (relating to filing methods) and declares his availability for suitable work has registered for work for purposes of section 401(b) of the law (43 P. S. § 801(b)). The work registration is effective on the date that the application is effective in accordance with § 65.42 (relating to application for benefits—effective date) or § 65.43a (relating to extended filing) and remains in effect for the benefit year corresponding to the application and any subsequent period for which benefits are payable pursuant to the application.

(b) ] *Initial procedures.* When a claimant files an application for benefits in accordance with § 65.41 (relating to filing methods), the Department will provide information [ relevant to the claimant's reemployment and receipt of employment services to the employment office ] to the claimant regarding the process to register for employment search services and post a resume in the Pennsylvania CareerLink® system and advise the claimant of services provided by the Department and the Pennsylvania CareerLink® system.

(b) *Work registration.* A claimant shall register for employment search services in the Pennsylvania CareerLink® system within 30 days after the claimant files his application for benefits. If a claimant does not register for employment search services in the Pennsylvania CareerLink® system within 30 days after the claimant files his application for benefits, the claimant will be ineligible for compensation for any week that ends more than 30 days after the claimant files his application for benefits unless the claimant registers no later than Sunday of that week.

(c) *Weekly requirements.* To be eligible for compensation for the third consecutive week of the benefit year and each week thereafter, a claimant shall do the following:

(1) Engage in work search activities during the week in accordance with subsections (d) and (e).

(2) Create a record of his work search activities during the week containing the information required by the Department.

(3) Retain the record for 2 years from the effective date of the application for benefits.

(4) Produce the record for the Department's review at the times and in a format and manner as required by the Department.

(d) *Weekly work search activities.*

(1) During each week from the third consecutive week of the benefit year through the eighth consecutive week of the benefit year, the claimant shall apply for employment as follows:

(i) Except as provided in subparagraph (ii), the claimant shall apply for at least two positions.

(ii) The claimant may limit his applications to positions that would provide employment and wages similar to those the claimant had prior to his unemployment and are within a 45 minute commuting distance or a commuting distance that is generally accepted in the claimant's labor market, whichever is greater.

(2) During the ninth consecutive week of the benefit year and each week thereafter, the claimant shall apply for employment as follows:

(i) The claimant shall apply for at least three positions that would provide suitable employment under section 4(t) of the law (43 P. S. § 753(t)).

(ii) The claimant may not limit his applications to positions described in paragraph (1)(ii) if doing so would result in an insufficient number of applications during the week.

(3) For purposes of paragraphs (1) and (2), a claimant may apply for a position by expressing an interest in employment to the employer the following ways:

(i) In person.

(ii) By mail, phone or electronic transmission.

(iii) By submitting a job application or resume to the employer.

(iv) By following a hiring procedure established by the employer.

(4) A repeated application for the same position does not satisfy the requirements of paragraphs (1) and (2) unless there is a reasonable basis to believe that the employer's hiring circumstances have changed.

(5) In addition to the requirements of paragraphs (1) and (2), the claimant shall do at least one of the following during the week:

(i) Attend a job fair.

(ii) Search positions posted on the Pennsylvania CareerLink® system or Internet job banks.

(iii) Post a resume in the Pennsylvania CareerLink® system or other resume posting service.

(iv) Contact colleagues, former coworkers or other individuals in similar professions or occupations to make known the claimant's availability for employment or obtain information about available positions, prospective employers or other employment opportunities.

(v) Utilize an employment agency, employment registry or school placement service.

(vi) Take a civil service test or other pre-employment test.

(vii) Participate in a program or activity offered through the Pennsylvania CareerLink® system.

(6) If a claimant applies for more than the minimum number of positions under paragraph (1) or (2), the additional application may substitute for a work search activity under paragraph (5).

(e) *Alternative requirements.*

(1) Work search activities under subsection (d) are not required for a week if either of the following apply:

(i) The claimant meets all of the following:

(A) Is a member of a union that has a hiring hall or the claimant is registered with a hiring hall.

(B) Is required to obtain employment through the hiring hall.

(C) Fulfills the requirements to maintain eligibility for referral by the hiring hall during the week.

(ii) The claimant actively participates during the week in a program or activity approved by the Department as an acceptable work search alternative.

(2) If a claimant works part time during a week and earns in excess of the claimant's partial benefit credit as defined in section 4(m.3) of the law, the following apply:

(i) The claimant shall satisfy the requirements of subsection (d)(1) by applying for one position during the week and subsection (d)(2) by applying for two positions during the week.

(ii) The claimant will not be required to satisfy the requirement of subsection (d)(5) during the week.

(3) For purposes of subsection (b), if a claimant's labor market is located outside of this Commonwealth the claimant shall register for employment search services with the employment service that serves the claimant's labor market in addition to registering with the Pennsylvania CareerLink® system.

(4) Notwithstanding any other provision of this section, the Department may determine that a claimant has satisfied the requirements of section 401(b) of the law (43 P. S. § 801(b)) if the claimant's work search efforts include actions comparable to traditional actions in the claimant's trade or occupation by which jobs have been found by others in the community and labor market in which the claimant is seeking employment.

(f) *Applicability.*

(1) This section does not apply:

(i) As provided in section 401(b)(4) and (5) of the law.

(ii) To a week in which a claimant is in training with the approval of the Secretary.

(iii) To a week in which a claimant is participating in a work sharing plan under Article XIII of the law (43 P. S. §§ 916.1—916.13).

(2) For purposes of section 401(b)(5) of the law:

(i) A claimant is advised by the employer of the date on which he will return to work only if both of the following conditions are satisfied:

(A) The employer designates a specific recall date and notifies the claimant of the recall date in writing.

(B) The employer's designation of a recall date is bona fide.

(ii) Section 401(b)(5) of the law does not apply to a week following the week in which either of the following occur:

(A) The designated recall date is rescinded by the employer or is rescinded in fact.

(B) The designated recall date has passed.

(g) *Extended benefits.* For purposes of extended benefits under Article IV-A of the law (43 P.S. §§ 811—818), if the eligibility requirements for extended benefits include work search requirements in addition to the requirements of section 401(b) of the law and this section, the claimant also shall satisfy the additional work search requirements applicable to extended benefits.

(h) *Definitions.* For purposes of this section and section 401(b) of the law, the following words and phrases have the following meanings, unless the context clearly indicates otherwise:

*Employment service*—The State employment service established under 20 CFR Part 652 (relating to establishment and functioning of state employment services).

*Pennsylvania CareerLink® system*—The system of offices, personnel and resources, including the Commonwealth Workforce Development System or successor electronic resources, through which the Department provides services under the Wagner-Peyser Act (29 U.S.C.A. §§ 49—491-2) and the Workforce Investment Act of 1998 (29 U.S.C.A. §§ 2801—2945) or similar or successor statutes.

*Register for employment search services*—Information regarding education, work history and qualifications and other information required by the Department that is relevant to receipt of employment search services.

[Pa.B. Doc. No. 12-804. Filed for public inspection May 4, 2012, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### [ 61 PA. CODE CH. 117, 119 AND 121 ] Personal Income Tax; Amended Returns

The Department of Revenue (Department), under authority in section 354 of the Tax Reform Code of 1971 (TRC) (72 P.S. § 7354), proposes to amend Chapters 117, 119 and 121 (relating to return and payment of tax; liabilities and assessment—procedure and administration; and final returns) to read as set forth in Annex A.

#### *Purpose of the Proposed Rulemaking*

This proposed rulemaking will clarify the Department's policy on amended returns for Pennsylvania Personal

Income Tax and replace outdated language. In addition, the proposed rulemaking will provide clear instructions for taxpayers regarding petitions for refunds.

#### *Explanation of Regulatory Requirements*

Proposed amendments to §§ 117.1 and 117.7 (relating to general requirements of a return; and time for filing returns and paying tax) delete out-of-date language and add clarifying language.

Proposed amendments to § 119.13 (relating to restrictions on refunds) delete outdated references to the Board of Finance and Revenue and replace them with an updated reference to Chapter 7 (relating to Board of Appeals). Proposed amendments to subsection (b) delete minor language and add paragraphs (3)—(5) for more details on exceptions. Subsection (c) is proposed to be deleted. The text in subsection (c)(3) is proposed as new § 119.13a (relating to refund claim filed by a legal representative or other fiduciary). The text in subsection (c)(4) is proposed as new § 119.13b (relating to checks in payment of claims).

Proposed amendments to § 119.18 (relating to limitations on refund or credit) delete outdated references to the Board of Finance and Revenue and replace them with an updated reference to Chapter 7.

Proposed amendments to § 121.1 (relating to filing tax return) add subsection (g). This language is currently in § 121.25(b) (relating to amended return).

Proposed amendments to § 121.25 delete outdated language, amend subsection (b) and add subsections (e)—(g) to provide uniformity and guidance on amended returns to Pennsylvania taxpayers. It is important to note the proposed amendments to subsection (b)(1) explain that a Personal Income Tax amended return may be filed within 3 years from the original or extended due date of the return. This marks a change in current policy and practice. The policy change will benefit taxpayers by giving additional time to file an amended return in cases where a taxpayer has been granted an extension to file the original return.

#### *Affected Parties*

Pennsylvania taxpayers and tax practitioners may be affected by the proposed rulemaking.

#### *Fiscal Impact*

The Department has determined that the proposed rulemaking will have minimal fiscal impact on the Commonwealth.

#### *Paperwork*

The proposed rulemaking will not create additional paperwork for the public or the Commonwealth.

#### *Effective and Sunset Dates*

The proposed rulemaking will become effective upon final-form publication in the *Pennsylvania Bulletin*. The regulations are scheduled for review within 5 years of final-form publication. A sunset date has not been assigned.

#### *Contact Person*

Interested persons are invited to submit in writing comments, suggestions or objections regarding this proposed rulemaking to Mary R. Sprunk, Office of Chief Counsel, Department of Revenue, P. O. Box 281061, Harrisburg, PA 17128-1061 within 30 days after the date of the publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on April 25, 2012, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Finance and the Senate Committee on Finance. A copy of this material is available to the public upon request.

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

DANIEL MEUSER,  
*Secretary*

**Fiscal Note:** 15-456. No fiscal impact; (8) recommends adoption.

**Annex A****TITLE 61. REVENUE****PART I. DEPARTMENT OF REVENUE****Subpart B. GENERAL FUND REVENUES****ARTICLE V. PERSONAL INCOME TAX****CHAPTER 117. RETURN AND PAYMENT OF TAX****§ 117.1. General requirements of a return.**

Every taxpayer having an item of income or loss within the meaning of this article for the taxable year shall file a tax return on or before the date when the Federal income tax return of the taxpayer is due or would be due if the taxpayer were required to file a Federal income tax return under the Internal Revenue Code. Consequently, returns are due on or before April 15 for the calendar year taxpayers and on or before the 15th day of the fourth month following the close of the fiscal year for fiscal year taxpayers[ , but in any event for the first reporting period no earlier than April 15, 1972 ].

**§ 117.7. Time for filing returns and paying tax.**

All persons required to make and file returns under § 117.1 (relating to general requirements of a return) shall, without assessment, notice[ , ] or demand, pay [ any tax due thereon on the same due date fixed for filing the return ] the tax required to be reported as due on a return at the time prescribed in § 117.1 for filing a return, determined without regard to any extension of time for filing the return. Payment of [ the balance of any tax due thereon ] the tax should accompany the return when filed.

**CHAPTER 119. LIABILITIES AND ASSESSMENT—  
PROCEDURE AND ADMINISTRATION****§ 119.13. Restrictions on refunds.**

(a) *General rule.* Except as provided in subsection (b), [ no ] the Department will make a credit or refund [ will be made ] under § 119.12 (relating to refund or credit of overpayment) [ without the approval of the

Board of Finance and Revenue ] only pursuant to a petition for refund. See Chapter 7 (relating to Board of Appeals).

(b) *Exceptions.* [ Credits or refunds may be made without application to the Board of Finance and Revenue if one of the following occurs ] The Department will make a credit or refund if the credit or refund arises as a result of:

(1) The [ credit or refund arises by reason of the ] overpayment of an installment of estimated tax.

(2) [ Such credit or refund arises upon the ] The filing of a final return showing less tax due after the application of the allowable credits than the amount of tax withheld from the compensation of the taxpayer or the amount of tax paid by him as estimated tax under this article [ or pursuant to Article III of the act of March 4, 1971 (P. L. 6, No. 2) (72 P. S. §§ 7301—7361) ].

(3) The filing of an amended return showing an overpayment of tax.

(4) A petition for reassessment. The credit or refund will only be for amounts paid by reason of the assessment.

(5) A Departmental audit.

[ (c) *Form of claims for credit or refund.* Credits or refunds of overpayments may not be allowed or made after the expiration of the statutory period of limitation properly applicable unless, before the expiration of such period, a claim therefor has been filed by the taxpayer. The following requirements apply:

(1) No refund or credit will be allowed after the expiration of the statutory period of limitation applicable to the filing of a claim therefor except upon one or more of the grounds set forth in a claim filed before the expiration of such period. The claim shall set forth in detail each ground upon which a credit or refund is claimed and facts sufficient to apprise the Department of the exact basis thereof. The statement of the grounds and facts shall be verified by a written declaration that it is made under the penalties of perjury. A claim which does not comply with this paragraph will not be considered for any purpose as a claim for refund or credit.

(2) In the case of any tax imposed by this article, a separate claim shall be made for each type of tax for each taxable year or period.

(3) If a return is filed by an individual and, after his death, a refund claim is filed by a legal representative, certified copies of the letters testamentary, letters of administration, or other similar evidence shall be annexed to the claim to show the authority of the legal representative to file the claim. If an executor, administrator, guardian, trustee, receiver, or other fiduciary files a return and thereafter a refund claim is filed by the same fiduciary, documentary evidence to establish the legal authority of the fiduciary need not accompany this claim, if a statement is made in the claim showing that the return was filed by the fiduciary and that the latter is still acting. In such cases, if a refund is to be paid, letters testamentary, letters of administration, or other evidence may be required

but should be submitted only upon the receipt of a specific request therefor. If a claim is filed by a fiduciary other than the one by whom the return was filed, the necessary documentary evidence should accompany the claim. A claim may be executed by an agent of the person assessed, but in such case a power of attorney shall accompany the claim.

(4) Checks in payment of claims allowed will be drawn in the names of the persons entitled to the money and may be sent directly to the claimant or to such person in care of an attorney or agent who has filed a power of attorney specifically authorizing him to receive such checks. ]

(Editor's Note: Sections 119.13a and 119.13b are new and printed in regular type to enhance readability.)

§ 119.13a. Refund claim filed by a legal representative or other fiduciary.

If a return is filed by an individual and, after his death, a refund claim is filed by a legal representative, certified copies of the letters testamentary, letters of administration or other similar evidence shall be annexed to the claim to show the authority of the legal representative to file the claim. If an executor, administrator, guardian, trustee, receiver or other fiduciary files a return and thereafter a refund claim is filed by the same fiduciary, documentary evidence to establish the legal authority of the fiduciary does not need to accompany this claim if a statement is made in the claim showing that the return was filed by the fiduciary and that the latter is still acting. In these cases, if a refund is to be paid, letters testamentary, letters of administration or other evidence may be required but should be submitted only upon the receipt of a specific request therefor. If a claim is filed by a fiduciary other than the one by whom the return was filed, the necessary documentary evidence should accompany the claim. A claim may be executed by an agent of the person assessed, but in this case a power of attorney must accompany the claim.

§ 119.13b. Checks in payment of claims.

Checks in payment of claims allowed will be drawn in the names of the persons entitled to the money and may be sent directly to the claimant or to a person in care of an attorney or agent who has filed a power of attorney specifically authorizing him to receive checks.

§ 119.18. Limitations on refund or credit.

Any [ application ] petition for refund shall be filed [ with the Board of Finance and Revenue within three years from the time the return is required to be filed ] in accordance with Chapter 7 (relating to Board of Appeals) and within applicable limitation periods.

CHAPTER 121. FINAL RETURNS

§ 121.1. Filing tax return.

\* \* \* \* \*

(f) A return need not be filed by an individual whose tax liability is less than \$1.

(g) A return filed before the due date or extended due date will be considered to be filed on the due date or extended due date.

(Editor's Note: The proposed text in § 121.1(g) is being moved from § 121.25(b).)

§ 121.25. Amended return.

\* \* \* \* \*

(b) [ If the error discovered results in a refund of tax, the amended Form PA-40 shall be filed within 3 years from the date the original return was due in order to receive a refund. A return filed before the due date or extended due date will be considered to be filed on the due date or extended due date. ] The Department will review an amended return if the following apply:

(1) The amended return is filed within 3 years of the due date or extended due date of the original return.

(2) The amendments shown on the amended return involve issues other than those under appeal.

(3) The taxpayer is not challenging the Department's policy, its interpretation or the constitutionality of the Commonwealth's statutes. A challenge of the Department's policy, its interpretation of the statutes or the constitutionality of the Commonwealth's statutes must be made by filing a petition for reassessment or a petition for refund.

(c) If a tax payment was made with the original return, the amount of this payment shall be included on the amended return in the manner prescribed by instructions of the Department. [ This can be done by entering between lines 15 and 16 in the "Tax Credit" section of Form PA-40 the words "Amount paid with original return." The dollar amount shall be entered directly below line 15 and included in "Total Credits" (line 16). ]

(d) If a refund was received or is expected to be received from the original return, the amount of this refund shall be shown on the amended return in the manner prescribed by instructions of the Department. [ Between line 15 and 16 in the "Tax Credit" section of Form PA-40 the words, "Refund shown on original return" shall be entered. The dollar amount shall be entered directly below line 15 and this amount subtracted from the other credits to arrive at the proper amount to be shown as "Total Credits" (line 16). ]

(e) Effect of an amended return on petition rights.

(1) An amended return does not replace the filing of a petition for reassessment or a petition for refund.

(2) The filing of an amended return does not extend the time limits for a taxpayer to file a petition for reassessment or a petition for refund.

(f) Review of amended return.

(1) The Department is not obligated to revise the tax due the Commonwealth upon review of an amended return. The Department's failure to revise the tax due the Commonwealth is not appealable and does not change existing appeal rights of the taxpayer.

(2) If the Department determines an adjustment of the taxpayer's account is appropriate, it will adjust the Department's records to conform to the revised tax as determined and will credit the taxpayer's account to the extent of an overpayment resulting from the adjustment or assess the taxpayer.



er's unpaid tax and unreported liability for tax, interest or penalty due the Commonwealth, whichever is applicable.

(g) An amended return filed with the Department must contain the following:

- (1) The calculation of the amended tax liability.
- (2) Revised Pennsylvania supporting schedules, if applicable.
- (3) A complete explanation of the changes being made and the reason for those changes.

[Pa.B. Doc. No. 12-805. Filed for public inspection May 4, 2012, 9:00 a.m.]

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# NOTICES

## DEPARTMENT OF AGRICULTURE

### Pennsylvania Apple Marketing Program

2012 Order, As Amended

#### *Article I: Declaration*

In accordance with requirements of the Agricultural Commodities Marketing Act of 1968, as amended, the Secretary of Agriculture finds that this program effectuates the purposes of said Act.

#### *Article II: Definitions*

Section A. Definitions: As used in this marketing program, the following words and terms shall have the following meaning unless the context clearly indicates otherwise:

1. "Act" means the Act of March 24, 1998 (P. L. 217, No. 39) (3 Pa.C.S.A. § 4501 et seq.) known as the Agricultural Commodities Marketing Act.

2. "Apples" means all apples produced or grown in Pennsylvania for the purpose of sale by any producer as herein defined.

3. "Commodity Marketing Board" or "Board" consists of the Secretary plus those persons who are appointed by the Secretary from among producers whose commodities are subject to this marketing program.

4. "Department" means the Department of Agriculture of the Commonwealth of Pennsylvania.

5. "Fresh Market" means all marketing outlets other than processing.

6. "Marketing Contract" Any contract or agreement between the Commodity Marketing Board and a person for the performance of services relating to advertising, marketing, promotion, or research, or other objectives in furtherance of this marketing program.

7. "Marketing Season" means the period beginning July 1 of any year extending through June 30 of the following year.

8. "Person" means an individual, partnership, firm, corporation, association or any other business unit.

9. "Processing" means the operation of receiving, grading, packing, canning, dehydrating, preserving, freezing, grinding, crushing or in any way preserving or changing the form of apples, as herein defined, for marketing in any form other than for fresh consumption.

10. "Producer" means a person who produces or grows or causes to be produced or grown apples as herein defined.

11. "Sales Agent" A processor, a producer or a person who purchases, handles, receives, sells or contracts to sell apples originating from a producer. A producer may be a sales agent with respect to apples of his own production.

12. "Secretary" means the Secretary of Agriculture of the Commonwealth of Pennsylvania, or his designee.

#### *Article III: Scope of Program*

The area affected by this marketing program shall be the Commonwealth of Pennsylvania. The program shall apply to all producers who have 500 or more apple trees of all ages.

#### *Article IV: Commodity Marketing Board*

##### **Section A. Establishment and Members**

The Commodity Marketing Board shall consist of ten (10) members, one of whom shall be the Secretary, or his designee, and shall have the primary decision making authority in the administration of this marketing program, as provided in the Act.

##### **Section B. Term of Office**

1. The term of office of each appointed member shall be for three (3) years, beginning July 1 and ending June 30: Provided, that the terms of office of the initial appointed members of the Commodity Marketing Board shall be staggered as follows: Three (3) members shall serve one (1) year, three (3) members shall serve two (2) years, and three (3) members shall serve for three (3) years. All members appointed subsequent to those first appointed, shall serve three (3) year terms.

2. The Secretary, or his designee, will be a member of the Commodity Marketing Board, and the other nine (9) members shall be appointed by the Secretary from among the affected producers. In making these appointments, the Secretary shall consider nominations submitted by the affected producers.

3. Successor members to fill the expired terms of members of the Commodity Marketing Board shall be appointed in the same manner as the initial members of the Commodity Marketing Board. Members shall serve in such capacities for the portion of the term of office for which they are appointed and until their respective successors are appointed and have qualified.

4. Any person appointed as a member of the Commodity Marketing Board shall be and remain a producer while a member of the Board and shall qualify by filing a written acceptance with the Secretary within fifteen (15) days of being notified.

5. To fill any vacancy occasioned by the failure of any person appointed as a member of the Commodity Marketing Board, a successor for the unexpired term of such member shall be appointed by the Secretary from among the affected producers.

6. The regular meetings of the Board will be held at least four (4) times a year.

##### **Section C. Powers and Duties of the Board**

The Commodity Marketing Board shall have the primary decision-making authority relative to marketing contracts and other projects in furtherance of this marketing program and includes the following powers and duties:

1. To determine all matters pertaining to this marketing program.

2. To hire and employ personnel which the Board deems necessary for the proper administration of this marketing program and to fix the compensation and terms of employment of such personnel.

3. To adopt written procedures for acquiring and disposing of property, and subject to these procedures, to acquire, own, use, hire, lease, operate and dispose of personal property, real property and interests in real property.

4. To make and enter into all contracts and agreements, in accordance with the provisions of the law, which the Board deems necessary or incidental to the furtherance of the marketing program or performance of duties and powers pursuant to the Act. The Board shall adopt written procurement procedures for all marketing contracts.

5. To receive, account for and disburse all monies collected pursuant to this marketing program, the Act and any applicable regulations.

6. To prepare a budget for the administration, operating costs and expenses of this marketing program.

7. To receive and report to the Secretary complaints or violations of this marketing program and to assist and cooperate with the Secretary in the enforcement thereof.

8. To establish committees or subcommittees to carry out assigned duties and functions, and to designate Board members and non-board members to serve on such committees and subcommittees.

9. To collect and gather information and data relevant to the proper administration of this marketing program.

10. To charge fees and to assist the Secretary in the imposition of fees and the collection of fees and revenue pursuant to the Act.

11. To issue an annual report on the operation of this marketing program.

12. To recommend amendments to this marketing program and amendments to the Act and regulations issued pursuant thereto.

#### **Section D. Expenses and Compensation**

No member of the Board shall receive a salary, but each shall be entitled to actual expenses incurred while engaged in performing duties authorized herein. In addition, a per diem payment may be made to each Board Member or subcommittee member for each day in which a Board Member or subcommittee member is performing a duty necessary to the functions of the Board. The per diem payment shall not exceed the maximum sum allowable under the Act.

#### *Article V: Powers and Duties of the Secretary*

Subject to the provisions contained in the Act, the Secretary shall administer and enforce the provisions of the Act, and shall have and shall exercise all administrative powers necessary to effectuate the purposes of the Act, including the issuance of this marketing program, the appointment of members to the Commodity Marketing Board and the providing of personnel, staff, legal counsel, and office facilities required for the administration and enforcement of this marketing program.

#### *Article VI: Purpose*

This marketing program is to provide funds to be used to contract with any person, organization, or state or federal agency, to prepare, issue, administer and enforce plans for promoting the sale of apples or apple products without reference to any particular firm's or individual's brand or trade name.

No advertising or sales promotion program shall be approved, which shall make use of false or unwarranted claims or disparage the quality, value, sale or use of any other agricultural commodity. The Secretary and the

Board may cooperate with any other state or Federal agency, or other organization whose activities may be deemed beneficial to the purpose of this Act.

#### *Article VII: Budget, Rate of Assessment, Collection of Assessment, Disbursement of Funds*

##### **Section A. Budget and Assessment**

A budget shall be prepared and established for each marketing season and not later than July 1st, for the administration and enforcement of this marketing program and for carrying out duly authorized programs and activities of advertising and sales promotion as herein provided. The rate of assessment beginning with the 1996-97 marketing season shall be twelve cents (\$.12) per bushel of apples sold for fresh market use and six cents (\$.06) per hundred pounds of apples sold or accepted for processing. Beginning with the year 2000-01 marketing season and thereafter, the rate of assessment shall be fifteen cents (\$.15) per bushel of apples sold for fresh market use and eight cents (\$.08) per hundred pounds of apples sold or accepted for processing.

##### **Section B. Collection of Assessment/Charge**

1. Each producer shall be responsible for payment of the proper charge upon the apples which he produces or causes to be produced, and sells or delivers for sale.

2. All producers shall make remittance and accounting of the proper charge to the Secretary or his designated fiscal agent. Such quarterly remittance and accounting shall be inclusive of all sales of apples through the end of the period.

3. Any delinquent producer may be assessed a penalty for late payments as established by regulation.

##### **Section C. Disbursement of Funds**

1. Disbursement of funds shall be made in the manner described in the Act and in any rules or any regulations promulgated by the Secretary to effectuate the provisions and intent thereof, and in accordance with the provisions of this marketing program.

2. Funds should generally be disbursed to include support for Fresh Market and Processed apple product sales.

#### *Article VIII: Effecting Marketing Program*

This marketing program, or any amendment thereto, shall not become effective unless and until the Secretary determines by a referendum whether or not the affected producers assent to the proposed action. The Secretary shall conduct the referendum among affected producers and the affected producers shall be deemed to have assented to the proposed program if, of those voting, not less than a majority by number and a majority by volume assent to the proposed program.

#### *Article IX: Amending Marketing Program*

The Secretary shall call for a referendum on amendments to the marketing program within a reasonable period of time, upon the request of the Board or with written request of ten percent of the producers in a commodity group of over two thousand affected producers or fifteen percent of the producers in a commodity group

of less than two thousand affected producers. In voting on an amendment to the marketing program, the vote shall be only on the amendment, and shall not terminate the program.

*Article X: Terminating Marketing Program*

Subject to approval of the Board, the Secretary shall suspend or terminate this marketing program or any provisions hereof whenever he finds that such provisions or program does not tend to effectuate the purpose of the Act within the standards and subject to the limitations and restrictions imposed in the Act: Provided that such termination or suspension shall not be effective until the expiration of the current marketing season.

If the Secretary finds that the termination of the marketing program is requested in writing, by more than thirty-three and one-third percent of the affected producers who produce for market more than fifty percent of the volume of agricultural commodities produced within the designated production area for market, the Secretary shall terminate or suspend for a specified period, the program or provisions thereof; provided that such termination shall be effective only if announced on or before the first day of July in any calendar year. If ten percent of the producers in a commodity group of over two thousand affected producers or fifteen percent of the producers in a commodity group of less than two thousand affected producers, request in writing, that a referendum be held on the question of terminating the program, the Secretary must announce and conduct a referendum within a reasonable period of time. The program shall be terminated if so voted by a majority of those voting.

*Article XI: Marketing Program Reviewed*

At intervals of no greater than five (5) years, the Secretary of Agriculture shall call a referendum to determine whether or not a majority of the apple producers voting still desire a Commodity Marketing Program.

*Article XII: Interpretation*

Applicable provisions of this marketing program shall be interpreted consistent with the Act and the Act shall take precedence in the event of any conflict with this market program.

*Article XIII: Effective Date*

This Program shall become effective 21 days from publication of the notice of issuance in accordance with Section 9 of the Act.

GEORGE D. GREIG,  
*Secretary*

[Pa.B. Doc. No. 12-806. Filed for public inspection May 4, 2012, 9:00 a.m.]

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

Under the applicable provisions of 3 Pa.C.S. Chapter 45 (relating to Agricultural Commodities Marketing Act), a review referendum was held from March 21 to April 4, 2012, to determine if the producers affected by the Pennsylvania Apple Marketing Program (program) desired to continue the program for an additional 5 years. To pass, a majority of eligible producers voting had to vote in favor of the program's continuation. An impartial Teller Committee met on April 16, 2012, to count the ballots. The following results were submitted by the Teller Committee: a total of 140 eligible votes were cast with 76 producers voting in favor of and 64 voting against the continuation of the program. An additional two ballots were invalid because one producer did not cast a vote and another producer was not eligible to vote. Seventeen ballots cast by affected producers were received prior to the March 21, 2012, start date for the referendum. The 17 ballots were found to be acceptable and were included in this referendum. Votes favoring continuation of the program by number of producers represented 54% of eligible votes and votes against continuation of the program represented 46% of eligible votes. Because a majority of the votes were cast in favor of the program, the program shall continue for 5 years, effective immediately.

GEORGE D. GREIG,  
*Secretary*

[Pa.B. Doc. No. 12-807. Filed for public inspection May 4, 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 17, 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.

## NOTICES

## 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>
4-17-2012	First Keystone Community Bank Berwick Columbia County	Routes 11 and 239 Shickshinny Luzerne County	Filed

## Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
4-17-2012	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>To:</i> 4265 Buffalo Road Erie Erie County  <i>From:</i> 4400 Buffalo Road Erie Erie County	Filed
4-12-2012	Royal Bank America Narberth Montgomery County	3501 Black Horse Pike Turnersville Gloucester County, NJ	Filed
4-13-2012	VIST Bank Wyomissing Berks County	564 Lancaster Avenue Berwyn Chester County	Closed

## SAVINGS INSTITUTIONS

No activity.

## CREDIT UNIONS

No activity.

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 12-808. Filed for public inspection May 4, 2012, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

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### APPLICATIONS

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

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

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

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

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

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

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

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

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

### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0061913 (Sewage)	Elk Mountain Ski Resort 344 Elk Mountain Road Union Dale, PA 18470	Susquehanna County Herrick Township	East Branch Tunkhannock Creek Cold water fishes (4-F)	Y
PA0064173 (Sewage)	Heislars Cloverleaf Dairy RR 1 Tamaqua, PA 18252	Schuylkill County Walker Township	Beaver Creek Cold Water Fishes 3A	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>
PA0260908 (Sew)	Bethanne Schott 9499 Brogueville Road Felton, PA 17322	York County / Chanceford Township	Carter Creek / 7-I	Y
PA0086771 (Sew)	Centre Township Municipal Authority—Dauberville STP 449 Bucks Road Mohrsville, PA 19541	Berks County/ Centre Township	Irish Creek / 3-B	Y
PA0051748 (Sew)	Tulpehocken Area School District 428 New Schaefferstown Road Bernville, PA 19506-8939	Berks County / Jefferson Township	UNT to Little Northkill Creek / 3-C	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>
PA0239062 (sewage)	Sally A Dietrich SFTF 30002 Lake Creek Road Cochranton, PA 16314	Crawford County Wayne Township	Unnamed Stream (16-D)	Y

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

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

**PA0013081**, SIC Code 2621, **Kimberly Clark of PA LLC**, Front and Avenue of the States, Chester, PA 19013. Facility Name: Kimberly Clark PA Paper MFG FAC. This existing facility is located in City of Chester, **Delaware County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of industrial wastewater and stormwater.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 7.5MGD. This is a non-continuous discharge occurring on an emergency basis.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	0.75
Total Residual Oxidants	XXX	XXX	XXX	Report	XXX	Report
				Daily Max		
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Temperature (°F)						
Intake	XXX	XXX	XXX	Report	XXX	XXX
BOD <sub>5</sub>	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids						
Intake	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 0.1 MGD.

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

The proposed effluent limits for Outfall 013 are based on an average flow of stormwater.

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

The proposed effluent limits for Outfall 016 are based on an average flow of stormwater.

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

The proposed effluent limits for Outfall 050 are based on an average flow of stormwater.

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

The stormwater Outfalls 008, 012, 018 and 051 are not monitored.

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

- A. Remedial Measures if Unsatisfactory Effluent
- B. Right to Modify
- C. Thermal Requirements
- D. Change of Ownership
- E. Proper Sludge Disposal
- F. TMDL/WLA Analysis
- G. 2/Month Sampling
- H. Laboratory Certification
- I. TRO Definition
- J. TRO Max. Dly. Concentration
- K. Change in Discharge Frequency
- L. PCB Requirements
- M. Chemical Additive Condition
- N. Stormwater Requirement

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

The EPA Waiver is in effect.

**PA0050920**, Sewage, SIC Code 4952, 6513, **Home Properties**, 1086 West King Road, Malvern, PA 19355-1756. Facility Name: William Henry Apt STP. This existing facility is located in East Whiteland Township, **Chester County**.

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

The receiving stream(s), Unnamed Tributary of Ridley Creek, is located in State Water Plan watershed 3-G and is classified for High Quality Waters—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 0.069 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.06	XXX	0.2
CBOD <sub>5</sub>						
May 1 - Oct 31	5.8	XXX	XXX	10	XXX	20
Nov 1 - Apr 30	8.6	XXX	XXX	15	XXX	30
Total Suspended Solids	5.8	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen						
May 1 - Oct 31	1.0	XXX	XXX	1.8	XXX	3.6
Nov 1 - Apr 30	3.1	XXX	XXX	5.4	XXX	10.8
Total Phosphorus	0.3	XXX	XXX	0.5	XXX	1.0



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

1. Operator Notification
2. Abandon STP When Municipal Sewers Available
3. Remedial Measures if Unsatisfactory Effluent
4. No Stormwater
5. Acquire Necessary Property Rights
6. Change of Ownership
7. Chlorine Minimization
8. Proper Sludge Disposal
9. Operator Certification
10. I-Max Limits
11. 2/Month Sampling
12. Laboratory Certification
13. Fecal Coliform Requirement

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

The EPA Waiver is in effect.

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

**PA0020206**, Sewage, SIC Code 4952, **Bath Borough Authority**, P O Box 87, Bath, PA 18014. Facility Name: Bath Borough Authority. This existing facility is located in Bath Borough, **Northampton 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), Monocacy Creek, is located in State Water Plan watershed 2-C 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 0.51 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.7	XXX	2.3
CBOD <sub>5</sub>						
May 1 - Oct 31	85	128	XXX	20	30	40
Nov 1 - Apr 30	106	170	XXX	25	40	50
Total Suspended Solids						
May 1 - Sep 30	78	191	XXX	30	45	60
Oct 1 - Apr 30	127	191	XXX	30	45	60
Total Dissolved Solids						
(Interim)	Report	XXX	XXX	Report	XXX	XXX
(Final)	4,253	XXX	XXX	1,000	XXX	2000
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Total Nitrogen						
May 1 - Sep 30 (Interim)	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Final)	51.24	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Sep 30 (Final)	7.98	19.1	XXX	3.0	4.5	6.0
May 1- Oct 31 (Interim)	12.8	19.1	XXX	3.0	4.5	6.0
Ammonia-Nitrogen						
Nov 1 - Apr 30	38.0	57.0	XXX	9.0	13.5	18.0
Nitrate as N						
May 1 - Sep 30 (Interim)	Report	XXX	XXX	Report	XXX	XXX
May 1 - Sep 30 (Final)	30.82	XXX	XXX	Report	XXX	XXX
Total Phosphorus	8.5	XXX	XXX	2.0	XXX	4.0

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

- none

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

The EPA Waiver is in effect.

**PA0012505**, Industrial Waste, SIC Code 3241, **Lafarge North American Inc.**, 5160 Main Street, Whitehall, PA 18052-1827. Facility Name: Lafarge North American Whitehall Cement Plant. This existing facility is located in Whitehall Township, **Lehigh County**.

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

The receiving stream(s), Lehigh River, is located in State Water Plan watershed 2-C 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 2.41 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen						
Jun 1-30	XXX	XXX	Report	XXX	XXX	XXX
Temperature Delta (Discharge—Intake) (°C)	XXX	XXX	XXX	9.2	13.9	XXX
CBOD <sub>5</sub>						
Jun 1-30	XXX	XXX	XXX	Report	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	1,000	2,000	XXX
Total Suspended Solids	27.0	54.0	XXX	XXX	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15.0	30.0	XXX
Nitrate-Nitrite as N						
Jun 1-30	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen						
Jun 1-30	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Jun 1-30	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus						
Jun 1-30	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.805 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen						
Jun 1-30	XXX	XXX	Report	XXX	XXX	XXX
Temperature Delta (Discharge—Intake) (°C)	XXX	XXX	XXX	9.2	13.9	XXX
CBOD <sub>5</sub>						
Jun 1-30	XXX	XXX	XXX	Report	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	1,000	2,000	XXX
Total Suspended Solids	27.0	54.0	XXX	XXX	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15.0	30.0	XXX
Nitrate-Nitrite as N						
Jun 1-30	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen						
Jun 1-30	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Jun 1-30	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus						
Jun 1-30	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 102 are based on a design flow of Stormwater:

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	50.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	30.0	XXX

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

- Stormwater
- Temperature

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

The EPA Waiver is in effect.

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

**PA0081132**, Sewage, SIC Code 8211, **Solanco School District**, 121 S Hess Street, Quarryville, PA 17566-1225. Facility Name: Swift Middle School. This existing facility is located in Fulton Township, **Lancaster County**.

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

The receiving stream(s), Conowingo Creek, is located in State Water Plan watershed 7-K 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 0.01 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.63
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 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000

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

The EPA Waiver is in effect.

**PA0081116**, Sewage, SIC Code 8211, **Solanco School District**, 121 S Hess Street, Quarryville, PA 17566-1225. Facility Name: Solanco High School. This existing facility is located in East Drumore Township, **Lancaster County**.

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

The receiving stream(s), Unnamed Tributary to Stewart Run, is located in State Water Plan watershed 7-K and is classified for High Quality Waters—Cold Water Fishes and, 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 0.02 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10000
Geo Mean						
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

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

The EPA Waiver is in effect.

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

**PA0219045**, Sewage, **Apollo Ridge School District**, PO Box 219, Spring Church, PA 15686-0219. Facility Name: Apollo Ridge School District STP. This existing facility is located in Kiskiminetas Township, **Armstrong County**.

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

The receiving stream(s), Unnamed Tributary of Roaring Run, is located in State Water Plan watershed 18-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0267 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly		Minimum	Average Monthly		
Flow (MGD)	0.0267	XXX	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	0.1	XXX	0.3
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
Geo Mean						
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	2.0	XXX	4.0
Nov 1 - Apr 30	XXX	XXX	XXX	5.5	XXX	11.0

The EPA Waiver is in effect.

**PA0023141**, Sewage, **Hastings Borough Municipal Authority**, Cambria County, PO Box 559, Hastings, PA 16646. Facility Name: Hastings Municipal Authority. This existing facility is located in Hastings 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, Brubaker Run, is located in State Water Plan watershed 8-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.6 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	0.6	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
CBOD <sub>5</sub>	125.2	187.8	XXX	25	37.5	50
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	150.2	225.3	XXX	30	45	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	10.0	15.0	XXX	2.0	3.0	4.0
Nov 1 - Apr 30	25	37.6	XXX	5.0	7.5	10.0
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	10959			
Net Total Phosphorus (Interim)	Report	Report			
(Final)	Report	1461			

\* 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.

**PA0217581, New Stanton Mack Volvo Inc.**, PO Box 187, Kylertown, PA 16847. Facility Name: New Stanton Mack Volvo Inc. STP. This existing facility is located in South Huntingdon Township, **Westmoreland 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, Hunters Run, is located in State Water Plan watershed 19-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0002 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>		
Flow (MGD)	0.0002	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	XXX	3.0	XXX	XXX
				Daily Min		
				Avg		
Total Residual Chlorine	XXX	XXX	XXX	Report	XXX	Report
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Minimum	Minimum	Average Monthly		
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 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	29	XXX	58
Nov 1 - Apr 30	XXX	XXX	XXX	58	XXX	116

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

The EPA Waiver is in effect.

**PA0029971**, Sewage, **Avella Area School District**, 1000 Avella Road, Avella, PA 15312-9699. Facility Name: Avella Area School District STP. This existing facility is located in Cross Creek Township, **Washington County**.

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

The receiving stream(s), Unnamed Tributary of South Fork Cross Creek, is located in State Water Plan Watershed 20-D and is classified for High Quality Waters—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 0.012 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly		
Flow (MGD)	0.012	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	0.07	XXX	0.16
CBOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	25	XXX	50
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000 Geo Mean	XXX	10000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	1.5	XXX	3.0
Nov 1 - Apr 30	XXX	XXX	XXX	4.0	XXX	8.0

The EPA Waiver is in effect.

**PA0253812**, Sewage, SIC Code 9999, **Glendale Valley Municipal Authority**, 1800 Beaver Valley Road, Flinton, PA 16640. Facility Name: Glendale Valley Municipal Authority STP. This existing facility is located in White Township, **Cambria County**.

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

The receiving stream(s), Clearfield Creek, is located in State Water Plan watershed 8-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 0.450 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
CBOD <sub>5</sub>	93.9	140.8	XXX	25	37.5	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	112.7	169.0	XXX	30	45	60
		Wkly Avg				

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
Total Phosphorus	XXX	XXX	XXX	Geo Mean 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.

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	7808			
Net Total Phosphorus (Interim)	Report	Report			
(Final)	Report	1041			

\* 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 1st, 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, 2011. 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.

\*\* Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

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

The EPA Waiver is not in effect.

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

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

**WQM Permit No. 2608201-A2**, Industrial Waste, **Shallenberger Construction, Inc.**, 195 Enterprise Lane, Connellsville, PA 15425

This existing facility is located in Masontown Borough, **Fayette County**

Description of Proposed Action/Activity: Permit amendment application.

**WQM Permit No. 6371406-A3**, Sewerage, **Pigeon Creek Sanitary Authority**, 508 Main Street, Bentleyville, PA 15314

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

Description of Proposed Action/Activity: Permit amendment application.

**WQM Permit No. WQG026136**, Sewerage, **Rostraver Township Sewage Authority**, 1744 Rostraver Road, Belle Vernon, PA 15012

This proposed facility is located in Rostraver Township, **Westmoreland County**

Description of Proposed Action/Activity: Permit application for the construction and operation of a sewer system.

**WQM Permit No. 6573448-A7**, Sewerage, **North Huntingdon Township Municipal Authority**, 11265 Center Highway, North Huntingdon, PA 15642

This existing facility is located in North Huntingdon Township, **Westmoreland County**

Description of Proposed Action/Activity: Permit amendment application.

**WQM Permit No. 461S139-A1**, Sewerage, **North Huntingdon Township Municipal Authority**, 11265 Center Highway, North Huntingdon, PA 15642

This existing facility is located in North Huntingdon Township, **Westmoreland 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. 1012401**, Sewerage, **Dale McCandless & Ralph Vignone**, 138 St. Joe Road, Butler, PA 16001

This proposed facility is located in Oakland Township, **Butler County**.

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

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

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

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

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

*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>
PAI024812004	Better Health Institute of Northampton County, LTD: Albert DeFranco 497 Bushkill Plaza Lane Wind Gap, PA 18091	Northampton	Bushkill Twp.	Sobers Run, Unnamed Tributary to Bushkill Creek, EV, MF
PAI024812002	David M. Seyfried Custom Building Co., Inc. 449 East Chestnut St. Nazareth, PA 18064	Northampton	Bushkill Twp.	Bushkill Creek, HQ-CWF, MF
PAI024812003	Charles Chrin 400 South Greenwood Ave. Easton, PA 18045	Northampton	Palmer Twp. and Tatamy Borough	Bushkill Creek, HQ-CWF, MF and Shoeneck Creek, WWF, MF

*Lackawanna County Conservation District: 1300 Old Plank Road, Mayfield, PA 18433, 570-281-9495.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10N029R(2)	Jeffrey R. Thomas First Industrial Acquisition, Inc. 2601 Market Place Suite 450 Harrisburg, PA 17110 and Jeffrey R. Thomas F.R. Option Property Holding L.P. 2601 Market Place Suite 450 Harrisburg, PA 17110	Lackawanna	Covington Twp.	Lake Run, HQ-CWF, MF; Roaring Brook, HQ-CWF, MF; Tamarack Creek, EV, MF; Meadow Brook, EV, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025205007R	Black Walnut Inn 179 Fire Tower Road Milford, PA 18337	Pike	Milford Twp.	Vantine Brook, HQ-CWF, MF



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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026608001(2)	Mehoopany Wind Energy, LLC 455 2nd St., SE Suite 400 Charlottesville, VA 22902	Wyoming	Eaton Twp., Forkston Twp., Noxen Twp., Mehoopany Twp., Washington Twp.	Bowmans Creek, HQ-CWF, MF; Stone Run, HQ-CWF, MF; Kasson Brook, HQ-CWF, MF; SB Roaring Run, CWF, MF; Roaring Run, CWF, MF; Newton Run, HQ-CWF, MF; Sugar Hollow Creek, HQ-CWF, MF; Hettesheimer Run, HQ-CWF, MF; York Run, HQ-CWF, MF; Bowman Hollow, 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>
PAI032112002	Sheetz, Inc. 5700 Sixth Avenue Altoona, PA 16602	Cumberland	Hampden Township	UNT Trindle Spring Run/Trindle Spring Run Watershed

*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>
PAS10F106(6)R	Ian Salada Penn State University 101P Physical Plant Bldg. University Park, PA 16802	Centre	State College Borough	Slab Cabin Run CWF Thompson Run HQ-CWF

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

*Somerset County Conservation District, 6024 Glades Pike, Suite 103, Somerset, PA 15501 (814) 445-4352*

<i>Permit No.</i>	<i>Applicant &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI055612001	The Buncher Resort & Hospitality Group, LLC	Somerset	Jefferson Township	Kooser Run (HQ-CWF)

*Washington County Conservation District, 2800 North Main Street, Suite 105, Washington, PA 15301 (724) 705-7098*

<i>Permit No.</i>	<i>Applicant &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI056312001	North Strabane Township Municipal Authority 1929B Route 519 South Canonsburg, PA 15317	Washington	North Strabane Township	UNT to Little Chartiers Creek (HQ-WWF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI061012003	Penn United Technologies Inc. 799 North Pike Road Cabot PA 16023	Butler	Jefferson Township	UNT Sarver Run HQ; TSF

**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>
Steve Hykes 1239 Hykes Road Greencastle, PA 17225	Franklin	533	393 130.5	Swine Heifers	NA	Renewal
Kenneth Buckwalter 765 Glenwood Drive Ephrata, PA 17522	Lancaster	67	245.1	Broilers	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: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790*

**Application No. 3486569**, Public Water Supply.

Applicant	<b>CAPCO Fuel &amp; Water Service, Inc.</b>
[Township or Borough]	Lower Mount Bethel Township <b>Northampton County</b>
Responsible Official	Mario M. Capiotti, President P. O. Box 277K Martins Creek, PA 18063
Type of Facility	Community Water System

Consulting Engineer Michael E. Gable, PE  
Boucher & James, Inc.  
910 Rimrock Drive  
Stroudsburg, PA 18360  
570-629-0300

Application Received Date April 6, 2012

Description of Action Application for bulk water hauling from an existing Easton Suburban Water Authority loading station.

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

**Permit No. 2512502**, Public Water Supply

Applicant **Majestic Heights Mobile Home Park**

Township or Borough Washington Township  
County **Erie**

Responsible Official Steve A. Hurley

Type of Facility Public Water Supply

Consulting Engineer Steven R. Halmi, P.E.  
Deiss & Halmi Engineering, Inc.  
105 Meadville Street  
Edinboro, PA 16412

Application Received Date March 29, 2012

Description of Action Construction of chlorine contact tank, finished water storage and addition of distribution pumps.

**Permit No. 2512503**, Public Water Supply

Applicant **Albion Borough**

Township or Borough Albion Borough  
County **Erie**

Responsible Official Becky Fehr

Type of Facility Public Water Supply

Consulting Engineer August E. Maas, P.E.  
Hill Engineering, Inc.  
8 Gibson Street  
North East, PA 16428

Application Received Date April 20, 2012

Description of Action Addition to Gage Road and Pont Road water treatment improvements.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to

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

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

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

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

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

**Green Woods Charter School**, City of Philadelphia, **Philadelphia County**. Toby J. Kessler, P.G., Gilmore & Associates, Inc. 65 East Avenue, Suite 100, New Britain, PA 18901 on behalf of Green Wood Charter School, 8480 Hagys Mill Road, Philadelphia, PA 19128, William Keenan and Kelleen, Inc. and Donna Lee Sickenberger, Keenan Valley View Inn, 468 Domino Lane, Philadelphia, PA 19128 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of benzo, arsenic, and lead. The proposed future use of the property is a school. A summary of the Notice of Intent to remediate was to have been published in the *Review* on April 4, 2012.

**(REVISED) Rohm & Haas Company**, Bristol Township, **Bucks County**. Howard Klei, URS Corporation,

Iron Hill Corporate Center, Sabre Building, Suite 300, 4051 Ogletown Road, Newark, DE 19713, Christopher R. Beetham, URS Commerce Drive, Suite 300, Fort Washington, PA 19034 on behalf of Robert Casselberry, Rohm and Haas Company, 3100 State Road, Croydon, PA 19021 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of inorganic and other organics. The future land use at the RRN parcel may be open space or passive recreational uses. At this time there are no site improvement planned.

**CTS Flooring**, Limerick Township, **Montgomery County**. Staci Cottone, J&J Spill Service and Supplies, Inc. PO Box 370, Blue Bell PA 19422 on behalf of Ken Brown, CTS Flooring, Inc. & Collegeville, Contracting, Inc., 319 West Ridge, Limerick PA 19468 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The future use of the property will remain commercial. A Notice of Intent to Remediate was to have been published in *The Mercury* on March 7, 2012.

**Apflebaum Residence**, Cheltenham Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Ed Applegate, State Farm Insurance, Pennsylvania Fire Claims, PO Box 10610, Atlanta, GA 30348-6110 on behalf of Sharon Hicson-Camack, 210 Paxson Avenue, Glenside, PA 19038 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The future use of the site will remain the same. A Notice of Intent to Remediate was to have been published in the *Times Chronicle* on March 20, 2012.

**4441 Germantown Avenue Site**, City of Philadelphia, **Philadelphia County**. Ileen Gladstone, GEI Consultants, Inc. 400 Unicorn Park Drive, Woburn, MA 01801, Ronald Wong, Nicetown Court II Housing Partners, LP, 256 George Street, New Brunswick, New Jersey 08901 on behalf of David Thomas, Philadelphia Redevelopment Authority, 1234 Market Street, 16th Floor, Philadelphia, PA 19107 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of pah's. The parcel is planned for redevelopment as a residential apartment building.

**US Steel Fairless Works 37.96 Acre KIPC**, Falls Township, **Bucks County**. Colleen Costello, Langan Engineering and Environmental Services, Inc. 270 Kelly Road, Suite 200, Warrington, PA 18976, Juddson W. Herr, Langan Engineering and Environmental Services, Inc. 270 Kelly Road, Suite 200, Warrington, PA 18976 on behalf of Kathleen Mayher, United States Steel Corporation, 60 Grant Street, Pittsburgh, PA 15219 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of other organics. The future use of the site will remain the same.

**777 South Broad Street**, City of Philadelphia, **Philadelphia County**. Paul Martino, Pennoni Associates, Inc. 3001 Market Street, Philadelphia, PA 19104, William F. Schmidt, Pennoni Associates, Inc. 3001 Market Street, Philadelphia, PA 19104 on behalf of Josh Weingram, 777 South Broad Associates, LP, 3180 Chestnut Street, Philadelphia, PA 19104 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of lead, benzo and unleaded gasoline. The future use of the site will remain the same. A Notice of Intent to Remediate was to have been published in *The Philadelphia Daily News* on May 16, 2008.

**Exelon Corporation Condensate Tank KIPC**, Falls Township, **Bucks County**. Colleen Costello, Langan En-

gineering and Environmental Services, Inc. 270 Kelly Road, Suite 200, Warrington, PA 18976, Juddson W. Herr, Langan Engineering and Environmental Services, Inc. 270 Kelly Road, Suite 200, Warrington, PA 18976, Kathleen Mayher, United States Steel Corporation, 600 Grant Street, Pittsburgh, PA 15219 on behalf of Dale Davis, Exelon Corporation, 990 Steel Road South, Fairless Hill, PA 19030 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of inorganics. The future use of the site will remain the same.

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

**I-80 Eastbound Mile Marker 256.2 Diesel Fuel Spill Site**, I-80 Eastbound at Mile Marker 256.2, Sugarloaf Township, **Luzerne County**. Martin Gilgallon and Dean Cruciani, Pennsylvania Tectonics, Inc., 723 Main Street, Archbald, PA 18403 have submitted a Notice of Intent to Remediate on behalf of their client, Con-way Truckload, 4701 East 32nd Street, Joplin, MO 64804, concerning the remediation of soil and groundwater found to have been impacted by diesel fuel as a result of a leaking tractor-trailer's fuel tank. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard for soil and groundwater. The anticipated future use of the impacted area is expected to be highway related and residential. A summary of the Notice of Intent to Remediate has been published in *The Standard Speaker*.

**Depaola 2H/3H Well Site**, 7837 State Route 29, Dimock Township, **Susquehanna County**. James Pinta and David Testa, URS Corporation, 501 Holiday Drive, Foster Plaza 4, Suite 300, Pittsburgh, PA 15220 have submitted a Notice of Intent to Remediate on behalf of their client, Cabot Oil & Gas Corporation, Five Penn Center West, Suite 401, Pittsburgh, PA 15276, concerning the remediation of soil found to have been impacted by drill cuttings being released below the reserve pit liner. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard and Background Standard for soil. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future. A Final Report was simultaneously submitted.

**B. Severcool 1V/2H Well Site**, State Route 29, Dimock Township, **Susquehanna County**. James Pinta and David Testa, URS Corporation, 501 Holiday Drive, Foster Plaza 4, Suite 300, Pittsburgh, PA 15220 have submitted a Notice of Intent to Remediate on behalf of their client, Cabot Oil & Gas Corporation, Five Penn Center West, Suite 401, Pittsburgh, PA 15276, concerning the remediation of soil found to have been impacted by materials being released below the reserve pit liner. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard and Background Standard for soil. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future. A Final Report was simultaneously submitted.

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

**Kreiser Fuel / Anna Brown Residence**, 1042 Horse-shoe Pike, Lebanon, PA 17042, South Annville Township, **Lebanon County**. Brickstone Environmental, 515 South Franklin Street, West Chester, PA 19382, on behalf of

Kreiser Fuel Service, Inc., 122 Race Horse Drive, Jones-town, PA 17038 and Anna Brown, 1042 Horseshoe Pike, Lebanon, PA 17042, submitted a Notice of Intent to Remediate site soils contaminated with heating oil. The site will be remediated to the Residential Statewide Health Standard and remain residential.

*Southwest Region: Environmental Cleanup & Brown-field Development Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745*

**PBM, Inc.** City of Irwin, (Penn Township), **Westmoreland County**. Civil & Environmental Consultants, Inc. 4000 Triangle Lane, Suite 200, Export PA 15632 on behalf of PBM Inc., 1070 Sandy Hill Road, Irwin, PA 15642 has submitted a Notice of Intent to Remediate. Elevated concentrations of Barium, PAH's, and VOC's in ground-water and lead in subsurface soils will be evaluated. The site is currently used for valve manufacturing. The notice was published in the *Pittsburgh Tribune Review* on April 18 2012.

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

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

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

**Permit Application No. 101494.** Waste Management of Pennsylvania Inc., 1000 New Ford Mill Road, Morrisville PA 19067. This application for minor permit modification seeks approval to revise the landfill bench and interceptor channel lining design at the Tullytown Resource Recovery Facility Landfill located in the Borough of Tullytown and Falls Township, **Bucks County**. The application was received by the Southeast Regional Office on April 13, 2012.

### 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.**

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

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

**23-0047F: Evonik Degussa Corp.** (1200 West Front Street, Chester, PA 19013) for the installation of a spray dryer, Silo, Granulator & a Packing system control by three baghouses in Chester City, **Delaware County**. The company manufactures silica from sodium silicate. The pollutant of concern is Particulate Matter (PM). The Plan Approval and Operating Permit will include monitoring, record keeping and reporting requirements designed to address 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*

**54-399-053: Omnova Solutions** (95 Hickory Drive, Auburn, PA 17922) for construction of a new 1.43 KW co-gen at their site in West Brunswick Township, **Schuylkill County**.

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

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

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

**46-0049A: International Business Systems, Inc.** (431 Yerkes Road, King of Prussia, PA 19406-3523) for installation of three (3) heat-set web offset presses and a control device at an existing facility in Upper Merion Township, **Montgomery County**. This facility is a synthetic minor facility for VOC emissions. The facility wide VOC emissions will stay below 25 tons per year. The VOC emissions from the three (3) presses will be directed to a regenerative thermal oxidizer. The regenerative thermal oxidizer will be required to maintain 98% destruction and removal efficiency. The Plan Approval will contain testing, monitoring and recordkeeping requirements and operating restrictions designed to keep the sources and facility operating within all applicable air quality requirements.

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

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

**18-00026D: First Quality Products, Inc.** (Clinton County Industrial Park, 121 North Road, McElhatten, PA 17748-0270) for construction of two (2) Curt G. Joa underpad machines (Line 35 and 36) in Wayne Township, **Clinton County**.

The total combined emissions from both Curt G. Joa underpad machines will not exceed 0.02 ton of PM, including PM<sub>10</sub> and 2.15 tons of VOCs per year. The Department's review of the information contained in the application submitted by First Quality Products, Inc. indicates that the sources and the air-cleaning devices will comply with all applicable air quality requirements pertaining to air contamination sources and the emission of air contaminants, including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the PM emission limitation of 25 Pa. Code § 123.13, the visible emission limitation of 25 Pa. Code § 123.41.

Based on this finding, the Department proposes to issue a plan approval for the proposed construction. In addition to the emission limitations, the following includes the types of conditions the Department intends to place in the plan approval to ensure compliance with all applicable regulatory requirements including the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12.

Emission and material usage restrictions to limit the emission of PM<sub>10</sub> and VOCs.

Control of PM, including PM<sub>10</sub> emissions from each underpad machine by installation of its own separate four-stage filter system.

Work practice requirements to install and operate the source and control device with good air pollution control practices.

Recordkeeping and reporting requirements to verify compliance with the emission limitations and all permitting requirements.

A copy of the plan approval application is available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office. Appointments for scheduling a review may be made by calling the Department at 570-327-3693. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Air Quality Program Manager, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3648.

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

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

**11-00423A: Johnstown Wire Technologies, Inc.** (124 Laurel Avenue Johnstown, PA 15906) to allow the replacement of the existing uncontrolled manual cleaning house with a new manual cleaning house that includes a wet scrubber, rated at 60,000 ACFM at the Steel Wire Processing Plant in Johnstown Township, **Cambria County**.

In accordance with 25 Pa. Code §§ 127.44—127.46 the Department of Environmental Protection (DEP) intends to issue Air Quality Plan Approval: PA-11-00423A to allow the replacement of the existing uncontrolled manual cleaning house with a new manual cleaning house that includes a wet scrubber, rated at 60,000 ACFM at the Steel Wire Processing Plant in Johnstown Township, Cambria County.

Potential emissions from the facility are estimated to be 17.99 tons of NO<sub>x</sub>, 15.1 tons of CO, 1.0 tons of VOC, 1.4 tons of PM<sub>10</sub>, 1.4 tons of PM<sub>2.5</sub>, and 2.0 tons of HAPs per year. Plan Approval has been conditioned to ensure compliance with all applicable regulatory requirements. Applicable state requirements include 25 Pa. Code § 127.1 requirements for new sources shall control the emissions of air pollutants to the maximum extent, consistent with Best Available Technology as determined by the Department as of the issuance of the plan approval for the new source as well as appropriate monitoring, maintenance, and record keeping. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Plan Approval may submit the information to Jesse Parihar, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-11-00423A) and a concise statement regarding the relevancy of the information or objections to issuance of the Plan Approval.

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

For additional information you may contact Jesse Parihar at 412-442-4030.

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

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

**24-123G: Veolia ES Greentree Landfill, LLC** (635 Toby Road, Kersey, PA 15846) for modification of NSPS requirements and flare capacity requirements in Fox Township, **Elk County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the Title V operating permit at a later date.

This modification will not result in any emission increase. This Plan Approval will contain recordkeeping, work practice standard, and additional requirement conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate BAT for the source including, but are not limited to, the following:

- All conditions from the Title V operating permit 24-00123 issued on December 13, 2010, remain in effect unless modified in this plan approval.

- A completed plan approval application shall be submitted no later than December 31, 2013, which correlates to when the facility should achieve greater than 80% of the permitted flare capacity of 16,500 cfm (>13,200 cfm). However, if the calculated LFG generation rate is less than 80% of the permitted flare capacity, then the submittal date maybe extended by one year. [This condition replaces Plan approval # 24-123F, Condition # 001(b)]

- The facility shall have in place approved additional control device(s) prior to the landfill exceeding its currently permitted flare capacity of 16,500 cfm. Currently this projected compliance date is December 31, 2016. However, this may be revised upon submittal of calculated LFG generation rates based on actual waste acceptance which indicate a different compliance date. [This condition replaces Plan approval # 24-123F, Condition # 001(c)]

- In accordance with 40 CFR Part 60.753(c), alternative compliance requirements are allowed for specific categories of gas extraction wells as noted below:

- Alternative 1: Wells in uncapped areas and leachate collection piping used for gas extraction may be operated at an oxygen level as high as 15 percent (volumetric basis), since the majority of the air intrusion occurs directly from the ground surface and not through the waste mass. Documentation of extraction point readings shall be performed as required to insure that the higher operating value does not cause an adverse reaction or combustion within the waste mass, and that degradation of the anaerobic decomposition process is not occurring. In the event that monitoring data for an Alternative 1 well indicates temperatures above 55°C (131°F), the well will be shut down. If the temperature does not subside to an acceptable level within 5 days, carbon monoxide monitoring (to ensure a carbon monoxide level below 100 ppmv) will be conducted to verify that combustion within the waste mass is not occurring.

- Alternative 2: A well may be placed on an inactive list if it exhibits a methane quality that is consistently below 40 percent by volume and an oxygen level that is consistently above 5 percent while the throttle is either closed or slightly open with a negative pressure applied to the well of less than one-inch of water column. During the period of inactivity and while on the inactive list, the well will be exempt from oxygen concentration and negative pressure requirements. If at any time the landfill observes conditions that warrant the operation of a well on the inactive list, the well shall be reactivated and normal default operational standards shall apply.

- Alternative 3: A well in an area of active waste placement that is inaccessible due to its casing height (generally having a casing height of five feet or greater) may be temporarily placed on the inactive list, whereby the well would be exempt from wellhead monitoring requirements until landfilling around the well allows for safe access.

- Alternative 4: A well may be operated at temperatures higher than 55°C (131°F), provided the following steps are taken:

- Upon observation of a well temperature greater than 55°C (131°F), the initial course of action shall be to adjust the valve to either reduce or eliminate the vacuum applied to the well. This corrective action shall be taken within 5 days of the observation of an elevated reading.

- If the reduction of vacuum favorably lowers the temperature but appears to be detrimental to gas collection, the operator shall adjust the well to the benefit of gas collection. If, as a result, the temperature climbs above 55°C (131°F), or if the temperature remained elevated throughout the well adjustments, carbon monoxide monitoring (to ensure carbon monoxide levels below 100 ppmv) will be conducted to verify that combustion within the waste mass is not occurring. In addition to measuring the temperature and carbon monoxide levels, the operator shall visually inspect the area around the well for signs of settlement or distressed vegetation, and shall inspect the wellhead for soot or other indications of combustion.

- If the elevated temperatures persist at a well, and there are no signs of combustion or detrimental effects on anaerobic activity, the operator shall consider the well to be an Alternative 4 well and shall place the well under a period of observation. The observation period shall be characterized by the inclusion of carbon monoxide monitoring with the regular monthly monitoring events. This monitoring is in addition to the regular measurement of gauge pressure, temperature, and oxygen or nitrogen levels. Visual inspection of the wellhead and the area immediately surrounding the well will also be conducted.

- At such time when the landfill has acquired sufficient background data, a new maximum operating temperature shall be selected for the well. The new temperature and supporting data shall be provided to PADEP and USEPA through a notification letter. If no objections are received from the regulatory agencies within 15 days of the letter submittal date, the landfill may conclude that the alternative temperature is acceptable. At that time, routine carbon monoxide monitoring of the well will be discontinued. However, visual inspection of the wellhead and the area immediately surrounding the well shall be included with the regular monthly monitoring events throughout the entire period of time that a well is operated under Alternative 4.

In accordance with 25 Pa. Code § 127.44(f)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP at (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(f)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494; Phone # (814) 332-6940 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval (24-123G) and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

In accordance with 25 Pa. Code § 127.45(b)(6)(ii), a public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin*.

tin or by telephone, where DEP determines such notification is sufficient. Requests for a public hearing should be directed to Regional Air Quality Program Manager.

In accordance with 25 Pa. Code § 127.45(b)(8), a person may oppose the proposed plan approval by filing a written protest with the Regional Air Quality Program Manager.

If a plan approval has not undergone the above public notice process, the change to an operating permit must be treated as a significant modification. In these situations the Department should follow the procedures described in §§ 127.421 to 127.431 for state only operating permits or §§ 127.521 to 127.524 for Title V operating permits.

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

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

**AMS 11243: Philadelphia International Airport** (8800 Essington Avenue, Philadelphia, PA 19153) for operation of existing emergency and non-emergency generators. Emergency generators include one (1) 100 kW Cummins diesel fired generator, two (2) 80 kW Winco diesel fired generators, one (1) 275 kW Marathon diesel fired generator, one (1) 350 kW Marathon diesel fired generator, and one (1) 320 kW Caterpillar diesel fired generator. Non-emergency generator include one (1) 350 kW Marathon diesel fired generator. Each emergency and non-emergency generator is limit to 500 hrs of operation each. The operations of the emergency generators are limited to emergency, testing, and tuning. The generators are subject to area source MACT Subpart ZZZZ with compliance date of May 3, 2013. There will be a potential emission increase of 5.73 tons for Nitrogen Oxides (NO<sub>x</sub>) for the facility. The plan approval will contain operating, testing, monitoring, and recordkeeping requirements to ensure operation within all applicable requirements.

**AMS 12049 Weber Display and Packaging**, (3500 Richmond St Philadelphia, PA 19134) for installation four (4) flexographic presses including 2 diecutters and 2 gluers, (1) one (1) cyclone, one (1) baghouse. There will be a potential emission increase of less than 2.0 tons for Volatile Organic Compounds (VOCs), Hazardous Air Pollutant (HAPs) & Particulate matter for the facility. The plan approval will contain operating 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.**

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

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

**54-00022: SAPA Extrusions, Inc.** (53 Pottsville Street, Cressona, PA 17929-1217) for a renewal Title V Operating Permit in Cressona Borough, **Schuylkill County**. The facility is an aluminum extrusions manufacturing plant. Sources at the facility have the potential to emit major quantities of regulated pollutants above Title V emission thresholds. The proposed Title V Operating Permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

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

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

**04-00044: Horsehead Corp.** (300 Frankfort Road, Monaca, PA, 15061) for manufacturing primary nonferrous metals at the Monaca Smelting Plant in Potter Township, **Beaver County**. This is a Title V Operating Permit Renewal application submittal.

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

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

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

**46-00107: ITW Philadelphia Resins** (130 Commerce Dr., Montgomeryville, PA 18936), located in Montgomery Township, **Montgomery County** for the issued State Only Operating Permit (Natural Minor) 46-00107. This action is a renewal of the State Only Operating Permit. The facility manufactures a variety of industrial adhesives, grouts and encapsulating epoxies. The permit was initially issued on 7/13/2002 and was renewed on 8/27/2007.

The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

**09-00019: Naceville Materials, Inc.—Miller Materials** (“Miller Materials”) (887 Mill Creek Road, Rushland, PA 18956) located in Wrightstown Township, **Bucks County**, for a renewal/administrative amendment of State Only Operating Permit (“SOOP”) No. 09-00019. 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*

**35-00056: P.A. Hutchison Co.** (400 Penn Avenue, Mayfield, PA 18433) for a renewal State Only Operating Permit for a commercial printing facility in Mayfield Borough, **Lackawanna County**. The sources at the facility include six (6) printing machines. The sources do not have the potential to emit pollutants above Title V thresholds. The proposed State Only Operating Permit contains applicable requirements for emissions limitations, monitoring, record keeping, reporting and work practice standards used to verify facility compliance with Federal and State air pollution regulations.

*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*

**22-05024: Milton S. Hershey Medical Center** (P. O. Box 850, Hershey, PA 17033) the medical center in Derry 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 above mentioned facility. This is a renewal of the facility's State-only (Synthetic Minor) operating permit issued in 2007.

The facility has the potential-to-emit SO<sub>x</sub> at 86.0 tpy, CO at 61.0 tpy, NO<sub>x</sub> at 57.0 tpy, VOCs at 12.5 tpy, and PM at 8.6 tpy. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

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

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.

**34-05003: Tedd Wood, Inc.** (P. O. Box 187, Johnstown Road, Thompsettown, PA 17094) for operation of a wood cabinet manufacturing facility in Delaware Township, **Juniata County**.

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

Actual emissions for 2011 are estimated to be 16 tons per year for volatile organic compounds and 5.6 tons per year for hazardous air pollutants. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments, protests or for requests for a public hearing. A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received.

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

**21-03051A: Valley Quarries, Inc.** (PO Box 2009, Chambersburg, PA 17201) for their Mt. Cydonia Sand Plant #3 in Southampton Township, **Cumberland County**.

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

The subject facility's crushing/screening/conveying equipment has a combined emissions potential of more than 10 tons per year of particulate matter. The site includes equipment subject to 40 CFR Part 60, Subpart OOO for non-metallic mineral processing. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Copies of the renewal application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

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

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

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

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

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

**49-00013: Power Plant Greenhouses LLC** (225 Arcos Road, Mount Carmel, PA 17851) for their Marion Heights greenhouse facility in Mount Carmel, **Northumberland County**. The facility is a greenhouse, which produces flowers for commercial suppliers. The sources include two boilers used to produce steam for the greenhouses. The facility has the potential to emit major quantities of SO<sub>x</sub>. The facility has taken a synthetic minor restriction not to exceed the major emission threshold for SO<sub>x</sub>. The facility has the potential to emit particulate matter (PM<sub>10</sub>), NO<sub>x</sub>, VOC, CO, and HAPs below the major thresholds. The proposed operating permit contains applicable regulatory requirements including monitoring, recordkeeping, and report conditions.

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

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

**26-00032: Uniontown Hospital Association** (500 W Berkeley Street, Uniontown, PA 15401-5514) for operation of hospital including boilers and an ethylene oxide sterilizer at Uniontown hospital in Uniontown, **Fayette County**. This is a State Only Operating Permit submittal.

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

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

**25-00558: Products Finishing, Inc.** (2002 Greengarden Road, Erie, PA 16502) to renew a State Only Operating Permit for their facility in the City of Erie, **Erie County**. The facility is a Natural Minor. The primary sources at the facility include 2 natural gas boilers, 11 Chrome electroplating tanks, and a hydrochloric acid stripping tank. 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.

**43-00290: Sharon Coating, LLC** (277 Sharpville Avenue, Sharon, PA 16146) for renewal of the State Only Operating Permit for the steel coil manufacturing facility in Sharon, **Mercer County**. The sources at the facility include 3 natural gas fired annealing furnaces, 2 emer-

gency diesel generators, and a parts washer. The facility is a synthetic minor and has taken an emission restriction not to exceed 99 tons per year of NO<sub>x</sub> emissions. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

**S10-017: Sweet Ovations LLC** (formerly Degussa Flavors and Fruit Systems, LLC) (1741 Tomlinson Road, Philadelphia, PA 19116) in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three (3) boilers less than 50 MMBTU/hr, four (4) baghouses, four (4) processes including Mixing Blending Operations, Bulk Sugar Systems, Cocoa Processing, Scale Room Operations.

The operating permit will be issued under the 25 Pa. Code, 3 Philadelphia Code and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104.

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

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

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

#### *Coal Applications Received*

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

**33971301 and NPDES No. PA0215031. AMFIRE Mining Company, LLC**, (One Energy Place, Latrobe, PA 15650). To revise the permit for the Dora No. 8 Mine in North Mahoning Township, Indiana County and Perry Township, **Jefferson County** to add underground permit and subsidence control plan area acres. Underground Acres Proposed 1521.2, Subsidence Control Plan Acres Proposed 1521.2. No additional discharges. The application was considered administratively complete on April 17, 2012. Application received: November 7, 2007.

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

**32100102 and NPDES No. PA0263044. Britt Energies, Inc.**, P. O. Box 515, Indiana, PA 15701, revision of an existing bituminous surface mine to change land use from forestland to pastureland or land occasionally cut for hay and/or cropland in Burrell Township, **Indiana County**, affecting 110.3 acres. Receiving stream(s): unnamed tributaries to the Conemaugh River classified for the following use(s): cold water fishery and warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: April 11, 2012.

**32070106 and NPDES No. PA0262447. Amerikohl Mining, Inc.**, 202 Sunset Drive, Butler, PA 16001, permit renewal for reclamation only of a bituminous surface mine in Center Township, **Indiana County**, affecting 35.7 acres. Receiving stream(s): Unnamed tributaries to Two Lick Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: April 16, 2012.

**56090112 and NPDES No. PA0262901, Hoffman Mining Inc.**, P. O. Box 130, 118 Runway Rd, Friedens, PA 15541, revision of an existing bituminous surface and auger mine to add 17.4 acres for support in Shade Township, **Somerset County**, affection 597.8 acres. Receiving stream(s): Fallentimber Run; unnamed tributaries to Fallentimber Run; unnamed tributaries to Stonycreek River classified for the following use(s): Cold Water Fishery; Trout Stocked Fishery. The first downstream

potable water supply intake from the point of discharge is Hooversville Borough on Stonycreek River. Application received: April 19, 2012.

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

**33070103 and NPDES Permit No. PA0258334. Reichard Contracting, Inc.** (212 Olean Trail, New Bethlehem, PA 16242) Renewal of an existing bituminous surface and auger mine in Ringgold & Redbank Townships, **Jefferson & Armstrong Counties** affecting 165.5 acres. Receiving streams: Unnamed tributaries to Painter Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: April 17, 2012.

**37910107. The East Fairfield Coal Co.** (10900 South Avenue, P. O. Box 217, North Lima, OH 44452-0217). Renewal of an existing bituminous surface mine in Little Beaver Township, **Lawrence County** affecting 165.1 acres. This renewal is issued for reclamation only. Receiving streams: Unnamed tributary to Sugar Creek, classified for the following uses: HQ-CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: April 19, 2012.

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

**17120101 and NPDES No. PA0257893. Forcey Coal, Inc.** (475 Banion Road, Madera, PA 16661). Commencement, operation and restoration of a bituminous surface mine located in Lumber City Borough, **Clearfield County** affecting 73.0 acres. Receiving streams: unnamed tributaries to West Branch Susquehanna River classified for cold water fishery to West Branch Susquehanna River classified for warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: April 16, 2012.

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

**54930101T3. J & M Coal Company, LLC**, (1026 Pine Street, Pottsville, PA 17901), transfer of an existing anthracite surface mine operation from Char-Pac Coal Company in Branch Township, **Schuylkill County** affecting 102.8 acres, receiving stream: Schaffer Creek, classified for the following use: cold water fishes. Application received: April 17, 2012.

#### *Noncoal Applications Received*

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

**4975SM5 and NPDES Permit No. PA0612430, Glen-Gery Corporation**, P. O. Box 7001, Wyomissing, PA 19610-6001, renewal of NPDES Permit, Oxford Township, **Adams County**. Receiving stream(s): unnamed tributary to South Branch Conewago Creek classified for the following use(s): warm water fishery. The first downstream potable water supply intake from the point of discharge is New Oxford Municipal Authority. Application received April 13, 2012.

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

**37020307. Amerikohl Aggregates, Inc.** (202 Sunset Drive, Butler, PA 16001) Revision to an existing large industrial minerals mine to add processing in Wayne Township, **Lawrence County** affecting 231.9 acres. Receiving streams: Unnamed tributary to the Beaver River and unnamed tributary to Snake Run, both classified for the following uses: WWF. There are no potable surface

water supply intakes within 10 miles downstream. Application received: April 16, 2012.

**37090302 and NPDES Permit No. PA0258768. Allegheny Mineral Corporation** (P. O. Box 1022, Kittanning, PA 16201) Revision to an existing large industrial minerals mine to add processing and to add 4.9 acres in Slippery Rock Township, **Lawrence County** affecting 84.0 acres. Receiving streams: Unnamed tributary to Slippery Rock Creek, classified for the following uses: CWF. The first downstream potable water supply intake from the point of discharge is Camp Allegheny. Application received: April 19, 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	6.0mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	
Alkalinity greater than acidity*			

\* The parameter is applicable at all times.

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

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

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

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

*Effluent Limits for Noncoal Mining Activities*

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

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

\* The parameter is applicable at all times.

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

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

ated pollutants from being discharged into surface waters in this Commonwealth.

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

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.

*Noncoal NPDES Draft Permits*

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

**NPDES No. PA0613029 (Mining permit no. 7574046), Valley Quarries, Inc.**, P. O. Box 2009, Chambersburg, PA 17201, renewal of an NPDES permit for noncoal surface mine in Southampton Township, **Cumberland County**, affecting 102.7 acres. Receiving stream(s): Unnamed Tributary to Bulls Head Branch, classified for the following use(s): cold water fishery. Application received: March 30, 2012.

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

The outfall(s) listed below discharge to Unnamed Tributary to Bulls Head Branch.

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

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

**NPDES No. PA0225142 on Surface Mining Permit No. 58110305. Powers Stone, Inc.**, new NPDES Permit for a bluestone, sandstone & shale quarry operation in Middleton Township, **Susquehanna County**, affecting 95.4 acres. Receiving streams: unnamed tributary to Middle Branch Wyalusing Creek, classified for the following uses: cold water fishes and migratory fishes. Application received: October 11, 2011.

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

The outfall(s) listed below discharge to unnamed tributary to Middle Branch Wyalusing Creek.

<i>Outfall No. New</i>	<i>Outfall Y/N</i>	<i>Type</i>
001 Sed. Basin No. 1	N	E&S Stormwater
002 Sed. Basin No. 2 (pit sump)	Y	E&S Stormwater

**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*

**E15-780 Transcontinental Gas Pipeline Corporation**, 2800 Post Oak Blvd, Level 17, Houston, TX 77056, East Brandywine and East Caln Townships **Chester County**, ACOE Philadelphia District.

To amend permit number E15-780 which authorized the replacement of the existing 30-inch gas pipeline with the proposed 42-inch gas pipeline associated with the 7.15 mile segment of Mainline "A" pipeline between Downingtown Metro station and Compressor Station 200.

The proposed amendment will authorize the replacement of the existing 30-inch gas pipeline with a 42-inch pipeline, between Stations 2269 and 2295, across and temporarily impacting East Branch of the Brandywine Creek (WWF-MF) and Ludwig's Run (WWF-MF) at two locations by utilizing an open cut method. Also, an unnamed tributary to East Branch of the Brandywine Creek (WWF-MF) will be impacted by a temporary construction crossing and another unnamed tributary to East Branch of Brandywine Creek (HQ-TSF, MF) will be crossed by the pump diversion during the use of a coffer dam.

The site is located approximately one mile north of the intersection of Norwood Road and the Coatesville-Downingtown By-pass (SR 0030), (Downingtown, PA USGS Quadrangle N: 6.75 inches; W: 12:00 Inches).

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

**E58-296. Buckeye Pipeline Transportation LLC**, P. O. Box 368, Emmaus, PA 18049, in Bridgewater Township, **Susquehanna County**, U.S. Army Corps of Engineers, Baltimore District.

To stabilize and maintain an approximately 20-foot reach of Beebe Creek (CWF, MF) with articulating block mats for the purpose of protecting an existing exposed 8-inch diameter petroleum pipeline and to construct and maintain a 12-foot wide temporary access road across 50 feet of wetlands and a temporary 12-foot by 40-foot staging area in wetlands. The project is located approximately 2,000 feet upstream of the Beebe Hollow Road (TR 727) (Montrose West, PA Quadrangle, Latitude: 41°51'34.6"; Longitude: -75°54'57.6").

**E58-295. Buck Ridge Stone, LLC**, P. O. Box 114, Montrose, PA 18801, in New Milford Township, Susquehanna County, U.S. Army Corps of Engineers, Baltimore District.

To remove the intake structure authorized by Permit E58-292 and to construct and maintain an intake structure in Salt Lick Creek (HQ-CWF) for the purpose of increasing water withdrawal for Marcellus Shale Gas Production. The project is located on the east side of SR 0011 approximately 0.2 mile north of T698 (Great Bend, PA-NY Quadrangle, Latitude: 41°54'25"; Longitude: -75°43'59").

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

**E21-422: Pennsylvania Turnpike Commission**, PO Box 67676, Harrisburg, Pennsylvania 17106-7676, Reconstruction and Upgrade of Interstate 76 between Mileposts 206 and 210, in Upper Mifflin Township, **Cumberland County**, ACOE Baltimore District

The applicant proposes to:

1) extend and maintain an existing 155.0-foot long by 8.0-foot wide concrete arch culvert with an average underclearance of 7.1 feet with a 6.0-inch uniformly depressed 7.5-foot diameter corrugated metal pipe (CMP) 50.0 linear feet on the upstream side and 55.0-linear feet on the downstream side, for a total length of 260.0 feet, in an unnamed tributary to Three Square Hollow Run (WWF) temporarily impacting 0.01 acre of wetland and permanently impacting 0.01 acre of wetland at Milepost 206.6 (Latitude: 40°10'42", Longitude: -77°31'14");

2) extend and maintain an existing 166.0-foot long by 12.0-foot wide concrete arch culvert with an average underclearance of 5.4 feet with a 1.0-foot uniformly depressed 12.0-foot by 6.5-foot concrete box culvert 26.0 linear feet on the upstream side and 25.0 linear feet on the downstream side, for a total length of 217.0 feet, in an unnamed tributary to Three Square Hollow Run (WWF), permanently impacting 0.03 acre of wetland at Milepost 207.33 (Latitude: 40°10'49", Longitude: -77°30'25");

3) extend and maintain an existing 121.0-foot long by 24.0-inch Reinforced Concrete Pipe (RCP) culvert with a 6.0-inch uniformly depressed 24.0-inch RCP 26.0 linear feet on the upstream side and 32.0 linear feet on the downstream side, for a total length of 179.0 feet, in an unnamed tributary to Three Square Hollow Run (WWF) at Milepost 207.47 (Latitude: 40°10'43", Longitude: -77°31'05");

4) relocate 965.0 linear feet of an unnamed tributary to Three Square Hollow Run (WWF) at Milepost 207.5 (Latitude: 40°10'53", Longitude: -77°30'00");

5) extend and maintain an existing 121.0-foot long by 24.0-inch RCP culvert with a 6.0-inch uniformly depressed 24.0-inch RCP 15.0 linear feet on the upstream side and 30.0 linear feet on the down-stream side, for a total length of 166.0 feet, in an unnamed tributary to Three Square Hollow Run (WWF) at Milepost 207.55 (Latitude: 40°10'52", Longitude: -77°30'08");

6) extend and maintain an existing 119.0-foot long by 36.0-inch RCP culvert with a 6.0-inch uniformly depressed 36.0-inch RCP 17.0 linear feet on the upstream side with a 109.0-foot stream relocation and 19.0 linear feet on the downstream side, for a total culverted length of 155.0 feet, in an unnamed tributary to Three Square Hollow Run (WWF) temporarily impacting 0.01 acre of wetland at Milepost 207.67 (Latitude: 40°10'53", Longitude: -77°30'03");

7) extend and maintain an existing 152.0-foot long by 24.0-inch RCP culvert with a 6.0-inch uniformly depressed 24.0-inch RCP 17.0 linear feet on the downstream side with a 31.0-foot stream relocation in an unnamed tributary to Three Square Hollow Run (WWF) permanently impacting 0.01 acre of wetland at Milepost 208.1 (Latitude: 40°10'59", Longitude: -77°29'34");

8) extend and maintain an existing 178.0-foot long by 54.0-inch Asphalt Coated Corrugated Metal Pipe (AC-CMP) culvert with a 42.0-inch HDPE liner, a 6.0-inch uniformly depressed 42.0-inch HDPE culvert extension 4.0 linear feet on the upstream side and 35.0 linear feet on the down-stream side, for a total culverted length of

221.0 feet, in an unnamed tributary to Three Square Hollow Run (WWF) temporarily impacting 0.01 acre of wetland and permanently impacting 0.08 acre of wetland at Milepost 208.26 (Latitude: 40°11'00", Longitude: -77°29'24");

9) extend and maintain an existing 96.0-foot long by 30.0-inch RCP culvert with a 6.0-inch uniformly depressed 30.0-inch RCP 35.0 linear feet on the downstream side with a 30.0-foot stream relocation, for a total culverted length of 131.0 feet, in an unnamed tributary to Brandy Run (CWF) at Milepost 208.52 (Latitude: 40°11'05", Longitude: -77°28'59");

10) extend and maintain an existing 125.0-foot long open bottomed concrete arch culvert with a span of 26.0 feet and an average underclearance of 13.75 feet with an open bottomed concrete arch culvert with a span of 26.0 feet and an underclearance of 13.75 feet 31.0 linear feet on the upstream side and 31.0 linear feet on the downstream side, for a total length of 187.0 feet, in Brandy Run (CWF) temporarily impacting 0.16 acre of wetland and permanently impacting 0.36 acre of wetland at Milepost 208.7 (Latitude: 40°11'04", Longitude: -77°28'54");

11) maintain an existing 161.0-foot long by 30.0-inch RCP culvert in an unnamed tributary to Brandy Run (CWF) at Milepost 208.91 (Latitude: 40°11'07", Longitude: -77°28'42");

12) extend and maintain an existing 139.0-foot long by 48.0-inch RCP culvert with a 6.0-inch uniformly depressed 48.0-inch RCP 23.0 linear feet on the upstream side and 44.0 linear feet on the downstream side, for a total culverted length of 206.0 feet, in an unnamed tributary to Brandy Run (CWF) at Milepost 209.23 (Latitude: 40°11'11", Longitude: -77°28'19");

13) extend and maintain an existing 141.0-foot long by 30.0-inch RCP culvert with a 6.0-inch uniformly depressed 30.0-inch RCP 25.0 linear feet on the upstream side with a 50.0-foot stream relocation and 42.0-linear feet on the downstream side, for a total culverted length of 208.0 feet, in an unnamed tributary to Brandy Run (CWF) temporarily impacting 0.01 acre of wetland at Milepost 209.29 (Latitude: 40°11'11", Longitude: -77°28'14");

14) relocate, extend, and maintain an existing 150.0-foot long by 42.0-inch Corrugated Metal Pipe (CMP) culvert with a 6.0-inch uniformly depressed 42.0-inch CMP 28.0 linear feet on the upstream side with a 40.0-foot stream relocation and 25.0 linear feet on the downstream side, for a total culverted length of 203.0 feet, in an unnamed tributary to Brandy Run (CWF) temporarily impacting 0.02 acre of wetland and permanently impacting 0.01 acre of wetland at Milepost 209.61 (Latitude: 40°11'16", Longitude: -77°27'53");

15) extend and maintain an existing 159.0-foot long open bottomed concrete arch culvert with a span of 22.0 feet and an average underclearance of 11.5 feet with an open bottomed concrete arch culvert with a span of 22.0 feet and an underclearance of 11.5 feet 40.0 linear feet on the upstream side and 40.0-linear feet on the downstream side, for a total length of 239.0 feet, in Whiskey Run (TWF) temporarily impacting 0.27 acre of wetland and permanently impacting 0.20 acre of wetland at Milepost 209.92 (Latitude: 40°11'19", Longitude: -77°27'33");

16) extend and maintain an existing 151.0-foot long by 36.0-inch RCP culvert with a 6.0-inch uniformly depressed 36.0-inch RCP 43.0 linear feet on the downstream side, for a total culverted length of 194.0 feet, in an

unnamed tributary to Whiskey Run (TSF) at Milepost 210.12 (Latitude: 40°11'20", Longitude: -77°27'20"); and

17) extend and maintain an existing 144.0-foot long by 54.0-inch CMP culvert with a 42.0-inch HDPE liner, a 6.0-inch uniformly depressed 42.0-inch HDPE culvert extension 22.0 linear feet on the upstream side with an 80.0 foot relocation and 29.0 linear feet on the downstream side, for a total culverted length of 195.0 feet, in an unnamed tributary to Whiskey Run (TSF) temporarily impacting 0.05 acre of wetland and permanently impacting 0.11 acre of wetland at Milepost 210.48 (Latitude: 40°11'25", Longitude: -77°26'56").

The project purpose is to improve transportation safety and roadway standards. The project is located between Mile Markers 206 and 210 along the Pennsylvania Turnpike in Upper Mifflin Township, Cumberland County

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

**E17-473. Clearfield Municipal Authority**, 107 East Market Street, Clearfield, PA 16830-2405. Clearfield Municipal Wastewater Treatment Facility Phase II Improvement Project, Lawrence Township, **Clearfield County**, ACOE Baltimore District (Clearfield, PA Quadrangle Latitude: 41° 01' 27.6"; Longitude: 78° 24' 2.1").

The applicant proposes to modify, operate and maintain an existing wastewater treatment facility and its appurtenances along Clearfield Creek and West Branch, Susquehanna River for improved public wastewater treatment and receiving stream water quality. Both Clearfield Creek and the West Branch, Susquehanna River are designated Warm Water Fisheries by Chapter 93 Rules and Regulations. Improvements and upgrades to the existing treatment facility require encroachment of waterways, floodways and floodplains. Appurtenance structures to be constructed along the stream channels shall be limited to stormwater outfalls into Clearfield Creek and treated wastewater effluent outfall into the West Branch, Susquehanna River. Expansion of the existing treatment facility within the detailed delineated floodway shall be limited to fill for wastewater clarifiers and an influent pump station. As proposed, the project poses no temporary or permanent impacts to wetlands with a permanent stream impact from outfalls being limited to 30-feet maximum. The project is located along the northern right-of-way of SR 0322 at the confluence of Clearfield Creek and the West Branch, Susquehanna River. If upon investigation the Department determines fill and structure placement authorized by this permit is serving to adversely affect adjacent properties by altering the floodway current, course or cross-section that subsequently increases 100-year flood water surface elevation, the permittee shall develop and implement a corrective action plan to fully eliminate the adverse effect.

**E41-628. Pennsylvania Department of Transportation**, Engineering District 3-0, PO Box 218, Montoursville, PA 17754-0218. S.R. 0973 Section 017, First Fork of Larrys Creek Bridge replacement, Mifflin Township, **Lycoming County**, ACOE Baltimore District (Saladsburg, PA Quadrangle N: 41° 16' 06"; W: 77° 14' 13").

PA DOT Engineering District 3-0 proposes to replace a single span steel I-beam bridge with a single span pre-stressed concrete spread box beam bridge. The existing bridge has a span of 33 Ft., a skew of 65 degrees, an underclearance of 6.5 Ft., a low chord of 645.5 Ft. and a hydraulic opening of 201 Ft<sup>2</sup>. The proposed bridge has a span of 49 Ft., a skew of 57 degrees, an underclearance of

6.1 Ft., a low chord of 644.6 Ft. and a hydraulic opening of 225 Ft<sup>2</sup>. The project will temporarily impact 0.01 acre and permanently impact 0.01 acre of Exceptional Value jurisdictional wetlands and does not require mitigation. The First Fork of Larrys Creek is classified as a High Quality Cold Water Fishery (Also Wild Trout) by Title 25, Chapter 93 Water Quality Standards. The project will not require mitigation.

**E53-444. Tennessee Gas Pipeline Company, LLC**, 1001 Louisiana Street - Room 730B, Houston, TX 77002-5089. Loop 313- MPP Project in Allegany and Hebron

<i>Activity ID</i>	<i>Activity</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Resource</i>	<i>Impact</i>
S-313-00-001	Pipeline	41° 51' 15.95"	77° 59' 42.55"	Tributary South Branch Oswayo	16.0-ft.
S-313-01-001	Pipeline	41° 51' 14.37"	77° 58' 28.61"	Baker Creek	4.0-ft.
S-313-02-001	Pipeline	41° 51' 6.09"	77° 57' 27.80"	Lent Hollow Run	11.0-ft.
S-313-02-003	Pipeline	41° 50' 58.51"	77° 56' 41.98"	Peet Brook	25.0-ft.
S-313-04-004	Pipeline	41° 50' 57.87"	77° 56' 38.18"	Tributary Peet Brook	22.0-ft.
S-313-03-005	Pipeline	41° 50' 52.12"	77° 56' 19.52"	Tributary Peet Brook	2.0-ft.
S-313-04-001	Pipeline	41° 50' 46.85"	77° 54' 52.34"	Dwight Creek	21.0-ft.
S-313-04-002	Pipeline	41° 50' 46.72"	77° 54' 48.56"	Tributary Dwight Creek	4.0-ft.
S-313-05-001	Pipeline	41° 50' 45.73"	77° 54' 08.40"	Pigeon Hollow Run	3.0-ft.
S-313-06-001	Pipeline	41° 50' 43.89"	77° 52' 30.19"	Alleghany River	33.0-ft.
S-313-06-001	Access Road	41° 50' 43.89"	77° 52' 30.19"	Alleghany River	33.0-ft.
S-313-AR2-002	Access Road	41° 50' 53.95"	77° 58' 26.07"	Tributary Baker Creek	12.0-ft.
W-313-01-0001	Pipeline	41° 51' 14.68"	77° 58' 28.70"	Wetland	0.04-acre
W-313-02-003	Pipeline	41° 50' 58.99"	77° 56' 42.15"	Wetland	0.09-acre
W-313-03-004	Pipeline	41° 50' 52.95"	77° 56' 20.15"	Wetland	0.04-acre
W-313-04-001	Pipeline	41° 50' 46.07"	77° 54' 51.86"	Wetland	0.004-acre
W-313-04-002	Pipeline	41° 50' 46.31"	77° 54' 46.64"	Wetland	0.02-acre
W-313-05-004	Pipeline	41° 50' 44.14"	77° 53' 41.68"	Wetland	0.12-acre
W-313-06-001B	Pipeline	41° 50' 43.16"	77° 52' 29.59"	Wetland	0.001-acre
W-313-06-001C	Pipeline	41° 51' 43.16"	77° 52' 29.59"	Wetland	0.02-acre
W-313-AR9-003	Road	41° 50' 59.77"	77° 52' 39.13"	Wetland	0.04-acre

All in-stream pipeline construction activities shall be performed in dry work conditions by dam and pumping, fluming or diverting stream flow around the work areas. All streams encountered by pipeline construction are wild trout or tributary to wild trout fisheries; no pipeline construction or future maintenance work shall be performed in or along the stream channels between October 1 and December 31 without prior written approval from the Pennsylvania Fish and Boat Commission. Construction of the Tennessee Gas Pipeline 313-Loop outside of existing right-of-way will incur 0.41-acre of permanent Exceptional Value 0.41-acre loss and 141-feet of permanent stream impact. Mitigation to replace wetland loss and stream impact from project impacts shall be required. The projects east terminus is located along the western right-of-way of Allegany Township Road 408 and the western terminus is located in Hebron Township along

Townships, **Potter County**, ACOE Pittsburgh District (Brookland, PA Quadrangle Latitude: 41° 50' 45.63"; Longitude: 77° 50' 42.50" and Sweden Valley, PA Quadrangle Latitude: 41° 51' 49.97"; Longitude 77° 59' 58.78").

Tennessee Gas Pipeline Company, LLC, is seeking authorization to construct, operate and maintain 7.9-miles of 30-inch diameter natural gas pipeline for their MPP or 313-Loop Project outside existing right-of-way that will require the following twelve (12) stream and nine (9) wetland encroachments:

the eastern right-of-way of SR 0044.

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

**E26-362. Joseph E. & Debra Ciarrochi**, PO Box 245, Fairbank, PA 15435, Redstone Township, **Fayette County**; ACOE Pittsburgh District.

The applicant proposes to construct and maintain a laydown staging area for gas wells supply storage and to construct and maintain a 20-wide road from Fairbank-Filbert Road for well drilling operations along and in the floodway Saltlick Run (WWF). The project impacts wetlands and an unnamed tributary to Saltlick Run. The project is located in Village of Fairbank, Redstone Township, Fayette County (New Salem, PA Quadrangle N: 12.0 inches; 13.0 inches; Latitude: 39°56'28"; Longitude: -79°50'34").



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

**E25-719, Gary T. Brotherson**, 1801 West 8th Street, Erie, PA 16505. Groin structures, sea wall, and bridge reconstruction along Lake Erie, in Millcreek Township, **Erie County**, ACOE Pittsburgh District (Swanville, PA Quadrangle, N: 42°, 6', 17.8"; W: 80°, 10', 2.3").

The applicant has submitted an amended application that proposes to construct and maintain seven (7) lower-profile groin structures, at elevations below the Ordinary High Water Mark (OHWM), but not extending below the Ordinary Low Water Mark (OLWM), on several properties in the Forest Park Beach Subdivision. The low profile groins would be constructed of 2 foot high by 2 foot wide by 6 foot long concrete blocks, and pinned to the shale bedrock.

The applicant proposes the construction and placement of approximately 180 feet of concrete seawall that will be placed at or near the OHWM at the western half of the project area, and an additional approximately 190 feet of concrete seawall to be placed landward of the OHWM at the eastern half of the project area. The landward ends of Proposed Groins 1, 2, 3 and 4 will attach to the proposed sea wall.

The applicant further proposes to demolish an existing 11 foot wide and 12 foot long wooden timber bridge span that crosses Marshall Run, and re-construct a 14 foot wide and 20 foot long bridge span constructed of 2" lumber stock installed on edge over a steel frame, approximately 100 feet south of the confluence of Marshall Run and Lake Erie.

**E33-246, PA DOT, District 10-0**, 2550 Oakland Ave., PO Box 429, Indiana, PA 15701. SR 0028 Section 551 across Seneca Run, in Warsaw Township, **Jefferson County**, ACOE Pittsburgh District (Hazen, PA Quadrangle N: 41°, 12', 51.1"; W: 78°, 57', 17.9").

To construct and maintain a 10.0 foot x 4.0 foot precast reinforced concrete box culvert with an out to out length of 43.0 feet along an approximate 275 foot new section of stream alignment constructed for Seneca Run (HQ-CWF) located at SR 0028, Segment 0380, Offset 0000. To also remove the existing structure and construct and maintain a 6 foot x 5 foot precast reinforced concrete box culvert with an out to out width of 43.0 feet located at SR 0028 Segment 0380, Offset 0245, along an unnamed tributary to Seneca Run (HQ-CWF). Both structures located approximately 1.0 mile Northeast of Hazen in Warsaw Township, Jefferson County.

**E61-295, Tennessee Gas Pipeline Company, LLC**. Station 286+48 Anomaly Repairs, in Cranberry Twp, **Venango County**, ACOE Pittsburgh District (Cranberry, PA Quadrangle N: 41°, 22', 22.29"; W: 79°, 38', 36.55").

The applicant proposes to perform repairs on a natural gas pipeline located within an existing, previously disturbed right-of-way. The project will require 3 wetland crossings and 3 crossings of unnamed tributaries to Halls Run (CWF) resulting in temporary impacts to 0.23 acre wetland (EV) and 36 LF of stream channel (12 LF perennial, 24 LF ephemeral). The site will be restored to original conditions when repairs are complete.

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

**E1729-005: EOG Resources, Inc.**, 2039 South Sixth Street, Indiana, PA 15701, Lawrence Township, **Clearfield County**, ACOE Baltimore District. To construct,

operate, and maintain a 20-inch steel natural gas pipeline, with impacts as follows:

1) a permanent utility line installation via open cut trenching with impacts to 3.0 linear feet and a temporary access road culvert crossing with impacts to 85.0 linear feet of a UNT to Little Laurel Run (HQ-CWF) (Huntley, PA Quadrangle, N41°11'18.45", W78°28'38.51");

2) a permanent utility line installation via open cut trenching with impacts to 525.0 square feet and a temporary access road crossing using timber matting with impacts to 16,391.0 square feet of a palustrine scrub shrub/palustrine emergent (PSS/PEM) wetland (Huntley, PA Quadrangle, N41°11'18.45", W78°28'38.51");

3) a permanent utility line installation via open cut trenching with impacts to 75.0 square feet and a temporary access road crossing using timber matting with impacts to 1,984.0 square feet of a palustrine emergent (PEM) wetland (Huntley, PA Quadrangle, N41°10'56.62", W78°28'28.50");

4) a temporary access road crossing using timber matting with impacts to 479.0 square feet of a palustrine scrub shrub/palustrine emergent (PSS/PEM) wetland (Huntley, PA Quadrangle, N41°10'51.18", W78°28'26.08");

5) a permanent utility line installation via open cut trenching with impacts to 12.0 linear feet and a temporary access road culvert crossing with impacts to 81.0 linear feet of Little Laurel Run (HQ-CWF) (Huntley, PA Quadrangle, N41°10'50.40", W78°28'25.65");

6) a permanent utility line installation via open cut trenching with impacts to 562.0 square feet and a temporary access road crossing using timber matting with impacts to 12,785.0 square feet of a palustrine emergent (PEM) wetland (Huntley, PA Quadrangle, N41°10'47.27", W78°28'24.21");

7) a permanent utility line installation via boring with impacts to 880.0 square feet of a palustrine forested/palustrine scrub shrub/palustrine emergent (PFO/PSS/PEM) wetland and 5.0 linear feet of a UNT to Little Laurel Run (HQ-CWF) (Huntley, PA Quadrangle, N41°10'31.74", W78°28'12.13");

8) a permanent utility line installation via open cut trenching with impacts to 495.0 square feet and a temporary access road crossing using timber matting with impacts to 5,591.0 square feet of a palustrine forested/palustrine scrub shrub/palustrine emergent (PFO/PSS/PEM) wetland (Huntley, PA Quadrangle, N41°10'27.23", W78°28'04.58");

9) a temporary access road crossing using timber matting with impacts to 1,852.0 square feet of an exceptional value (EV) palustrine forested/palustrine scrub shrub (PFO/PSS) wetland (Huntley, PA Quadrangle, N41°10'15.23", W78°27'29.13");

10) a temporary access road crossing using timber matting with impacts to 1,444.0 square feet of a palustrine scrub shrub/palustrine emergent (PSS/PEM) wetland (Huntley, PA Quadrangle, N41°10'10.12", W78°27'26.12");

The project will result in the following: 15.0 linear feet of permanent stream impacts via open cut trenching; 5.0 linear feet of permanent stream impacts via boring; 166.0 linear feet of temporary stream impacts for access roads; 880.0 square feet (0.02 acre) of impact to palustrine forested/palustrine scrub shrub/palustrine emergent (PFO/PSS/PEM) wetlands via boring; 495.0 square feet (0.01 acre) of permanent impacts to palustrine forested/

palustrine scrub shrub/palustrine emergent (PFO/PSS/PEM) wetlands via open cut trenching; 5591.0 square feet (0.13 acre) of temporary impacts to palustrine forested/palustrine scrub shrub/palustrine emergent (PFO/PSS/PEM) wetlands for access roads; 1,852.0 square feet (0.04 acre) of temporary impacts to palustrine forested/palustrine scrub shrub (PFO/PSS) wetlands for access roads; 525.0 square feet (0.01 acre) of permanent impacts to palustrine scrub shrub/palustrine emergent (PSS/PEM) wetlands via open cut trenching; 18,314.0 square feet (0.42 acre) of temporary impacts to palustrine scrub shrub/palustrine emergent (PSS/PEM) wetlands for access roads; and 15,406.0 square feet (0.35 acre) of temporary impacts to palustrine emergent (PEM) wetlands via open cut trenching and access roads all for the purpose of installing a 20-inch natural gas line and associated access roadways for the development of Marcellus Shale natural gas.

**E5829-022. Williams Field Services Company, LLC.**, 2800 Post Oak Blvd, Houston, TX 77056; Springville Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. a temporary timber mat bridge crossing impacting 17 lineal feet of an unnamed tributary to Meshoppen Creek (CWF) (Springville, PA Quadrangle: Latitude 41° 39' 21"; Longitude -75° 56' 30"),

2. a 12 inch diameter natural gas gathering pipeline and temporary timber mat bridge crossing impacting 54 lineal feet of an North Branch Meshoppen Creek (CWF) (Springville, PA Quadrangle: Latitude 41° 39' 16"; Longitude -75° 55' 38"),

3. a 12 inch diameter natural gas gathering pipeline and timber mat crossing impacting 0.21 acre of a Palustrine Emergent Wetland (PEM) (Springville, PA Quadrangle: Latitude 41° 38' 53"; Longitude -75° 57' 33"),

4. a 12 inch diameter natural gas gathering pipeline and timber mat crossing impacting 0.04 acre of a Palustrine Emergent Wetland (PEM) (Springville, PA Quadrangle: Latitude 41° 39' 20"; Longitude -75° 57' 09"),

5. a 12 inch diameter natural gas gathering pipeline and timber mat crossing impacting 0.21 acre of a Palustrine Emergent Wetland (PEM) (Springville, PA Quadrangle: Latitude 41° 39' 20"; Longitude -75° 56' 44"),

6. a 12 inch diameter natural gas gathering pipeline and timber mat crossing impacting 0.44 acre of a Palustrine Emergent Wetland (PEM) (Springville, PA Quadrangle: Latitude 41° 39' 21"; Longitude -75° 56' 30"),

7. a 12 inch diameter natural gas gathering pipeline and timber mat crossing impacting 0.11 acre of a Palustrine Emergent Wetland (PEM) (Springville, PA Quadrangle: Latitude 41° 39' 16"; Longitude -75° 55' 47"),

8. a 12 inch diameter natural gas gathering pipeline and timber mat crossing impacting 0.08 acre of a Palustrine Emergent Wetland (PEM) (Springville, PA Quadrangle: Latitude 41° 39' 16"; Longitude -75° 55' 39").

The project will result in 71 lineal feet of temporary stream impacts and temporarily impact 1.09 acres of PEM wetlands, all for the purpose of installing a 12 inch natural gas gathering pipeline to collect natural gas from the Marcellus Shale play.

**E5829-023. Williams Field Services Company, LLC.**, 2800 Post Oak Blvd, Houston, TX 77056; Springville Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. a temporary timber mat bridge crossing impacting 50 lineal feet of an Unnamed Tributary to White Creek (CWF) (Montrose West, PA Quadrangle: Latitude 41° 47' 48"; Longitude -75° 54' 14"),

2. a 24 inch diameter natural gas gathering pipeline and temporary timber mat bridge crossing impacting 101 lineal feet of an Unnamed Tributary to White Creek (CWF) (Springville, PA Quadrangle: Latitude 41° 43' 40"; Longitude -75° 54' 38"),

3. a 24 inch diameter natural gas gathering pipeline and temporary timber mat bridge crossing impacting 100 lineal feet of Stevens Creek (CWF) (Springville, PA Quadrangle: Latitude 41° 43' 55"; Longitude -75° 53' 49"),

4. a temporary timber mat bridge crossing impacting 108 lineal feet of Stevens Creek (CWF) (Springville, PA Quadrangle: Latitude 41° 43' 42"; Longitude -75° 53' 36"),

5. a 24 inch diameter natural gas gathering pipeline and temporary timber mat crossing impacting 132 lineal feet of an Unnamed Tributary to White Creek (CWF) (Montrose West, PA Quadrangle: Latitude 41° 45' 29"; Longitude -75° 54' 28"),

6. a 24 inch diameter natural gas gathering pipeline and temporary timber mat bridge crossing impacting 143 lineal feet of an Unnamed Tributary to White Creek (CWF) (Montrose West, PA Quadrangle: Latitude 41° 46' 07"; Longitude -75° 54' 38"),

7. a 24 inch diameter natural gas gathering pipeline and temporary timber mat bridge crossing impacting 75 lineal feet of an Unnamed Tributary to Meshoppen Creek (CWF) (Montrose West, PA Quadrangle: Latitude 41° 46' 51"; Longitude -75° 53' 37"),

8. a 24 inch diameter natural gas gathering pipeline and temporary timber mat bridge crossing impacting 107 lineal feet of an Unnamed Tributary to Meshoppen Creek (CWF) (Montrose West, PA Quadrangle: Latitude 41° 46' 54"; Longitude -75° 53' 33"),

9. a 24 inch diameter natural gas gathering pipeline and temporary timber mat bridge crossing impacting 43 lineal feet of an Unnamed Tributary to Meshoppen Creek (CWF) (Montrose West, PA Quadrangle: Latitude 41° 46' 50"; Longitude -75° 53' 33"),

10. a 24 inch diameter natural gas gathering pipeline and temporary timber mat bridge crossing impacting 109 lineal feet of an Unnamed Tributary to Meshoppen Creek (CWF) (Montrose West, PA Quadrangle: Latitude 41° 46' 52"; Longitude -75° 53' 28"),

11. a 24 inch diameter natural gas gathering pipeline and temporary timber mat bridge crossing impacting 97 lineal feet of an Unnamed Tributary to Meshoppen Creek (CWF) (Montrose East, PA Quadrangle: Latitude 41° 46' 45"; Longitude -75° 51' 24 inch),

12. a 24 inch diameter natural gas gathering pipeline and temporary timber mat bridge crossing impacting 126 lineal feet of an Unnamed Tributary to Meshoppen Creek (CWF) (Montrose East, PA Quadrangle: Latitude 41° 46' 44"; Longitude -75° 50' 55"),

13. a 24 inch diameter natural gas gathering pipeline and temporary timber mat bridge crossing impacting 50 lineal feet of an Unnamed Tributary to Meshoppen Creek (CWF) (Montrose East, PA Quadrangle: Latitude 41° 47' 48"; Longitude -75° 50' 29"),

14. a 24 inch diameter natural gas gathering pipeline and temporary timber mat bridge crossing impacting 78

lineal feet of Meshoppen Creek (CWF) (Montrose East, PA Quadrangle: Latitude 41° 47' 52"; Longitude -75° 50' 21"),

15. a 24 inch diameter natural gas gathering pipeline and temporary timber mat crossing impacting 0.02 acre of a Palustrine Forested Wetland (PFO) (Springville, PA Quadrangle: Latitude 41° 43' 32"; Longitude -75° 54' 43"),

16. a 24 inch diameter natural gas gathering pipeline and temporary timber mat crossing impacting 0.21 acre of a Palustrine Forested Wetland (PFO) (Springville, PA Quadrangle: Latitude 41° 43' 38"; Longitude -75° 54' 40"),

17. a temporary timber mat crossing impacting 0.13 acre of a Palustrine Emergent Wetland (PEM) (Springville, PA Quadrangle: Latitude 41° 43' 42"; Longitude -75° 53' 40"),

18. a 24 inch diameter natural gas gathering pipeline and temporary timber mat crossing impacting 0.02 acre of a Palustrine Emergent Wetland (PEM) (Springville, PA Quadrangle: Latitude 41° 44' 18"; Longitude -75° 53' 51"),

19. a 24 inch diameter natural gas gathering pipeline and temporary timber mat crossing impacting 0.26 acre of a Palustrine Emergent Wetland (PEM) (Springville, PA Quadrangle: Latitude 41° 44' 46"; Longitude -75° 54' 16"),

20. a 24 inch diameter natural gas gathering pipeline and temporary timber mat crossing impacting 0.02 acre of a Palustrine Emergent Wetland (PEM) (Montrose West, PA Quadrangle: Latitude 41° 45' 29"; Longitude -75° 54' 28"),

21. a 24 inch diameter natural gas gathering pipeline and temporary timber mat crossing impacting 0.34 acre of a Palustrine Scrub Shrub Wetland (PSS) (Montrose West, PA Quadrangle: Latitude 41° 45' 45"; Longitude -75° 54' 29"),

22. a 24 inch diameter natural gas gathering pipeline and temporary timber mat crossing impacting 0.49 acre of a Palustrine Emergent Wetland (PEM) (Montrose West, PA Quadrangle: Latitude 41° 46' 51"; Longitude -75° 54' 26"),

23. a 24 inch diameter natural gas gathering pipeline and temporary timber mat crossing impacting 0.16 acre of a Palustrine Emergent Wetland (PEM) (Montrose West, PA Quadrangle: Latitude 41° 46' 50"; Longitude -75° 53' 49"),

24. a 24 inch diameter natural gas gathering pipeline and temporary timber mat crossing impacting 0.73 acre of a Palustrine Emergent Wetland (PEM) (Montrose West, PA Quadrangle: Latitude 41° 46' 54"; Longitude -75° 53' 27"),

25. a 24 inch diameter natural gas gathering pipeline and temporary timber mat crossing impacting 0.02 acre of a Palustrine Emergent Wetland (PEM) (Montrose West, PA Quadrangle: Latitude 41° 47' 02"; Longitude -75° 53' 28"),

26. a 24 inch diameter natural gas gathering pipeline and temporary timber mat crossing impacting 0.02 acre of a Palustrine Emergent Wetland (PEM) (Montrose West, PA Quadrangle: Latitude 41° 47' 11"; Longitude -75° 52' 56"),

27. a 24 inch diameter natural gas gathering pipeline and temporary timber mat crossing impacting 0.43 acre of a Palustrine Emergent Wetland (PEM) (Montrose West, PA Quadrangle: Latitude 41° 47' 10"; Longitude -75° 52' 31"),

28. a 24 inch diameter natural gas gathering pipeline and temporary timber mat crossing impacting 0.12 acre of a Palustrine Emergent Wetland (PEM) (Montrose East, PA Quadrangle: Latitude 41° 47' 07"; Longitude -75° 52' 27"),

29. a 24 inch diameter natural gas gathering pipeline and temporary timber mat crossing impacting 0.08 acre of a Palustrine Emergent Wetland (PEM) (Montrose East, PA Quadrangle: Latitude 41° 47' 05"; Longitude -75° 52' 26"),

30. a 24 inch diameter natural gas gathering pipeline and temporary timber mat crossing impacting 0.05 acre of a Palustrine Emergent Wetland (PEM) and 0.13 acre of a Palustrine Forested Wetland (PFO) (Montrose East, PA Quadrangle: Latitude 41° 47' 03"; Longitude -75° 52' 26"),

31. a 24 inch diameter natural gas gathering pipeline impacting 0.07 acre of a Palustrine Forested Wetland (PFO) (Montrose East, PA Quadrangle: Latitude 41° 46' 53"; Longitude -75° 52' 15"),

32. a 24 inch diameter natural gas gathering pipeline and temporary timber mat crossing impacting 0.95 acre of a Palustrine Emergent Wetland (PEM) (Montrose East, PA Quadrangle: Latitude 41° 47' 52"; Longitude -75° 50' 22").

The project will result in 1,319 lineal feet of temporary stream impacts and 4.25 acres of temporary wetlands impacts, all for the purpose of installing a 24 inch natural gas gathering pipeline to collect natural gas from the Marcellus Shale play.

**E0829-045: Chesapeake Appalachia, LLC**, 101 North Main Street, Athens, PA 18810, Tuscarora Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. two 16 inch temporary waterlines and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 750 square feet (Monroeton, PA Quadrangle, Latitude: 41°42'14", Longitude: -76°26'00"),

2. two 16 inch temporary waterlines and a timber mat bridge impacting 16 linear feet of an unnamed tributary to South Branch Towanda Creek (CWF,MF) and impacting 1,580 square feet of an adjacent Palustrine Emergent Wetland and Palustrine Scrub-Shrub Wetland (Monroeton, PA Quadrangle, Latitude: 41°41'56", Longitude: -76°25'55");

3. two 16 inch temporary waterlines and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 1,232 square feet (Monroeton, PA Quadrangle, Latitude: 41°41'49", Longitude: -76°25'59"),

4. two 16 inch temporary waterlines and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 1,109 square feet (Monroeton, PA Quadrangle, Latitude: 41°41'48", Longitude: -76°25'59"),

5. two 16 inch temporary waterlines and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 462 square feet (Monroeton, PA Quadrangle, Latitude: 41°41'42", Longitude: -76°25'47"),

6. two 16 inch diameter temporary waterlines and a timber mat bridge impacting 21 linear feet of an unnamed tributary to South Branch Towanda Creek (CWF, MF) (Monroeton, PA Quadrangle Latitude: 41°41'40", Longitude: -76°25'46"),

7. two 16 inch temporary waterlines and a timber mat bridge across a Palustrine Emergent Wetland. Impacted

Area: 1,280 square feet (Monroeton, PA Quadrangle, Latitude: 41°41'37", Longitude: -76°25'47"),

8. two 16 inch temporary waterlines and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 750 square feet (Monroeton, PA Quadrangle, Latitude: 41°41'32", Longitude: -76°25'47"),

9. two 16 inch temporary waterlines and a timber mat bridge impacting 26 linear feet of an unnamed tributary to South Branch Towanda Creek (CWF,MF) and impacting 1,269 square feet of an adjacent Palustrine Emergent Wetland (Monroeton, PA Quadrangle, Latitude: 41°41'29", Longitude: -76°25'56");

10. two 16 inch diameter temporary waterlines and a timber mat bridge impacting 21 linear feet of an unnamed tributary to South Branch Towanda Creek (CWF, MF) (Monroeton, PA Quadrangle Latitude: 41°41'29", Longitude: -76°25'58"),

11. two 16 inch diameter temporary waterlines and a timber mat bridge impacting 20 linear feet of an unnamed tributary to South Branch Towanda Creek (CWF, MF) (Monroeton, PA Quadrangle Latitude: 41°41'28", Longitude: -76°26'02"),

12. two 16 inch temporary waterlines and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 1,168 square feet (Monroeton, PA Quadrangle, Latitude: 41°41'37", Longitude: -76°26'11"),

The project will result in 104 linear feet and 587 square feet of temporary stream impacts and 9,283 square feet (0.21 acre) of temporary PEM and PSS wetland impacts from temporary waterlines and timber mat bridge crossings all for the purpose of establishing a temporary water supply for Marcellus well development.

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## ACTIONS

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

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

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

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

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

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

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

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

**I. NPDES Renewal Permit Actions**

*Northeast Regional Office: 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>
PA0060526 (Industrial Waste)	PA American Water Forest City WTP Off Route 171 Forest City, PA 18421	Susquehanna County Forest City Borough	Lackawanna River (5-A)	Y
PA0065030 (Sewage)	Meshoppen Borough STP Sterling Street Meshoppen, PA 18630	Wyoming County Meshoppen Borough	Susquehanna River (4-G)	Y
PA0061344 (Industrial Waste)	WPS Westwood Generating Station 490 West Main Street Tremont, PA 17981	Schuylkill County Frailey Township	Lower Rausch Creek (07D)	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>
PA0000183 (Industrial Waste)	General Electric Transportation System—Erie 2901 E Lake Road Bldg. 9, 2nd Floor, Erie, PA 16531	Erie County Lawrence Park Township	Unnamed Tributaries to Lake Erie and Four Mile Creek (15)	Y

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

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

**NPDES Permit No. PA0244589**, Sewage, **Linh Quang Buddhist Temple**, 821 Ridge Road, Telford, PA 18969.

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

Description of Proposed Action/Activity: Approval for the amendment of an NPDES permit to discharge 705 GPD of treated sewage from a facility known as Linh Quang Buddhist Temple STP to Unnamed Tributary of Ridge Valley Creek in Watershed 3-E.

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

**NPDES Permit No. PA0261793**, Sewage, **William S. and Laura Lee Kauffman**, 110 Union Hall Road, Carlisle, PA 17013.

This proposed facility is located in North Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to discharge to a drainage swale to an unnamed tributary to Conodoguinet Creek in Watershed 7-B.

**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. 2300201**, Industrial Waste, **Renewal, Sunoco, Inc. (R & M)**, 10 Industrial Highway, Building G, MS4, Lester, PA 19029.

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

Description of Action/Activity: Renewal of existing permit for continued operation of a groundwater remediation system.

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

**WQM Permit No. 2111404**, Sewerage, **Camp Hill Borough**, 2145 Walnut Street, Camp Hill, PA 17011.

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

Description of Proposed Action/Activity: Approval for the construction of sewage facilities consisting of a diversion pump station to convey flows from Camp Hill to the Hampden Township Roth Lane Treatment Plant.

**WQM Permit No. 2112401**, Sewerage, **William S. & Laura Lee Kauffman**, 110 Union Hall Road, Carlisle, PA 17013.

This proposed facility is located in North Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: Approval for the construction / operation of sewage facilities consisting of two septic tanks with Orenco AX20 unit and UV disinfection discharging to drainage swale to UNT to Conodoguinet Creek.

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

**WQM Permit No. 6596201-A3**, Industrial Waste, **Reserved Environmental Services, LLC**, 1119 Old State Route 119, Mount Pleasant, PA 15666-2719

This existing facility is located in East Huntingdon Township, **Westmoreland County**

Description of Proposed Action/Activity: Permit amendment issuance.

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

**WQM Permit No. WQG018833**, Sewage, **Louis F. Andersen**, 4800 Old State Road, McKean, PA 16426

This proposed facility is located in Washington Township, **Erie County**.

Description of Proposed Action/Activity: Replacement of a malfunctioning onlot system.

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

**Application for Renewal of the Pennsylvania Turnpike Commission's Statewide NPDES MS4 Individual Permit**

This notice provides information about an application for renewal of individual NPDES permit, PAI-1315-00-06-0001. The applicant for this permit renewal is the Pennsylvania Turnpike Commission (PTC), P. O. Box 67676, Harrisburg, PA 17106-7676. The permit authorizes the discharge of stormwater from the outfalls of PTC's regulated small municipal separate storm sewer systems (MS4s) in all designated urbanized areas within Pennsylvania that contain PTC's facilities. Within those areas, stormwater discharges from outfalls of the PTC's regulated small MS4s flow into waters of the Commonwealth. Since no new discharges are authorized by this permit, no potable water supplies will be affected by the proposed renewal.

This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a implementing The Clean Streams Law (35 P. S. §§ 691.1—691.101) and 40 CFR Part 122 implementing the Federal Clean Water Act (33 U.S.C.A. §§ 1251 et seq.).

The renewal permit will involve special conditions including a Stormwater Management Program to satisfy six (6) Minimum Control Measures (MCMs) that meet the narrative effluent limitations required by 40 CFR 122.34. The permit renewal application proposes to satisfy discharge requirements associated with approved Total Maximum Daily Loads (TMDLs) through special conditions established in future NPDES permits for stormwater discharges associated with construction activities. The proposed permit renewal will become effective as soon as the renewal permit is prepared and will continue for a term of five (5) years. In accordance with 25 Pa. Code § 92a.7, the terms and conditions of applicant's existing MS4 individual permit continue automatically until the renewal permit is issued.

Individuals interested in obtaining further information or to inspect and copy the application for permit renewal may contact the Department using the following address: Barry A. Newman, Chief of the Stormwater Planning and Management Section, Bureau of Point and Non-Point Source Management, Department of Environmental Protection, Rachel Carson State Office Building, P. O. Box 8774, 11th Floor, Harrisburg, PA 17105-8774. Persons wishing to comment on the proposed permit must submit written comments within 30 days following the date of this public notice. Comments received within this 30-day comment period will be considered in formulating the Department's final determination regarding the application for permit renewal. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the basis of the comment and the relevant facts upon which it is based.

During the 30-day comment period, the Department also will accept requests for a public meeting or hearing regarding the renewal application. A public meeting or hearing may be scheduled if the Department determines that the issues raised are of significant public interest. If a public meeting or hearing is scheduled, a notice will be published in the *Pennsylvania Bulletin* and in at least one newspaper of general circulation at least 30-days prior to the public meeting or hearing. The Department will postpone its final determination on whether to grant the proposed renewal of the permit until after a public meeting or 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.

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

**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 151208	Brown Family Partnership 125 Limestone Road Oxford, PA 19363	Chester	Lower Oxford Township	West Branch Big Elk Creek (HQ-TSF-MF)

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01231101	Quarry Center, LP 940 Haverford Road, Ste 120 Bryn Mawr, PA 19010	Delaware	Haverford Township	Naylor's Run— Cobbs Creek (WWF-MF)
<i>Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790</i>				
PAI025210010	Kam S. Shi 113 Miller Road Milford, PA 18337	Pike	Milford Twp.	Saw Kill Creek, EV, MF
PAI024511009	Christopher G. Peechatka Marshall Square Properties 142 Route 611 Bartonsville, PA 18321	Monroe	Pocono Twp.	Cranberry Creek, HQ-CWF, MF McMichaels Creek, HQ-CWF, MF
PAI024508009	RPM Realty Company 410 Analomink Road East Stroudsburg, PA 18301	Monroe	Hamilton Twp.	McMichael Creek, HQ-CWF, MF
<i>Southwest Region: Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.</i>				
PAI050411005	Beaver County Airport Authority 15 Piper Street Beaver Falls, PA 15010	Beaver	Chippewa Township	North Fork Little Beaver (HQ-TSF) North Branch Brady Run (HQ-TSF)
PAI056311002	James Collins St. Clair Hospital 1000 Bower Hill Rd Pittsburgh, PA 15243	Washington	Peters Township	Little Chartiers Creek (HQ-WWF)
<i>Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481</i>				
<i>Butler County Conservation District, 122 McCune Drive, Butler PA 16001-6501 McKean County Conservation District, 17137 Route 6, Smethport PA 16749</i>				
PAI061011002	Chicora DPP V 201 Summit View Drive Suite 110 Brentwood TN 37027	Butler	Donegal Township	Buffalo Creek CWF; MF
PAI064212001	Bradford Township 136 Hemlock Street Bradford PA 16701	McKean	Bradford Township	Tunungwant Creek, Rutherford Run CWF, Minard Run EV, Unt Minard Run EV, Unt Marilla Brook CWF, East Branch Tunungwant Creek CWF

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

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 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>
Perkasie Borough Bucks County	PAG0200 0911041	Groski Engineering 1 Iron Bridge Drive Collegeville, PA 19426	East Branch Perkiomen Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Plumstead Township Bucks County	PAG0200 0912024	Plumstead Township PO Box 387 Plumsteadville, PA 18949	Deep Run/Tohickon Creek (WWF-CWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Middletown Township Bucks County	PAG0200 0911077	Cocca Development, LTD 100 DeBartolo Place, Ste 400 Boardmen, OH 44512	Queen Anne Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Newtown Township Delaware County	PAG0200 2311011	Rhoads Avenue/ Newtown Square, LP 2 St. Alban's Avenue, Suite 200 Newtown Square, PA 19073	Crum Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Concord Township Delaware County	PAG0200 2312004	Chris Panacello 5000 Chichester Avenue Aston, PA 19014	West Branch Chester Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Providence Township Montgomery County	PAG0200 4610084	Michael Clement PO Box 243 2695 West Germantown Pike Fairview Village, PA 19409	Mingo Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Bethlehem, Lehigh County	PAG02003912003	Eric Schnabel Air Products and Chemicals, Inc. Gardner Cryogenics 2136 City Line Rd. Bethlehem, PA 18017	Unnamed tributary to Lehigh River, TSF, MF	Lehigh Co. Cons. Dist. 610-391-9583
Broad Top Township Bedford County	PAG02030512002	Broad Top Township PO Box 57 Defiance, PA 16633	Longs Run/ WWF	Bedford Co. Conservation District 702 W Pitt St. Bedford, PA 15522 814.623.7900
Juniata Township Bedford County	PAG02030512003	Pa. Turnpike Commission PO Box 67676 Harrisburg, PA 17106	UNT Raystown Branch Juniata/ WWF	Bedford Co. Conservation District 702 W Pitt St. Bedford, PA 15522 814.623.7900



<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>
Bethel Township Berks County	PAG02000612005	Samuel Lapp 7780 Lancaster Avenue Myerstown, PA 17067	Little Swatara Creek/ CWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Lower Allen Twp. Cumberland County	PAG02002111029	Cory Lovrak Crossroads Housing, LP 2121 Old Gatesburg Road State College, PA 16803	UNT to Cedar Run/CWF	Cumberland Co Conservation Dist 310 Allen Road, Suite 301 Carlisle PA 17013 717.240.7812
Lower Allen Twp. Cumberland County	PAG02002111030	William Grace PO Box 301 New Cumberland, PA 17070	Cedar Run/ CWF	Cumberland Co Conservation Dist 310 Allen Road, Suite 301 Carlisle PA 17013 717.240.7812
Wormleysburg Boro. Cumberland County	PAG02002112007	Gary Berresford Borough of Wormleysburg 20 Market Street Wormleysburg, PA 17043	Susquehanna River/ WWF, MF	Cumberland Co Conservation Dist 310 Allen Road, Suite 301 Carlisle PA 17013 717.240.7812
Lower Paxton Twp. Dauphin County	PAG02002212007	Triple Crown Corporation 5351 Jaycee Avenue Harrisburg, PA 17112	Paxton Creek/ WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Middle Paxton and Susquehanna Twps. Dauphin County	PAG02002211039	Dauphin County Board of Commissioners PO Box 1295 Harrisburg, PA 17108-1295	Fishing Creek/ WWF and Susquehanna River/WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
West Hanover Twp. Dauphin County	PAG02002212012	Dean L. Shields 6506 Sanibel Drive Harrisburg, PA 17111	Beaver Creek/ WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Clay Township Lancaster County	PAG02003612012	Jay Paul Hursh 185 West Burkholder Drive Lititz, PA 17543	Meadow Run/ WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717.299.5361, Ext. 5
East Donegal Twp. Lancaster County	PAG02003612018	Donegal School District 1051 Koser Road Mount Joy, PA 17552	Susquehanna River/ WWF, MF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717.299.5361, Ext. 5
Lancaster City Lancaster County	PAG02003611090	PennDOT District 8-0 2140 Herr Street Harrisburg, PA 17103	Conestoga River/ WWF, MF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717.299.5361, Ext. 5
Manor Township Lancaster County	PAG02003610018R	Murry Co./Sher-Wal, Inc. 1899 Lititz Pike Lancaster, PA 17601	UNT Little Conestoga/ WWF	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>
Penn Township Lancaster County	PAG02003611100	DDP Development Co., LLC 3995 Continental Drive Columbia, PA 17512	UNT Chickies Creek/ WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717.299.5361, Ext. 5
Rapho Township Lancaster County	PAG02003612011	Witmer Kinsley Joint Venture 2700 Water Street York, PA 17403	Chickies Creek/ WWF, MF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717.299.5361, Ext. 5
Warwick Township Lancaster County	PAG02003610009R	Lancaster Evangelical Free Ch. 419 Pierson Road Lititz, PA 17543	Lititz Run/CWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717.299.5361, Ext. 5
Warwick Township Lancaster County	PAG02003612022	Thomas R. & Billy Shumate 245 East Main St., PO Box 758 Brownstown, PA 17508	UNT Cocalico Creek/ WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717.299.5361, Ext. 5
West Lampeter Twp. Lancaster County	PAG02003612012	Creative Construction Solutions 100 Willow Valley Lakes Drive Willow Street, PA 17584	UNT Mill Creek/ WWF, MF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717.299.5361, Ext. 5

*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>
Asylum Township Bradford County	PAG02000812011	Damian C Georgino Heckmann Water Resources Inc 300 Cherrington Pkwy Ste 200 Coraopolis PA 15108	UNT to Susquehanna River WWF	Bradford County Conservation District Stoll Natural Resource Center 200 Lake Rd Ste E Towanda PA 18848 (570) 265-5539 X 120
Granville Township Bradford County	PAG02000812019	John Pepper John Pepper Enterprise LLC 2624 Granville Rd Granville Summit, PA 16926	North Branch Towanda Creek CWF	Bradford County Conservation District Stoll Natural Resource Center 200 Lake Rd Ste E Towanda PA 18848 (570) 265-5539 X 120
Lawrence Township Clearfield County	PAG02001711011	Commonwealth of PA Dept of General Services 18th & Herr Streets Harrisburg PA 17125	West Branch of Susquehanna River WWF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield PA 16830 Phone: (814) 765-2629
Sandy Township Clearfield County	PAG02001712003	Patrick Mowrey Blue Sky PA LP 362 North St Sykesville PA 15865	Wolf Run CWF Slab Run CWF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield PA 16830 Phone: (814) 765-2629

*Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Nippenose Township Lycoming County	PAG02004112004	David Kiester TVMA 206 Allegheny St Jersey Shore PA 17740	West Branch Susquehanna River WWF, MF	Lycoming County Conservation District 542 County Farm Rd Suite 202 Montoursville PA 17754 (570) 433-3003
Liberty Township Tioga County	PAG02005912001	Drew Remley Remley Finishing Barn 1170 Salt Spring Rd Roaring Branch PA 17765	Salt Spring Run HQ-CWF	Tioga County Conservation District 50 Plaza Ln Wellsboro PA 16901 (570) 724-1801 Ext. 5
Clymer Township Tioga County	PAG02005912003	Kevin Zink 5094 Route 349 Westfield PA 16950	Mill Creek TSF-MF	Tioga County Conservation District 50 Plaza Ln Wellsboro PA 16901 (570) 724-1801 Ext. 5

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

*Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Kennedy Township Allegheny County	PAG02000211058	Jacob L Phillips Phillips Landfill & Slag Inc. 88 Beaver Grade Road McKees Rocks, PA 15136	UNT to Ohio River (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
City of Pittsburgh Allegheny County	PAG02000212007	Arthur M. Tamilya Allegheny County Sanitary Authority 3300 Preble Avenue Pittsburgh, PA 15233	Chartiers Creek (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
White Oak Borough Allegheny County	PAG02000212009	Cheryl-Moon Sirianni PA Dept. of Transportation 45 Thoms Run Rd Bridgeville, PA 15017	Long Run (TSF) Crooked Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
South Fayette Township Allegheny County	PAG02000212010	Stephen M Frank South Fayette Conservation Group 515 Miller's Run Rd Morgan, PA 15064	Miller's Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Richland Township Allegheny County	PAG02000212018	Sister Benita DeMatteis Benedictine Sisters Convent 4530 Perrysville Avenue Pittsburgh, PA 15229	UNT to Deer Creek (CWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645

<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>
City of Pittsburgh Allegheny County	PAG02000212027	A. Fulton Meachem Jr The Housing Authority of City of Pittsburgh 200 Ross Street Pittsburgh, PA 15219 Steve Cioppa Phase One Development Corporation 137 Monica Drive Pittsburgh, PA 15239	Allegheny River (WWF-N)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Whiteley, Perry, and Dunkard Townships Greene County	PAG02003011001	Trans-Allegheny Interstate Line Co. 800 Cabin Hill Rd Greensburg, PA 15601	Whiteley Creek (TSF) Calvin Run (WWF) North Branch Calvin Run (WWF) Watkins Run (WWF) Dunkard Creek (WWF) Dooley Run (WWF) Monongahela River (WWF) Crooked Run (WWF)	Greene County CD 19 South Washington Street Waynesburg, PA 15370 (724) 852-5278
Franklin Township Greene County	PAG02003012003	Robert Hayden Hayden Properties, LLC 955 8th Street Waynesburg, PA 15370	South Fork Ten Mile Creek (WWF)	Greene County CD 19 South Washington Street Waynesburg, PA 15370 (724) 852-5278
Amwell Township Washington County	PAG02006312010	Amwell Township Wayne Montgomery 885 Amity Ridge Road Amity, PA 15311	UNT to Ten Mile Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Evans City Borough Erie County	PAG02001012020	Pa Power Company Attn: Mr. Amy M. Placek 76 South Main Street Akron OH 44308	Connoquenessing Creek WWF	Erie County Conservation District 814-825-6403

*General Permit Type—PAG-03*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant's Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Upper Merion Township Montgomery County	PAR600117	Sims Metal East LLC 1 Linden Avenue East Jersey City, NJ 07305	Schuylkill River—3F	DEP Southeast Region Clean Water Program 484.250.5970
City of Philadelphia Philadelphia County	PAR600070	Pasco Inc. P. O. Box 156 Folcroft, PA 19032	Cobbs Creek—3G	DEP Southeast Region Clean Water Program 484.250.5970
Limerick Township Montgomery County	PAR210038	Trans Fleet Concrete Inc. 101 First Avenue Collegeville, PA 19426	Perkiomen Creek—3D	DEP Southeast Region Clean Water Program 484.250.5970
Lower Salford Township Montgomery County	PAR230079	Pecora Corp 165 Wambold Road Harleysville, PA 19438	Unnamed Tributary To Skippack Creek—3E	DEP Southeast Region Clean Water Program 484.250.5970
Bedford Township Bedford County	PAR203617	Defiance Metal Products of PA, Inc 550 Sunnyside Drive, Suite 101 Bedford, PA 15522	Raystown Branch Juniata River / TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
East Hempfield Township Lancaster County	PAR123514	Land 'O Lakes / Purina Feed LLC 3029 Hempland Road Lancaster, PA 17601-1309	UNT to West Branch Little Conestoga Creek / TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

*Facility Location:  
Municipality &  
County*

Manchester  
Township  
York County

*Permit No.*  
PAR803618

*Applicant's Name &  
Address*  
Con-Way Freight, Inc.  
425 Church Road  
York, PA 17406

*Receiving  
Water / Use*  
Codorus Creek / WWF

*Contact Office &  
Phone No.*  
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*

Pittsfield Township  
Warren County

*Permit No.*  
PAR608341

*Applicant Name &  
Address*  
West End Auto Parts  
29950 Route 6  
Youngsville, PA 16371

*Receiving  
Water / Use*  
Unnamed Tributary of  
Brokenstraw Creek and  
Brokenstraw Creek 16-B

*Contact Office &  
Phone No.*  
DEP NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA 16335-3481  
814/332-6942

*General Permit Type—PAG-4*

*Facility Location:  
Municipality &  
County*

Franklin Township  
Beaver County

*Permit No.*  
PAG046433

*Applicant Name &  
Address*  
Loryica Enterprises, Inc.  
204 Hickernell Road  
Fombell, PA 16123-1904

*Receiving  
Water / Use*  
Hazen Run

*Contact Office &  
Phone No.*  
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*

Washington  
Township  
Erie County

*Permit No.*  
PAG041065

*Applicant Name &  
Address*  
Louis F. Andersen  
4800 Old State Road  
McKean, PA 16426

*Receiving  
Water / Use*  
Unnamed Tributary to  
Conneauttee Creek 16-A

*Contact Office &  
Phone No.*  
DEP NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA 16335-3481  
814/332-6942

*General Permit Type—PAG-5*

*Facility Location:  
Municipality &  
County*

Norristown Borough  
Montgomery County

*Permit No.*  
PAG050089

*Applicant Name &  
Address*  
PECO Energy Co.  
2301 Market Street S7-2  
Philadelphia, PA  
19101-1338

*Receiving  
Water / Use*  
Schuylkill River 3-F

*Contact Office &  
Phone No.*  
Southeast Region  
Clean Water Program  
484-250-5970

*General Permit Type—PAG-10*

*Facility Location:  
Municipality &  
County*

York County  
Dover Township

*Permit No.*  
PAG103552

*Applicant Name &  
Address*  
NiSource / Columbia  
Gas Transmission, LLC  
1700 MacCorkle Ave., SE  
Charleston, WV 25313

*Receiving  
Water / Use*  
UNT to Fox Run / TSF

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

Adams County  
Oxford Township  
Hamilton Township

*Permit No.*  
PAG103553

*Applicant Name &  
Address*  
NiSource / Columbia  
Gas Transmission, LLC  
1700 MacCorkle Ave., SE  
Charleston, WV 25313

*Receiving  
Water / Use*  
South Fork of Conewago  
Creek / WWF

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

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water / Use*

*Contact Office &  
Phone No.*

York County  
Manchester  
Township  
West Manchester  
Township

PAG103554

NiSource / Columbia  
Gas Transmission, LLC  
1700 MacCorkle Ave., SE  
Charleston, WV 25313

Little Conewago Creek /  
TSF

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

*General Permit Type—PAG-12*

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water / Use*

*Contact Office &  
Phone No.*

Centre Township  
Berks County

PAG123728

Barry Good Farm  
1695 Rake Road  
Mohrsville, PA 19541

Plum Creek / WWF

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

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Wellhead Protection Program** Approval issued to **Biglerville Water Company**, 33 Musselman Avenue, Biglerville, PA 17307, PWSID 7010020, Biglerville Borough, **Adams County** on April 16, 2012.

**Wellhead Protection Program** Approval issued to **Blue Ball Water Authority**, 4610 Division Highway,

East Earl, PA 17519, PWSID 7360005, East Earl Township, **Lancaster County** on April 16, 2012.

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

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

Applicant **Canton Borough Authority**  
[Township or Borough] Canton Borough  
County **Bradford**  
Responsible Official Mr. Lester Hilfiger  
Canton Borough Authority  
P. O. Box 237  
Canton, PA 17724  
Type of Facility Public Water Supply  
Consulting Engineer Dennis Lingenfelter, P.E.  
Uni-Tech Consulting  
Engineers, Inc.  
2007 Cato Avenue  
State College, PA 16801  
Permit Issued April 18, 2012  
Description of Action Construction and operation of a  
bulk filling/metering station  
along Sullivan Street.

**Permit No. 1407502—Operation Public Water Supply.**

Applicant **Madisonburg Water Works**  
[Township or Borough] Miles Township  
County **Centre**  
Responsible Official Mr. Thomas Snyder  
Madisonburg Water Works  
260 Madisonburg Pike  
Madisonburg, PA 16852  
Type of Facility Public Water Supply  
Consulting Engineer N/A  
Permit Issued April 23, 2012  
Description of Action Operation of the membrane  
plant (Siemens/Memcor Model  
3L 10V, sodium hypochlorite and  
60,000 gallon storage tanks).

**Permit No. 1996501-T1—Operation Public Water Supply.**

Applicant **Aqua Pennsylvania, Inc.**  
 [Township or Borough] Mifflin Township  
 County **Columbia**  
 Responsible Official William C. Ross, Vice President  
 Aqua Pennsylvania, Inc.  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010

Type of Facility Public Water Supply  
 Consulting Engineer N/A  
 Permit Issued April 23, 2012  
 Description of Action Operation of Well #3 as a source  
 of public water supply, the  
 disinfection facilities contained  
 in the Well #3 treatment  
 building and the 10-inch  
 diameter transmission line  
 (1,575 feet).

**Permit No. MA GWR-T1**—Operation Public Water  
 Supply.

Applicant **Aqua Pennsylvania, Inc.**  
 [Township or Borough] Mifflin Township  
 County **Columbia**  
 Responsible Official William C. Ross, Vice President  
 Aqua Pennsylvania, Inc.  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010

Type of Facility Public Water Supply  
 Consulting Engineer N/A  
 Permit Issued April 23, 2012  
 Description of Action Approves 4-log inactivation of  
 viruses being met at Entry Point  
 100.

**Permit No. MA-T1**—Operation Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
 [Township or Borough] Mifflin Township  
 County **Columbia**  
 Responsible Official William C. Ross, Vice President  
 Aqua Pennsylvania, Inc.  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010

Type of Facility Public Water Supply  
 Consulting Engineer N/A  
 Permit Issued April 23, 2012  
 Description of Action Approves the protective coating  
 (cured December 1991) on the  
 300,000-gal finished water  
 storage tank.

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

**Permit No. 1011509** Public Water Supply

Applicant **Slippery Rock Municipal  
 Authority**  
 Township or Borough Slippery Rock Township  
 County **Butler**  
 Type of Facility Public Water Supply

Consulting Engineer Daniel E. Dow, P.E.  
 Herbert, Rowland & Grubic  
 200 West Kensing Drive,  
 Suite 400  
 Cranberry Township, PA 16066

Permit to Construct April 17, 2012  
 Issued

**Operation Permit** issued to **CSC Academy, Inc.**,  
 Summit Academy, PWSID #5100121, Summit Township,  
**Butler County**. Permit Number 1098507-MA1, issued  
 April 17, 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 **Jack R. Foht d/b/a  
 Peaceful Acres Mobile Home Park**, PWSID #6250053,  
 Girard Township, **Erie County**. Permit Number  
 2587502-MA1, issued April 18, 2012 for the operation of  
 4-Log treatment of viruses for Entry Point 100. This  
 action is taken under the requirements of the Groundwa-  
 ter Rule.

**Permit No. 4388504-MA1** Public Water Supply

Applicant **St. Paul Homes**  
 Township or Borough West Salem Township  
 County **Mercer**  
 Type of Facility Public Water Supply  
 Consulting Engineer Steven R. Halmi, P.E.  
 Deiss & Halmi Engineering, Inc.  
 105 Meadville Street  
 Edinboro, PA 16412

Permit to Construct April 18, 2012  
 Issued

**Cancellation of Permit** issued to **Imperial Point  
 Water Service Company**, PWSID #6250046, Girard  
 Township, **Erie County** on October 21, 2011. This action  
 represents the cancellation of Permit Number 2597503  
 issued February 16, 1999. This action is due to a  
 consolidation.

**Cancellation of Permit** issued to **Imperial Point  
 Water Service Company**, PWSID #6250046, Girard  
 Township, **Erie County** on October 21, 2011. This action  
 represents the cancellation of Permit Number 2597503-  
 MA2 issued March 31, 2011. This action is due to a  
 consolidation.

**Operation Permit** issued to **Guys Mills Mutual  
 Water Association**, PWSID #6200062, Randolph Town-  
 ship, **Crawford County**. Permit Number 2007504-C1  
 issued April 19, 2012 for the operation to set Water  
 Quality Parameters.

#### SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Earl Township	517 N Railroad Ave New Holland PA 17557	Lancaster

*Plan Description:* The planning module for the Ervin  
 Zimmerman Subdivision, DEP Code No. A3-36923-271-2,

APS Id 773145, consisting of a one lot single family residential subdivision using individual on lot sewage disposal systems is disapproved. The proposed development is located on the south side of Wannar Road approximately 0.2 mile east of its intersection with Route 322 in Earl Township. This plan is disapproved because this proposal is based on the pilot project for the offset trading of nutrients in areas of high nitrates in the groundwater. The criteria for meeting the requirements of this pilot project have not been met. The proposal did not provide documentation that the Nutrient Management Plan and Farm Conservation Plan for this farm are being implemented.

## 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.*

**Depaola 2H/3H Well Site**, 7837 State Route 29, Dimock Township, **Susquehanna County**. James Pinta

and David Testa, URS Corporation, 501 Holiday Drive, Foster Plaza 4, Suite 300, Pittsburgh, PA 15220 have submitted a Final Report on behalf of their client, Cabot Oil & Gas Corporation, Five Penn Center West, Suite 401, Pittsburgh, PA 15276, concerning the remediation of soil found to have been impacted by drill cuttings being released below the reserve pit liner. The report was submitted to document attainment of the Residential Statewide Health Standard and Background Standard for soil. A Notice of Intent to Remediate was simultaneously submitted.

**B. Severcool 1V/2H Well Site**, State Route 29, Dimock Township, **Susquehanna County**. James Pinta and David Testa, URS Corporation, 501 Holiday Drive, Foster Plaza 4, Suite 300, Pittsburgh, PA 15220 have submitted a Final Report on behalf of their client, Cabot Oil & Gas Corporation, Five Penn Center West, Suite 401, Pittsburgh, PA 15276, concerning the remediation of soil found to have been impacted by materials being released below the reserve pit liner. The report was submitted to document attainment of the Residential Statewide Health Standard and the Background Standard for soil. A Notice of Intent to Remediate was simultaneously submitted.

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

**Norwin Towne Square Dry Cleaner**, North Huntingdon Township, **Westmoreland County**. American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668 on behalf of Norwin Shopping Center, Pittsburgh, PA has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with TCE and its degradation products from a former dry cleaning operation. The Final Report was noticed in the *Tribune Review* on April 3 2012.

## 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.*

**R. Hull 1H Well Site**, Phillips Road (Township Road 378), Springville Township, **Susquehanna County**. James Pinta, Jr. and David Testa, URS Corporation, 501 Holiday Drive, Foster Plaza 4, Suite 300, Pittsburgh, PA 15220 submitted a Final Report on behalf of their client, Cabot Oil & Gas Corporation, 5 Penn Center West, Suite 401, Pittsburgh, PA 15276, concerning the remediation of soil found to have been impacted by brine fluids as a result of a release from a pipe that was eroded by the fluid during fracking activities. The report documented attainment of the Statewide Health Standard for soil and the Background Standard for soil. The Final Report was approved on April 16, 2012. The report was originally submitted within 90 days of the release.

**A. Heitzenroder 1H/2H/3H/4H Well Site**, State Route 3013 and State Route 29 (South of the Intersection), Springville Township, **Susquehanna County**. James Pinta, Jr. and David Testa, URS Corporation, 501 Holiday Drive, Foster Plaza 4, Suite 300, Pittsburgh, PA 15220 submitted a Final Report on behalf of their client, Cabot Oil & Gas Corporation, 5 Penn Center West, Suite 401, Pittsburgh, PA 15276, concerning the remediation of soil found to have been impacted by water-based drilling mud as a result of a release at the well site. The report documented attainment of the Statewide Health Standard for soil and the Background Standard for soil. The Final Report was approved on April 12, 2012. The report was originally submitted within 90 days of the release.

**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 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 groundwa-

ter found to have been impacted by inorganics, SVOCs, VOCs, and organochlorine pesticides as a result of historical chemical, industrial processes and disposal on the property. The report documented attainment of the Statewide Health Standard and the Site-Specific Standard for soil and groundwater and was approved on April 10, 2012.

**Cosner 5H Well Site**, 15771 Strickland Hill Road, Springville Township, **Susquehanna County**. James Pinta, Jr. and David Testa, URS Corporation, 501 Holiday Drive, Foster Plaza 4, Suite 300, Pittsburgh, PA 15220 submitted a Final Report on behalf of their client, Cabot Oil & Gas Corporation, 5 Penn Center West, Suite 401, Pittsburgh, PA 15276, concerning the remediation of soil found to have been impacted by two releases of brine fluid as a result of a leak in the well's blow line and a rupture to the well's production unit's regulation line. The report documented attainment of the Residential Statewide Health Standard and the Background Standard for calcium, chloride, magnesium, sodium, potassium, and strontium for soil and was approved on April 5, 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.*

**Fort Indiantown Gap Building 11-89**, Asher Miner Road (State Route 934), Annville, East Hanover Township, **Lebanon County**. PA Dept. of Military and Veterans Affairs, Bureau of Environmental Management, Environmental Compliance Division, Building 0-11, Fort Indiantown Gap, Annville, PA 17003-5002, submitted a Final Report concerning remediation of site soils and groundwater contaminated with heating oil and diesel fuel. The Final Report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department on March 30, 2012.

**Former Exxon Station RAS 2-7395**, 145 Gettysburg Pike, Mechanicsburg, PA, 17055, Upper Allen Township, **Cumberland County**. ARCADIS, 10 Friends Lane, Suite 200, Newtown, PA 18940 on behalf of Elvin B. Hess, 145 Gettysburg Pike, Mechanicsburg, PA 17055-5695, and ExxonMobil Environmental Services Company, 1016 West Poplar Avenue, Suite 106 # 232, Colliersville, TN 38017 submitted a Remedial Investigation Report, Risk Assessment Report, Cleanup Plan and Final Report concerning remediation of site soils and groundwater contaminated with unleaded gasoline. The reports demonstrated attainment of a combination of the Residential Statewide Health and Site-Specific standards, and was approved by the Department on April 18, 2012.

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

**Keystone Mills**, Washington Township, **Snyder County**. Northridge Group Incorporated, on behalf of Keystone Mills has submitted a Final Report concerning remediation of site soil contaminated with Benzene, Naphthalene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Anthracene, Benzo(a)anthracene, Benzo(a)pyrene, Benzo(b)fluoranthene, Benzo(g,h,i)perylene, Chrysene, Fluorene, Phenanthrene, and Pyrene for property owned by PennDot along Lenig Road. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 10, 2012.

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

**Xylem Inc.** (Fmr. ITT Water & Wastewater Leopold / Fmr. F. B. Leopold Company, Inc.), Zelenople Borough, **Butler County**. AECOM, 4 Neshaminy Interplex, Suite 300, Trevoise, PA 19053 on behalf of Xylem, Inc., 1133 Westchester Avenue, White Plains, NY 10604 has submitted a Remediation Investigation/Final Report concerning the remediation of site soils contaminated with mercury and arsenic; and site groundwater contaminated with arsenic, benzo[a]pyrene, lead, bis[2-ethylehexyl]phthalate, dibenz[a,h]anthracene, benzo[g,h,i]perylene, benzo[k]-fluoranthene, benzo[a]anthracene, benzo[b]fluoranthene, and indeno[1,2,3-cd]pyrene. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 16, 2012.

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

**U.S. Steel Frozen Hollow Site**, Borough of Vandergrift, **Westmoreland County**. Civil & Environmental Consultants, Inc. on behalf of United States Steel Corporation, 600 Grant Street, Pittsburgh, PA 15222 has submitted a Final Report titled U.S. Steel Frozen Hollow Site, concerning the remediation of site soil contaminated with lead, manganese and thallium and groundwater contaminated with aluminum, iron, lead and manganese. The Final Report was approved by the Department on April 19 2012. The Final Report demonstrated attainment of non-residential Statewide Health Standard and Site Specific Standard for soil.

**Marathon Petroleum Company Floreffe Terminal**, Jefferson Hills Borough, **Allegheny County**. URS Corporation on behalf of Marathon Petroleum Company LP, 1100 Glasshouse Road, Jefferson Hills, PA 15025-2530 has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with diesel constituents. The RIR was approved by the Department on April 19 2012

#### RESIDUAL WASTE GENERAL PERMITS

**Permit(s) Issued Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**General Permit No. WMGR123SW008. Aquatic Synthesis Unlimited, LLC**, 340 North Main Street, Suite 203, Butler, PA 16001. Kay Arena Site, 393 Mabon Drive, Indiana, PA 15701. Processing and beneficial use of oil and gas liquid waste to be used as a water supply to develop or hydraulically fracture an oil or gas well. The permit was issued by the Regional Office on March 19, 2012.

Persons interested in reviewing the general permit may contact Diane McDaniel, Environmental Engineering Manager, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

## AIR QUALITY

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

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

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

**39-302-200GP1: Coca Cola Co.—Lehigh Valley Plant** (7551 Schantz Road, Allentown, PA 18106) on April 12, 2012, to operate four Boilers at their site in Upper Macungie Township **Lehigh County**.

**39-302-201GP1: Ocean Spray Cranberries, Inc.** (Lehigh Valley West, 2 Industrial Park, Lot 2, Breinigsville, PA 18031) on April 13, 2012, to operate three (3) Boilers at their site in Upper Macungie Township, **Lehigh 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*

**GP3-22-05046D: Haines & Kibblehouse, Inc.** (PO Box 196, 2052 Lucon Road, Skippack, PA 19474) on April 17, 2012, for a crusher and two conveyors under GP3 at their Handwerk Materials quarry in Lower Swatara Township, **Dauphin County**.

**GP9-22-05046D: Haines & Kibblehouse, Inc.** (PO Box 196, 2052 Lucon Road, Skippack, PA 19474) on April 17, 2012, for a diesel-fired engine under GP9 to power stone crushing equipment at their Handwerk Materials quarry in Lower Swatara Township, **Dauphin County**.

**GP1-36-05084A: Ephrata Community Hospital** (PO Box 1002, Ephrata, PA 17522-1005) on April 19, 2012, for installation and operation of two (2) new natural gas/#2 oil-fired boilers, at the hospital in Ephrata Borough, **Lancaster 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*

**GP5-30-00175D: Laurel Mountain Midstream, LLC** (1550 Coraopolis Height Road, 2nd Floor, Moon Township, PA 15108) on April 17, 2012, to allow the continued operation of seven (7) natural gas-fired engines and two (2) dehydrators at the existing Davis Compressor Station located in Jefferson Township, **Greene County**.

**GP3-56-00298: Garrett Limestone Co., Inc.**, (451 Stoystown Road, Suite 104, Stoystown, PA, 15501) on April 17, 2012, received authorization under GP-3 for installation and operation of a portable non-metallic mineral processing plant at its Romesburg Quarry (SMP #56970301) in Black Township, **Somerset County**.

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

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

**GP5-61-196B: Belden & Blake Corp.—Windy Hills Compressor Station** (Route 8, Titusville, PA 16354) on

April 17, 2012, for to operate a 670 bhp natural gas compressor engine and a 2 MMscf/d capacity glycol dehydrator/reboiler in Cherrytree Township, **Venango County**.

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

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

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

**15-0027J: Johnson Matthey, Inc.—Catalytic Systems Division** (456 Devon Park Drive, Wayne, PA 19087) on April 18, 2012, for modification of source emission limits and a reporting condition in the existing Plan Approval 15-0027I for their facility in Atglen Township, **Chester County**. As a result of potential emissions of NO<sub>x</sub> and VOC, the facility is a Title V facility. The Plan Approval will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**09-0220: Donaldson Co., Inc.** (1731 Loretta Avenue, Feasterville, PA 19053) on April 18, 2012, for installation of an extrusion line control by a regenerative thermal oxidizer in Lower Southampton Township, **Bucks County**. The company manufactures Polytetra Fluoroethylene (PTFE) film for various industrial applications. The pollutant of concern is Volatile Organic Compound (VOC). The Plan Approval and Operating Permit will include monitoring, record keeping and reporting requirements designed to address 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*

**10-350C: iDL Worldwide, Inc.—Cloverleaf Group** (500 Grant Avenue, East Butler, PA 16029) on April 17, 2012, for construction of the Sheet Polymer Mounting Department and the Cyrel Platemaking Operations in East Butler Borough, **Butler County**. This is a State Only facility.

**25-1021A: Team Hardinger Transportation** (1314 West 18th Street, Erie, PA 16502-1517) on April 12, 2012, for an increase in production at their facility paint booth in the City of Erie, **Erie County**. A dry filter system is used to control particulate matter (PM) emissions.

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

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

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

**23-0111A: Janssen Research and Development, Inc.** (145 King of Prussia Road, Radnor, PA 19087) on April 18, 2012, to operate a generator in Radnor Township, **Delaware County**.

**46-0069E: Highway Materials, Inc.** (1750 Walton Road, Blue Bell, PA 19422) on April 18, 2012, to operate a primary crusher in Whitemarsh Township, **Montgomery County**.

**46-0262B: Penn Color, Inc.** (2755 Bergey Road, Hatfield, PA 19440) on April 18, 2012, to operate an extruder in Hatfield Township, **Montgomery County**.

**15-0009C: AGC Chemicals America, Inc.** (255 South Bailey Road, Downingtown, PA 19355) on April 20, 2012, to operate a fluid bed dryer Downingtown Borough, **Chester County**.

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

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

**08-313-042D: Global Tungsten & Powders, Corp.** (Hawes Street, North Towanda, PA 18848) on April 17, 2012, to extend the authorization to temporarily operate a new Progressive Technologies model HE-100 plasma gun (PMI gun No. 1, Source ID P227) for their facility in North Towanda Township, **Bradford County** until November 8, 2012. The particulate matter and hazardous air pollutant emissions from the PMI gun will be controlled by a Farr-Tenkay fabric collector and final filter. 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*

**PA-65-00983A: Dominion Transmission, Inc.—Rock Springs Compressor Station** (1875 Grange Road, Charleroi, PA 15022) on April 18, 2012, for a plan approval extension in order to prepare and submit a revision to the operating permit application so that the final plan approval conditions can be incorporated in Salem Township, **Westmoreland County**. The plan approval is being extended until October 20, 2012.

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

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

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

**46-00047: Mueller Streamline Co.—dba Precision Tube Co.** (287 Wissahickon Avenue, North Wales, PA 19454) on April 18, 2012, for renewal of the Title V Operating Permit which will expire on April 24, 2012 in Upper Gwynedd Township, **Montgomery County**. This facility has been identified as a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is major for Hazardous Air Pollutants (HAP) and Carbon Monoxide (CO). Facility wide HAP emissions from the use of methylene chloride (CAS No. 75-09-2 or dichloro-methane) in two (2) batch vapor degreasers located at the plant exceed the 10 tons per year individual HAP threshold, and facility wide CO emissions created in atmosphere generators associated with two (2) annealing furnaces located at the plant exceed the 100 tons per year criteria pollutant threshold. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G. The two (2) emergency generators listed in Source ID 110 are subject to the requirements of 40 CFR

Part 63 Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The two (2) batch vapor degreasers are subject to the requirements of 40 CFR Part 63 Subpart T—National Emission Standards for Halogenated Solvent Cleaning. Sources at the facility are not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64, and the facility is not subject to the Greenhouse Gas Requirements pursuant to the GHG Tailoring Rule, 40 CFR Parts 51, 52, 70, and 71, et al. There are no new sources at this facility. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

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

**10-00267: Alcoa Commercial Windows LLC** (71 Progress Avenue, Cranberry Township, PA 16066) on April 23, 2012, to modify the Title V Only Operating Permit for their facility in Cranberry Township, **Butler County**. The facility has two sources that are affected by this modification. Source 101 is the Tellkamp line & Binks booth controlled by a thermal oxidizer. Source 102 is the coated extrusion bake oven which is also controlled by the same thermal oxidizer. The facility is a major facility due to its potential to emit volatile organic compounds (VOCs). The facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility is also subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for surface coating of miscellaneous metal parts and products (40 CFR 63, Subpart MMMM). The modification is specifically to include additional compliance options allowed under Subpart MMMM to be included in the permit. The facility is proposing to use the facility-specific emissions limit alternative in combination with the emission rate without add-on controls option for compliance with Subpart MMMM for Sources 101 and 102. This modification will not increase VOC or HAP emissions at the facility. The responsible official was changed to Thomas VanSumeren, VP & General Manager and the permit contact title was changed to Environmental Manger under this authorization

**42-00004: American Refining Group** (77 North Kendall Avenue, Bradford, PA 16701) on April 18, 2012, issued an administrative amendment to the Title V Operating Permit to incorporate the conditions of plan approval 42-004E into the permit for their facility in Bradford City, **McKean County**.

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

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

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

**35-00055: McGregor Industries, Inc.** (46 Line Street, Dunmore, PA 18512-1432) on April 19, 2012, to operate fabricated structural metal manufacturing in Dunmore Borough, **Lackawanna 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*

**36-03077: ICM of PA, Inc.** (638 Lancaster Avenue, Malvern, PA 19355-1898) on April 16, 2012, for their quarry and rock crushing facility in Fulton Township, **Lancaster 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*

**41-00063: Ralph S. Alberts Co., Inc.** (60 Choate Circle, Montoursville, PA 17754-9791) on April 18, 2012, to issue a State Only operating permit for their polyurethane foam parts manufacturing facility in Fairfield Township, **Lycoming County**. The facility's main sources include five surface-coating spray booths, a solvent cleaning sink, and various natural gas-fired space heaters. The facility has the potential to emit all criteria pollutants below the major emission thresholds. The State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

**26-00473: Bullskin Tipple Company / Bullskin Yard** (114 Narrows Road, Connellsville, PA 15425) on April 19, 2012 the Department issued a State Only Operating Permit for the operation of a bituminous coal preparation plant located in Connellsville Township, **Fayette County**. The subject facility consists of a 120 ton per hour enclosed crusher, truck and train unloading and loading, conveyors, stockpiling and haulroads. The facility has the potential to emit 61.1 tpy PM and 28.6 tpy PM<sub>10</sub>. The facility is required to conduct a daily survey of the facility during daylight hours while the facility is operating to ensure compliance with the fugitive emission and malodor restrictions. Records of the daily survey performed must be recorded. The Owner/Operator shall maintain a daily log of tons of coal delivered to the facility, inventory on hand, and coal shipped from the facility. The facility is also required to water all in-plant roads once per day, dependent on the weather, maintain a set vehicle pattern, post speed limit sign of 15 mph as well as promptly remove earth or other material from paved roads onto with earth or other material has been transported by trucking or earth moving equipment, or other means. The proposed authorization is subject to State and Federal Regulations. The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.

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

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

**10-00065: Allegheny Mineral Harrisville Plant** (PO Box 1022, One Glade Park East, Kittanning, PA 16201), on April 19, 2012, issued the renewal of the State Only Operating Permit for their limestone plant at 133 Camp Ground Road in Mercer Township, **Butler County**. The facility is a Natural Minor. The primary sources at the facility include a feeder, jaw crusher, conveyors, screens, material bins, stockpiles, Bradley Mill, Raymond Mill, bagging, and transfer points, a small natural gas emer-

agency generator (22HP), and a parts washer. The mills are each controlled by cyclone / baghouse. Fugitive emissions are minimized by the wet spray Aquadyne system. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**10-00305: Harsco Minerals PA LLC** (359 North Pike Road, Sarver, PA 16055) on April 24, 2012, for a renewal of the Natural Minor Operating Permit to operate a stainless steel slag processing plant and stockpiling in Winfield Township, **Butler County**. The emitting sources included, 1) Hyway thermal fluid heating system, 2) Truck travel (Paved & Unpaved), 3) Material handling, 4) Front-End loaders travel, 5) Slag crushing, 6) Wind erosion from storage piles, 7) Slag skull screening, 8) Holo-Flight aggregate dryer and 9) Fluid Bed Dryer. The emission of pollutants from the facility is less than the Title V threshold-limits. Thus, the facility is natural minor.

**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.**

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

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

**40-00106: Wyman-Gordon PA LLC** (701 Crestwood Drive, Mountaintop, PA 18707) on April 18, 2012, for a change of ownership from Unison Engine Components in Wright Township, **Luzerne County**. This is a State-Only Operating Permit.

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

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

**18-00008: Woolrich, Inc.** (2 Mill Street, PO Box 138, Woolrich, PA 17779) on April 18, 2012, to issue a revised State Only (synthetic minor) operating permit to incorporate a change in fuel type from propane to natural gas for several combustion units at their facility in Pine Creek Township, **Clinton County**. This state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

**62-00183: Papco, Inc.** (213 West 3rd Avenue Suite 304, PO Box 627, Warren PA 16365) on April 17, 2012, issued an administrative amendment to the State Operating Permit to incorporate the requirements of 40 CFR 60.482-2(a)(1), 60.482-7 and 60.633(b)(1) which were inadvertently omitted from the operating permit for the facility located in Mead Township, **Warren County**.

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

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

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

**56-00298: Garrett Limestone Co., Inc.**, (451 Stoystown Road, Suite 104, Stoystown, PA, 15501) on January 18, 2012, provided notice of de minimis emissions increases pursuant to 25 Pa. Code § 127.449 of 0.008 tons per year (tpy) of PM-10, 0.07 tpy CO, 0.59 tpy NO<sub>x</sub>, and 0.05 tpy VOC resulting from installation of a 96-bhp diesel engine to power a portable non-metallic mineral processing plant at its Romesburg Quarry (SMP #56970301) in Black Township, **Somerset County**.

**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.**

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

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

**17-00026: Curwensville Area School District** (650 Beech Street, Curwensville, PA 16833) on April 17, 2012, terminated a State Only (Synthetic Minor) operating permit for their Curwensville Area Jr./Sr. High School facility in Curwensville Borough, **Clearfield County**. The facility emits all air contaminants below the exemption emission thresholds.

**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 Applications Returned*

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

**17950106 and NPDES No. PA0220060. Waroquier Coal Co.** (P. O. Box 128, Clearfield, PA 16830). Permit revision to add 1.8 acres to the surface mine permit boundary and for a second stream crossing across unnamed tributary #28. Application received: July 6, 2011. Application withdrawn: April 16, 2012.

*Coal Permits Actions*

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

**32090103 and NPDES No. PA0262889. Alverda Enterprises, Inc.**, P. O. Box 246, Alverda, PA 15710, revision of an existing bituminous surface and auger mine to add 17.3 acres to the permit boundary in Pine Township,

**Indiana County**, affecting 20.4 acres. Receiving stream(s): Yellow Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received December 21, 2011. Permit issued: April 12, 2012.

**56100105 and NPDES No. PA0263079. Wilson Creek Energy, LLC**, 140 West Union Street, Somerset, PA 15501, revision of an existing bituminous surface and auger mine to add construction of a temporary raw coal stockpile area and add 8.3 acres to the permit for the purpose of constructing a new and permanent haul road in Black Township, **Somerset County**, affecting 141.0 acres. Receiving stream(s): Wilson Creek and Coxes Creek classified for the following use(s): warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received September 20, 2011. Permit issued April 12, 2012.

**56950111 and NPDES No. PA0213225. Sherpa Mining Contractors, Inc.**, 337 Benny Road, Hooversville, PA 15936, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Shade Township, **Somerset County**, affecting 458.4 acres. Receiving stream(s): unnamed tributaries to/and Shade Creek classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Stonycreek SWI. Application received October 8, 2010. Permit issued April 12, 2012.

**11050101 and NPDES No. PA0249718. E. P. Bender Coal Company, Inc.**, P. O. Box 594, Carrolltown, PA 15722, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Cresson Township, **Cambria County**, affecting 197.7 acres. Receiving stream(s): UT to Bear Rock Run classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is Lilly Borough Surface Water Intake on Bear Rock Run PWS No. 4110046. Application received October 19, 2011. Permit issued April 12, 2012.

**56050104 and NPDES No. PA0249777. Hoffman Mining, Inc.**, P. O. Box 130, 118 Runway Road, Friedens, PA 15541, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Paint Township, **Somerset County**, affecting 161.7 acres. Receiving stream(s): Shade Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received September 14, 2010. Permit issued April 17, 2012.

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

**65-11-05 and NPDES Permit No. PA0252174. David L. Patterson, Jr.** (12 Short Cut Road, Smithfield, PA 15478). Government Financed Construction Contract issued for reclamation project to an abandoned mine land, located in Loyalhanna Township, **Westmoreland County**, affecting 9.5 acres. Receiving streams: Getty Run and unnamed tributaries to Getty Run Application received: January 4, 2012. Permit issued: April 18, 2012.

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

**61110103 and NPDES Permit No. PA0259209. K & A Mining** (P. O. Box 288, Grove City, PA 16127) Commencement, operation and restoration of a bituminous surface mine in Irwin Township, **Venango County** affecting 73.9 acres. Receiving streams: Unnamed tribu-

tary to Scrubgrass Creek. Application received: November 21, 2011. Permit Issued: April 17, 2012.

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

**54840106GP104. City of Philadelphia, Trustee for Girard Estate**, (21 South 12th Street, Philadelphia, PA 19107-3684), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54840106 in Butler & West Mahanoy Townships, **Schuylkill County**, receiving stream: Shenandoah Creek. Application received: April 5, 2012. Permit issued: April 16, 2012.

**54950104GP104. City of Philadelphia, Trustee for Girard Estate**, (21 South 12th Street, Philadelphia, PA 19107-3684), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54950104 in West Mahanoy Township, **Schuylkill County**, receiving stream: Shenandoah Creek. Application received: April 5, 2012. Permit issued: April 16, 2012.

*Noncoal Permits Actions*

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

**53110802. Scott Fessenden** (64 Fessenden Road, Roulette, PA 16746), commencement, operation and restoration of a bluestone operation in Portage Township, **Potter County** affecting one acre. Receiving stream(s): West Branch of Freeman Run. Application received: October 25, 2011. Permit issued: April 16, 2012.

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

**58110806. John Castrogiovanni**, (3840 Turnpike Road, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Bridgewater Township, **Susquehanna County** affecting 2.0 acres, receiving stream: Unnamed tributary to Meshoppen Creek. Application received: August 24, 2011. Permit issued: April 23, 2012.

**58110806GP104. John Castrogiovanni**, (3840 Turnpike Road, Montrose, PA 18801), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58110806 in Bridgewater Township, **Susquehanna County**, receiving stream: Unnamed tributary to Meshoppen Creek. Application received: August 24, 2011. Permit issued: April 23, 2012.

**58110807. John Castrogiovanni**, (3840 Turnpike Road, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Bridgewater Township, **Susquehanna County** affecting 5.0 acres, receiving stream: Unnamed tributary to Meshoppen Creek. Application received: August 24, 2011. Permit issued: April 23, 2012.

**58110807GP104. John Castrogiovanni**, (3840 Turnpike Road, Montrose, PA 18801), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58110807 in Bridgewater Township, **Susquehanna County**, receiving stream: Unnamed tributary to Meshoppen Creek. Application received: August 24, 2011. Permit issued: April 23, 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*

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

**56124002. Interstate Waste Service**, 7095 Glades Pike Road, Somerset, PA 15501, blasting activity permit issued for landfill expansion project in Somerset Township, **Somerset County**. Blasting activity permit end date is end of project. Permit issued: April 16, 2012.

**21124001. Demtech**, 2500 S. Noah Drive, Saxonburg, PA 16056, blasting activity permit issued for demolition for bridge over turnpike in West Pennsboro Township, **Cumberland County**. Blasting activity permit end date is June 1, 2012. Permit issued: April 17, 2012.

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

**65124001. Ligonier Stone & Lime Co.** (117 Marcia Street, Latrobe, PA 15650). Blasting activity permit for the construction of the Dave Steinmeyer borrow pit for 206 Rock, located in East Huntingdon Township, **Westmoreland County**. The duration of blasting is expected to last one year. Blasting permit issued: April 20, 2012.

**02124003. Duane Houkom, Inc.** (32125 South 220 Road, Henryetta, OK 74437). Blasting activity permit for the demolition of the 31st Street bridge steel span, located in City of Pittsburgh, **Allegheny County**. The duration of blasting is expected to be one day, June 30, 2012. Blasting permit issued: April 20, 2012.

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

**42124003. Glenn O. Hawbaker, Inc.** (1952 Waddle Road, State College, PA 16803) Blasting activity permit for excavation of the Rail Siding Area Project for the McKean County Landfill in Hamlin Township, **McKean County**. This permit expires July 1, 2012. Application received: April 9, 2012. Permit Issued: April 17, 2012.

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

**08124128. Meshoppen Blasting, Inc.** (Frantz Road, P. O. Box 127, Meshoppen, PA 18630). Blasting for an access road and well site located in Steven Township, **Bradford County**. Permit issued: April 16, 2012. Permit expires: September 30, 2012.

**08124129. Meshoppen Blasting, Inc.** (Frantz Road, P. O. Box 127, Meshoppen, PA 18630). Blasting for an access road and well site located in Wysox Township, **Bradford County**. Permit issued: April 18, 2012. Permit expires: September 30, 2012.

**14124105. Geological Tech, Inc.** (P. O. Box 70, Falling Waters, WV 25419-0070). Construction blasting for commercial development—Hanover Foods Corp located in Potter Township, **Centre Co.** Permit issued: April 17, 2012. Permit expires: October 6, 2012.

**59124102. Maine Drilling & Blasting, Inc.** (P. O. Box 1140, Gardiner, ME 04345-1140). Construction blasting

for a retention pond located in Delmar and Shippen Townships, **Tioga County**. Permit issued: April 16, 2012. Permit expires: April 10, 2013.

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

**58124128. Holbert Explosives, Inc.**, (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for Williams Gathering Line in Forest Lake, Bridgewater and Silver Lake Townships, **Susquehanna County** with an expiration date of April 10, 2013. Permit issued: April 17, 2012.

**35124102. Doug Wathen, LLC**, (16282 State Highway 13, Suite J, Branson West, MO 65737), construction blasting for TMG Project in Jefferson and Carbondale Townships, **Lackawanna County** with an expiration date of April 13, 2013. Permit issued: April 18, 2012.

**36124116. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Joe Esh manure pit in East Lampeter Township, **Lancaster County** with an expiration date of December 31, 2012. Permit issued: April 18, 2012.

**58124008. John Brainard**, (3978 State Route 2073, Kingsley, PA 18826), construction blasting for Range Unit 49 Gas Well Pad Enlargement in Jackson Township, **Susquehanna County** with an expiration date of December 31, 2012. Permit issued: April 18, 2012.

**36124002. Contract Drilling & Blasting**, (470 Broadway #314, Bayonne, NJ 07002), demolition blasting for the Holtwood Power Plant Project/Skimmer Wall in Martic Township, **Lancaster County** with an expiration date of July 31, 2012. Permit issued: April 19, 2012.

**58124127. Maurer & Scott Sales, Inc.**, (122 Thomas Street, Coopersburg, PA 18036), construction blasting for Powers Stone Lane Road Quarry in Middleton Township, **Susquehanna County** with an expiration date of April 1, 2013. Permit issued: April 20, 2012.

**58124130. Rock Work, Inc.**, (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Range 67 well pad in Jackson Township, **Susquehanna County** with an expiration date of April 1, 2013. Permit issued: April 20, 2012.

**58124131. Rock Work, Inc.**, (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Range 69 well pad in Thompson Township, **Susquehanna County** with an expiration date of April 1, 2013. Permit issued: April 20, 2012.

**40124110. Explosive Services, Inc.**, (7 Pine Street, Bethany, PA 18431), construction blasting for Latona Trucking & Excavating in Plains Township, **Luzerne County** with an expiration date of April 17, 2013. Permit issued: April 23, 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.

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**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.**

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*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

*Northcentral Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**E5929-004: East Resources Management, L.L.C.**, 190 Thorn Hill Road, Warrendale, PA 15086, Union and Liberty Township, **Tioga County**, ACOE Baltimore District.

To construct and maintain:

1) a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing Sugar Works Run (HQ-CWF) impacting 2,015 square feet (Ralston, PA Quadrangle 41° 36' 5.94"N 76° 56' 11.81"W);

2) a temporary road crossing using a 20 foot long, 18 inch diameter corrugated metal pipe, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Sugar Works Run (HQ-CWF) impacting 337 square feet (Ralston, PA Quadrangle 41° 36' 3.99"N 76° 56' 37.68"W);

3) a temporary road crossing using a 20 foot long, 39 inch diameter corrugated metal pipes, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing Mill Creek (HQ-CWF) impacting 1,193 square feet (Ralston, PA Quadrangle 41° 36' 6.19"N 76° 57' 26.92"W);

4) a temporary road crossing using two 20 foot long, 24 inch diameter corrugated metal pipes, a 20 inch diameter and an 8 inch diameter natural gas gathering lines crossing an unnamed tributary (UNT) to West Mill Creek (HQ-CWF) impacting 1,411 square feet (Ralston, PA Quadrangle 41° 36' 1.59"N 76° 58' 18.05"W);

5) a temporary road crossing using a 20 foot long, 18 inch diameter corrugated metal pipe, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to West Mill Creek (HQ-CWF) impacting 352 square feet (Ralston, PA Quadrangle 41° 35' 35"N 76° 58' 48.07"W);

6) a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing West Mill Creek (HQ-CWF) impacting 2,391 square feet (Ralston, PA Quadrangle 41° 35' 33.73"N 76° 58' 50.16"W);

7) a temporary road crossing using a 20 foot long, 18 inch diameter corrugated metal pipe, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to French Lick Run (HQ-CWF) impacting 1,384 square feet (Ralston, PA Quadrangle 41° 35' 29.70"N 76° 58' 54.37"W);

8) a temporary road crossing using a 20 foot long, 24 inch diameter corrugated metal pipes, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing French Lick Run (HQ-CWF) impacting 1,416 square feet (Ralston, PA Quadrangle 41° 35' 00.14"N 76° 59' 25.89"W);

9) a temporary road crossing using a 20 foot long, 24 inch diameter corrugated metal pipe, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to French Lick Run (HQ-CWF) impacting 422 square feet (Ralston, PA Quadrangle 41° 34' 49.44"N 76° 59' 37.71"W);

10) a temporary road crossing using two 20 foot long, 24 inch diameter corrugated metal pipe, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Salt Spring Run (HQ-CWF) impacting 766 square feet (Liberty, PA Quadrangle 41° 34' 21.88"N 77° 0' 21.88"W);

11) a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing Salt Spring Run (HQ-CWF) impacting 2,403 square feet (Liberty, PA Quadrangle 41° 34' 21.33"N 77° 0' 45.19"W);

12) a temporary road crossing using a 20 foot long, 24 inch diameter corrugated metal pipe, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Salt Spring Run (HQ-CWF) impacting 92 square feet (Liberty, PA Quadrangle 41° 34' 9.03"N 77° 1' 26.30"W);

13) a temporary road crossing using a 20 foot long, 18 inch diameter corrugated metal pipe, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Brion Creek (HQ-CWF) impacting 93 square feet (Liberty, PA Quadrangle 41° 33' 44.7"N 77° 1' 15.7"W);

14) a temporary road crossing using a 20 foot long, 24 inch diameter corrugated metal pipes, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Brion Creek (HQ-CWF) impacting 796 square feet (Liberty, PA Quadrangle 41° 33' 32.33"N 77° 1' 26.2"W);

15) a temporary road crossing using a 20 foot long, 18 inch diameter corrugated metal pipes, a 20 inch diameter and an 8 inch diameter natural gas gathering line cross-



ing an unnamed tributary (UNT) to Brion Creek (HQ-CWF) impacting 979 square feet (Liberty, PA Quadrangle 41° 33' 9.98"N 77° 2' 13.29"W);

16) a temporary road crossing using a 20 foot long, 18 inch diameter corrugated metal pipe, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Brion Creek (HQ-CWF) impacting 264 square feet (Liberty, PA Quadrangle 41° 33' 8.08"N 77° 2' 11.20"W);

17) a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an exceptional value palustrine emergent (EV-PEM) wetland impacting 821 square feet (Ralston, PA Quadrangle 41° 36' 2.25"N 76° 56' 12.80"W);

18) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland impacting 268 square feet (Ralston, PA Quadrangle 41° 36' 2.61"N 76° 56' 21.39"W);

19) a temporary road crossing using a wood mat bridge crossing a palustrine emergent and palustrine scrub-shrub (PEM/PSS) wetland impacting 2,226 square feet (Ralston, PA Quadrangle 41° 36' 1.89"N 76° 56' 20.98"W);

20) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland impacting 4,957 square feet (Ralston, PA Quadrangle 41° 36' 2.43"N 76° 56' 25.89"W);

21) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an exceptional value palustrine emergent (EV-PEM) wetland impacting 4,020 square feet (Ralston, PA Quadrangle 41° 36' 2.58"N 76° 56' 30.27"W);

22) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an exceptional value palustrine emergent (EV-PEM) wetland impacting 1,068 square feet (Ralston, PA Quadrangle 41° 36' 3.22"N 76° 56' 33.57"W);

23) a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland impacting 174 square feet (Ralston, PA Quadrangle 41° 36' 5.16"N 76° 57' 21.25"W);

24) a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland impacting 122 square feet (Ralston, PA Quadrangle 41° 36' 5.86"N 76° 57' 22.41"W);

25) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an exceptional value palustrine emergent/palustrine forested (EV-PEM/PFO) wetland impacting 10,305 square feet (Ralston, PA Quadrangle 41° 36' 6.65"N 76° 57' 25.48"W);

26) a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an exceptional value palustrine emergent/palustrine scrub-shrub (EV-PEM/PSS) wetland impacting 1,109 square feet (Ralston, PA Quadrangle 41° 36' 5.59"N 76° 57' 28.38"W);

27) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an exceptional value palustrine emergent/palustrine scrub-shrub (EV-PEM/PSS) wetland impacting 2,109 square feet (Ralston, PA Quadrangle 41° 36' 8.55"N 76° 57' 30.15"W);

28) a temporary road crossing using a wood mat bridge crossing a palustrine emergent (PEM) wetland impacting 434 square feet (Ralston, PA Quadrangle 41° 36' 14.12"N 76° 57' 33.99"W);

29) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland impacting 2,680 square feet (Ralston, PA Quadrangle 41° 36' 5.03"N 76° 58' 7.86"W);

30) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an exceptional value palustrine emergent (EV-PEM) wetland impacting 2,273 square feet (Ralston, PA Quadrangle 41° 35' 00.95"N 76° 59' 23.87"W);

31) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland impacting 527 square feet (Ralston, PA Quadrangle 41° 34' 59.40"N 76° 59' 28.59"W);

32) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an exceptional value palustrine emergent (EV-PEM) wetland impacting 4,998 square feet (Ralston, PA Quadrangle 41° 34' 32.69"N 76° 59' 59.71"W);

33) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an exceptional value palustrine emergent (EV-PEM) wetland impacting 10,565 square feet (Liberty, PA Quadrangle 41° 34' 32.65"N 77° 0' 3.06"W);

34) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an exceptional value palustrine emergent/palustrine scrub-shrub (EV-PEM/PSS) wetland impacting 4,604 square feet (Liberty, PA Quadrangle 41° 34' 22.18"N 77° 0' 35.69"W);

35) a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an exceptional value palustrine emergent (EV-PEM) wetland impacting 531 square feet (Liberty, PA Quadrangle 41° 34' 21.29"N 77° 0' 46.66"W);

36) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an exceptional value palustrine emergent (EV-PEM) wetland impacting 167 square feet (Liberty, PA Quadrangle 41° 34' 20.45"N 77° 0' 49.95"W);

37) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing a palustrine scrub-shrub (PSS) wetland impacting 4,696 square feet (Liberty, PA Quadrangle 41° 34' 16.32"N 77° 1' 15.24"W);

38) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an exceptional value palustrine emergent (EV-PEM) wetland impacting 1,814 square feet (Liberty, PA Quadrangle 41° 34' 10.49"N 77° 1' 26.65"W);

39) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an exceptional value palustrine emergent (EV-PEM) wetland impacting 294 square feet (Liberty, PA Quadrangle 41° 34' 8.96"N 77° 1' 27.15"W);

40) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland impacting 1,795 square feet (Liberty, PA Quadrangle 41° 33' 12.36"N 77° 2' 15.96"W);

41) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland impacting 2,293 square feet (Liberty, PA Quadrangle 41° 33' 6.06"N 77° 2' 8.89"W);

42) a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland impacting 54 square feet (Liberty, PA Quadrangle 41° 33' 3.28"N 77° 2' 6.79"W);

43) a temporary road crossing using a wood mat bridge crossing a palustrine emergent (PEM) wetland impacting 1,412 square feet (Liberty, PA Quadrangle 41° 33' 6.41"N 76° 2' 2.56"W);

44) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing a palustrine emergent/palustrine scrub-shrub (PEM/PSS) wetland impacting 1,243 square feet (Liberty, PA Quadrangle 41° 32' 59.45"N 77° 2' 1.29"W);

The project will result in 407.68 linear feet of temporary stream impacts, a total of 63,276 square feet (1.45 acres) of temporary wetland impacts, and a total of 4,283 square feet (0.098 acre) of permanent wetland impacts all for the purpose of installing a natural gas gathering line with associated access roadways.

**E4129-005: East Resources Management, L.L.C.**, 190 Thorn Hill Road, Warrendale, PA 15086, Jackson and McIntyre Townships, **Lycoming County**, ACOE Baltimore District.

To construct and maintain:

1) a temporary road crossing using a 20 foot long, 18 inch diameter corrugated metal pipe, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) of Brion Creek (HQ-CWF) impacting 539 square feet (Liberty, PA Quadrangle 41° 32' 48.75"N 77° 1' 55.75"W);

2) a temporary road crossing using a 20 foot long, 60 inch diameter corrugated metal pipes, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing Roaring Branch (HQ-CWF) impacting 3,054 square feet (Liberty, PA Quadrangle 41° 32' 36.48"N 77° 1' 29.26"W);

3) a temporary road crossing using a 20 foot long, 24 inch diameter corrugated metal pipe, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Red Run (CWF) impacting 544 square feet (Liberty, PA Quadrangle 41° 31' 57.99"N 77° 0' 26.77"W);

4) a temporary road crossing using a 20 foot long, 24 inch diameter corrugated metal pipe, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Red Run (CWF) impacting 399 square feet (Liberty, PA Quadrangle 41° 31' 57.72"N 77° 0' 25.99"W);

5) a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Red Run (CWF) impacting 55 square feet (Ralston, PA Quadrangle 41° 32' 4.41"N 76° 59' 42.33"W)

6) a temporary road crossing using a 20 foot long, 24 inch diameter corrugated metal pipe, a 20 inch diameter

and an 8 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Red Run (CWF) impacting 825 square feet (Ralston, PA Quadrangle 41° 32' 8.22"N 76° 59' 39.27"W);

7) a temporary road crossing a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an exceptional value palustrine emergent (EV-PEM) wetland impacting 490 square feet (Liberty, PA Quadrangle 41° 32' 50.60"N 77° 1' 57.42"W);

8) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an exceptional value palustrine emergent/palustrine forested (EV-PEM/PFO) wetland impacting 1,851 square feet (Liberty, PA Quadrangle 41° 32' 37.89"N 77° 1' 30.93"W);

9) a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland impacting 1,046 square feet (Liberty, PA Quadrangle 41° 32' 11.59"N 77° 1' 3.33"W);

10) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland impacting 1,676 square feet (Liberty, PA Quadrangle 41° 32' 9.99"N 77° 1' 1.92"W);

11) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing a palustrine emergent/palustrine scrub-shrub (PEM/PSS) wetland impacting 2,206 square feet (Liberty, PA Quadrangle 41° 31' 58.61"N 77° 0' 28.81"W);

12) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an exceptional value palustrine emergent/palustrine forested (EV-PEM/PFO) wetland impacting 1,335 square feet (Liberty, PA Quadrangle 41° 31' 57.62"N 77° 0' 25.84"W);

13) a temporary road crossing using a wood mat bridge, a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an exceptional value palustrine emergent (EV-PEM) wetland impacting 1,029 square feet (Ralston, PA Quadrangle 41° 32' 7.63"N 76° 59' 43.78"W);

14) a 20 inch diameter and an 8 inch diameter natural gas gathering line crossing an exceptional value palustrine emergent/palustrine scrub-shrub (EV-PEM/PSS) wetland impacting 86 square feet (Ralston, PA Quadrangle 41° 32' 7.72"N 76° 59' 43.05"W).

The project will result in 190.77 linear feet of temporary stream impacts, a total of 6,533 square feet (0.150 acre) of temporary wetland impacts, and a total of 3,186 square feet (0.073 acre) of permanent wetland impacts all for the purpose of installing a natural gas gathering line with associated access roadways.

**E0829-030: Appalachia Midstream, LLC**, 100 IST Center, Horseheads, NY 14845, Terry and Wilmot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 16 inch natural gas line and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 1,180 square feet (Colley, PA Quadrangle, Latitude: 41°36'31", Longitude: -76°22'03"),

2. a 16 inch natural gas line and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 6,448 square feet (Colley, PA Quadrangle, Latitude: 41°36'32", Longitude: -76°21'32"),

3. a 16 inch natural gas line and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 469 square feet (Colley, PA Quadrangle, Latitude: 41°36'33", Longitude: -76°21'25"),

4. a 16 inch diameter natural gas line impacting 28 linear feet of an unnamed tributary to Sugar Run (CWF, MF) (Colley, PA Latitude: 41°36'35", Longitude: -76°21'18"),

5. a 16 inch natural gas line and a timber mat bridge across a Palustrine Forested Wetland. Impacted Area: 1,807 square feet (Colley, PA Quadrangle, Latitude: 41°36'36", Longitude: -76°20'59"),

6. a 16 inch natural gas line and a timber mat bridge across a Palustrine Scrub-Shrub Wetland. Impacted Area: 4,415 square feet (Colley, PA Quadrangle, Latitude: 41°36'37", Longitude: -76°20'39"),

7. a 16 inch natural gas line and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 5,796 square feet (Colley, PA Quadrangle, Latitude: 41°34'40", Longitude: -76°21'31"),

8. a 16 inch natural gas line across a Palustrine Forested Wetland (EV). Impacted Area: 414 square feet (Colley, PA Quadrangle, Latitude: 41°36'55", Longitude: -76°19'45"),

9. a 16 inch natural gas line across a Palustrine Scrub-Shrub Wetland. Impacted Area: 165 square feet (Colley, PA Quadrangle, Latitude: 41°36'45", Longitude: -76°19'14"),

10. a 16 inch natural gas line across a Palustrine Emergent, Palustrine Scrub-Shrub and Palustrine Forested Wetland (EV). Impacted Area: 360 square feet (Colley, PA Quadrangle, Latitude: 41°36'43", Longitude: -76°19'11"),

11. a 16 inch diameter natural gas line impacting 20 linear feet of an unnamed tributary to Foster Branch (CWF, MF) and adjacent Palustrine Forested Wetland (EV) impacting 1,152 square feet (Colley, PA Latitude: 41°36'42", Longitude: -76°19'10"),

12. a 16 inch diameter natural gas line impacting 11 linear feet of an unnamed tributary to Foster Branch (CWF, MF) (Colley, PA Latitude: 41°36'39", Longitude: -76°19'05"),

13. a 16 inch natural gas line and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 226 square feet (Colley, PA Quadrangle, Latitude: 41°36'30", Longitude: -76°18'47"),

14. a 16 inch natural gas line and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 576 square feet (Colley, PA Quadrangle, Latitude: 41°36'40", Longitude: -76°18'23"),

15. a 16 inch diameter natural gas line and a timber mat bridge impacting 150 linear feet of Foster Branch (CWF, MF) and adjacent Palustrine Emergent, Palustrine Scrub-Shrub, and Palustrine Forested Wetland (EV) impacting 10,030 square feet (Colley, PA Latitude: 41°36'41", Longitude: -76°18'16"),

16. a 16 inch diameter natural gas line and a timber mat bridge impacting 16 linear feet of an unnamed tributary to Foster Branch (CWF, MF) and adjacent Palustrine Emergent and Palustrine Scrub-Shrub Wetland (EV) impacting 757 square feet (Colley, PA Latitude: 41°36'42", Longitude: -76°18'13"),

17. a 16 inch natural gas line and a permanent access road across a Palustrine Emergent and Palustrine Scrub-

Shrub Wetland. Impacted Area: 6,279 square feet (Colley, PA Quadrangle, Latitude: 41°36'38", Longitude: -76°17'42"),

18. a 16 inch natural gas line and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 817 square feet (Colley, PA Quadrangle, Latitude: 41°36'33", Longitude: -76°17'12"),

19. a 16 inch natural gas line and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 7,039 square feet (Colley, PA Quadrangle, Latitude: 41°36'36", Longitude: -76°17'12"),

20. a 16 inch natural gas line and a timber mat bridge across a Palustrine Emergent Wetland (EV). Impacted Area: 3,852 square feet (Colley, PA Quadrangle, Latitude: 41°36'33", Longitude: -76°16'34"),

21. a 16 inch natural gas line across a Palustrine Emergent and Palustrine Forested Wetland (EV). Impacted Area: 1,185 square feet (Colley, PA Quadrangle, Latitude: 41°36'34", Longitude: -76°16'11"),

22. a 16 inch natural gas line across a Palustrine Emergent and Palustrine Forested Wetland. Impacted Area: 282 square feet (Colley, PA Quadrangle, Latitude: 41°36'37", Longitude: -76°15'40"),

23. a 16 inch natural gas line and a timber mat bridge across a Palustrine Forested Wetland. Impacted Area: 22,631 square feet (Colley, PA Quadrangle, Latitude: 41°36'54", Longitude: -76°15'30"),

24. a 16 inch diameter natural gas line impacting 4 linear feet of an unnamed tributary to Sugar Run (CWF, MF) (Colley, PA Latitude: 41°37'03", Longitude: -76°15'32"),

25. a 16 inch diameter natural gas line impacting 22 linear feet of an unnamed tributary to Sugar Run (CWF, MF) (Colley, PA Latitude: 41°37'06", Longitude: -76°15'33"),

26. a 16 inch diameter natural gas line impacting 32 linear feet of Sugar Run Creek (CWF, MF) and adjacent Palustrine Forested Wetland impacting 33 square feet (Colley, PA Latitude: 41°37'08", Longitude: -76°15'33"),

27. a 16 inch natural gas line and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 353 square feet (Laceyville, PA Quadrangle, Latitude: 41°37'31", Longitude: -76°14'54"),

28. a 16 inch diameter natural gas line and a timber mat bridge impacting 150 linear feet of an unnamed tributary to Sugar Run Creek (CWF, MF) and adjacent Palustrine Emergent Wetland impacting 3,898 square feet (Jenningsville, PA Latitude: 41°37'27", Longitude: -76°14'41"),

29. a 16 inch diameter natural gas line and a timber mat bridge impacting 150 linear feet of Sugar Run Creek (CWF, MF) (Jenningsville, PA Latitude: 41°37'19", Longitude: -76°14'05"),

30. a 16 inch natural gas line and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 4,145 square feet (Jenningsville, PA Quadrangle, Latitude: 41°37'27", Longitude: -76°12'49"),

31. a 16 inch diameter natural gas line impacting 20 linear feet of an unnamed tributary to Rocky Forest Creek (CWF, MF) and adjacent Palustrine Emergent Wetland impacting 198 square feet (Jenningsville, PA Latitude: 41°37'27", Longitude: -76°12'27"),

32. a 16 inch diameter natural gas line impacting 73 linear feet of Rocky Forest Creek (CWF, MF) (Jenningsville, PA Latitude: 41°37'27", Longitude: -76°12'21"),

33. a 16 inch diameter natural gas line impacting 12 linear feet of an unnamed tributary to Rocky Forest Creek (CWF, MF) (Jenningsville, PA Latitude: 41°37'26", Longitude: -76°12'14"),

34. a 16 inch natural gas line and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 978 square feet (Colley, PA Quadrangle, Latitude: 41°36'50", Longitude: -76°17'47"),

35. a permanent access road across a Palustrine Emergent and Palustrine Scrub-Shrub Wetland. Impacted Area: 1,019 square feet (Colley, PA Quadrangle, Latitude: 41°37'39", Longitude: -76°15'17"),

36. a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 296 square feet (Colley, PA Quadrangle, Latitude: 41°36'45", Longitude: -76°20'42")

The project will result in 697 linear feet or 16,020 square feet of temporary stream impacts, 55,484 square feet (1.27 acres) of PEM, PFO and PSS temporary wetland impacts and 25,520 square feet (0.60 acre) of PEM, PSS and PFO permanent wetland impacts all for the purpose of installing a natural gas line with associated access roadways.

*Southcentral Region: Watershed Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717.705.4802.*

**E06-673: Pennsylvania Department of Transportation, Engineering District 5-0**, 1002 Hamilton Street, Allentown, Pennsylvania 18101, in Washington Township, Berks County, ACOE Baltimore District

To: 1) remove the existing structure; 2) construct and maintain a two-span prestressed concrete spread box beam bridge skewed 90° having two clear spans of 54.5 feet, a 3.0-foot wide pier, an underclearance of 6.0 feet, and out to out width of 41.37 feet; and 3) a temporary bridge, downstream of the existing bridge, having a clear span of 96.00 feet and underclearance of 6.0 feet in and across the West Branch of the Perkiomen Creek (CWF, MF), resulting in the temporary impact of 0.01 acre of exceptional value wetland and permanent impact of 0.01 acre of exceptional value wetland for the purpose of improving transportation safety and roadway standards. The project is located along SR 0100 in Washington Township, Berks County (East Greenville, PA Quadrangle; N: 2.37 inches, W: 13.81 inches; Latitude: 40°23'16", Longitude: -75°35'57"). The amount of wetland impact is considered a deminimus impact of 0.01 acre and wetland replacement is not required.

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

**E17-454. Grampian Borough Council**, P. O. Box 291, Grampian, PA 16838. Davis Run Stabilization Project in Grampian Borough, **Clearfield County**, ACOE Baltimore District (Curwensville, PA Quadrangle Latitude: 40°58' 15.7"; Longitude: 78° 37' 6.60").

With the above referenced permit, the Department gives its consent to construct and maintain stream bank stabilization and riparian corridor restorations for water quality and fish habitat improvement within the Penn-Grampian Community Park requiring the following nineteen (19) stream, floodway or floodplain encroachments in or along Davis Run:

<i>Permit Activity ID</i>	<i>Activity Station</i>	<i>Maximum Length</i>
Random Boulder Placement	0+00 to 2+75	275-feet
Stream Grading & Stabilization	0+00 to 2+40	240-feet
Utility Relocation	0+75	—
Tree Relocation	0+35, 0+75 and 3+80	—
Guiderail Relocation	0+20 to 1+90	170-feet
Parking Lot Grading	1+00 and 1+40	—
Install Stormwater Outfall Swale	0+21, 0+75 and 1+20	—
Install Runoff Level Spreader	3+00 to 3+60	60-feet
Hemlock Reforestation	2+80 to 3+40	60-feet
Stormwater Detention	3+40 to 4+20	—
Debris/Fallen Timber Removal	2+90 to 3+50	60-feet
Vegetation Management	2+90 to 3+50	155-feet
Grade and Install Geogrid	3+65 to 5+20	155-feet
Riparian Planting #4	3+65 to 5+20	155-feet
Grading at Former Barbeque Pit	5+24 to 5+50	26-feet
Riparian Planting #3	5+10 to 5+57	47-feet
Riparian Planting #2	5+37 to 6+30	73-feet
Install Educational Signage	6+90	—
Riparian Planting #1	6+30 to 7+95	165-feet

All in-stream construction activities shall be performed in dry work conditions by dam and pumping, fluming or diverting stream flow around the work areas. Since Davis Run is a wild trout stream, no construction or future repair work shall be performed in or along the stream channel between October 1 or December 31 without prior written approval from the Pennsylvania Fish and Boat Commission. The project is located along the western right-of-way of SR 0219 immediately north of Tenth Street and SR 0219 intersection.

**E41-618. Tiadaghton Valley Municipal Authority**, 232 Smith Street, Jersey Shore, PA 17740-1830. Small Projects Water Obstruction and Encroachment Joint Permit, in Jersey Shore Borough and Nippenose Township, **Lycoming County**, ACOE Susquehanna River Basin District (Linden, PA Quadrangle N: 41° 12' 8"; W: 77° 13' 44").

To construct and maintain 7,800 linear feet of force main, 4,000 linear feet of discharge line and 1,400 cubic feet of fill associated with a stormwater detention facility and a subsurface pump station all located in the floodplain of the West Branch of Susquehanna River. The encroachments are located along north of SR 0044, in

Jersey Shore Borough and Nippenose Township, Lycoming County. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E60-211. Allen Z. Wehr**, 7768 Old Turnpike Road, Mifflinburg, PA 17844. Wehr Cabin Bridge, in Lewis Township, **Union County**, ACOE Baltimore District (Mifflinburg, PA Quadrangle N: 40° 59' 15.40"; W: -77° 06' 58.41").

To construct and maintain a 12-foot wide by 40-foot clear span steel-beam and wood-deck bridge supported on built-in-the-bank masonry abutments with a 5-foot underclearance over Rapid Run for private road access to an existing cabin located 2,120 feet east on SR 192 from Cooper Mill Road. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

*Fayette County Conservation District: 10 Nickman Plaza, Lemont furnace, PA 15456. (724-438-4497).*

<i>ESCGP-1 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
26-10-08-01	Ronald Heuer Spectra Energy Transmission, LLC 5400 Westheimer County 5D-65 Houston, TX 77056	Fayette	North Union Twp.	Unnamed tributary to Cove Run (WWF)

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

**E25-743, Erie Sand and Gravel**, 11 Stanwick Street 21st Floor, Pittsburgh, PA 15122 to conduct a commercial dredging operation in Lake Erie within an area measuring 19.6 square miles in Lake Erie approximately 7 to 16 miles off shore northwest of Presque Isle (N: 42°, 14', 12"; W: 80°, 19', 00"), in the Commonwealth of Pennsylvania.

**E42-354, Bradford Township**, 136 Hemlock Street, Bradford, PA 16701 to construct and maintain new 8" diameter pipe extensions to existing sanitary sewer lines along the roadway shoulder and into the areas of: Rutherford Run Area (~3,300 lf, 8 UNT crossings of Rutherford Run Creek CWF), Hedgehog Lane Area (~3,700 lf, 1 wetland crossing & 5 UNT crossings of Marilla Brook CWF), Minard Run Area (EV, ~17,300 lf, 4 wetland crossings, 4 Minard Run Creek EV crossings & 25 UNT crossings of Minard Run Creek EV) and Browntown Areas (~1,900 lf, 3 wetland crossings, 1 crossing of East Branch Tunungwant Creek CWF & 5 UNT crossings of East Branch Tunungwant Creek CWF) in Bradford Township, McKean County, ACOE Pittsburgh District (Bradford/Derrick City, PA Quadrangle N: 41°, 54', 00"; W: 78°, 37', 30").

**ENVIRONMENTAL ASSESSMENTS**

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

**D05-007EA. John L. Montgomery**, Borough Manager, Bedford Borough Water Authority, 244 West Penn Street, Bedford, PA 15522. Bedford Township, **Bedford County**, ACOE Baltimore District.

Project proposes to breach Milburn Spring Reservoir Dam for the purpose of eliminating a threat to public

safety. The dam is located across a tributary to Cumberland Valley Run (WWF) (Bedford, PA Quadrangle, Latitude: 40.0062; Longitude: -78.5328).

**DAM SAFETY**

*Central Office: Bureau of Waterways Engineering, 400 Market Street, Floor 3, PO Box 8460, Harrisburg, PA 17105-8460*

**D64-230. Association of Property Owners of the Hideout, Inc.**, 640 The Hideout, Lake Ariel, PA 18436. To modify, operate, and maintain the Deerfield Lake Dam across a tributary to Ariel Creek (HQ-CWF). Project proposes temporary impacts to 0.02-acre of PEM wetland for the purpose of modifying the dam to meet Commonwealth Regulations (Lakeville, PA Quadrangle N: 8.5 inches; W: 15.3 inches) in Salem Township, **Wayne County**.

**EROSION AND SEDIMENT CONTROL**

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form

and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for 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 # ESG11-131-0030  
 Applicant Name Chief Gathering, LLC  
 Contact Person Nicholas Bryan  
 Address 999 North Loyalsock Avenue, Suite G  
 City, State, Zip Montoursville, PA 17754  
 County Wyoming and Luzerne Counties  
 Township(s) Lemon, Washington, Tunkhannock, Eaton, Monroe and Dallas Townships  
 Receiving Stream(s) and Classification(s) Toby Creek, Trout Brook (Both CWF, MF), Leonard Creek, Bowman Creek, Roaring Run (All HQ-CWF, MF) Newton Run (CWF, MF), Sugar Hollow Creek (HQ, CWF, MF), Benson Hollow (HQ, CWF, MF) Susquehanna River (CWF, MF), Swale Brook, Kern Glen Creek, Taques Creek, Billings Mill Brook and Meshoppen Creek (All CWF, MF)

ESCGP-1 # ESX11-081-0028 (01)  
 Applicant Name Anadarko Marcellus Midstream, LLC  
 Contact Person Nathan S. Bennett  
 Address 33 W. Third Street, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) Watson Township  
 Receiving Stream(s) and Classification(s) Gamble Run, Gamble Fork, UNT to Chatham Run (All HQ CWF, MF);  
 Secondary: Pine Creek (EV), Gamble Run (HQ, CWF, MF)

ESCGP-1 # ESX12-081-0052  
 Applicant Name Mountain Gathering, LLC  
 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) UNT to German Run

ESCGP-1 # ESX12-081-0050  
 Applicant Name Anadarko E&P Company, LP  
 Contact Person Nathan S. Bennett  
 Address 33 W. Third Street, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) Piatt Township  
 Receiving Stream(s) and Classification(s) West Branch Susquehanna River (WWF/MF)

ESCGP-1 # ESX11-081-0035 (01)  
 Applicant Name PVR Marcellus Gas Gathering, LLC  
 Contact Person Jeffrey Searfoss  
 Address 25 W. Third Street, 100 Penn Tower, Suite 201-202  
 City, State, Zip Williamsport, PA 17701

County Lycoming County  
 Township(s) Cummings Township  
 Receiving Stream(s) and Classification(s) Pond Lick Cove Run, Tarklin Run (EV);  
 Secondary: First Fork Larry's Creek

ESCGP-1 # ESX12-115-0052  
 Applicant Name WPX Energy Appalachia, LLC  
 Contact Person David Freudenrich  
 Address 6000 Town Center Blvd. Suite 300  
 City, State, Zip Canonsburg, PA 15317  
 County Susquehanna County  
 Township(s) Silver Lake Township  
 Receiving Stream(s) and Classification(s) UNT 31905 to McCormick Run/Snake Creek, Laurel Lake Creek/Snake Creek (EV-CWF, MF);  
 Secondary: Silver Creek

ESCGP-1 # ESX12-115-0064  
 Applicant Name Williams Field Services Company, LLC  
 Contact Person Tom Page  
 Address 1605 Coraopolis Heights Road  
 City, State, Zip Moon Township, PA 15108  
 County Susquehanna County  
 Township(s) Brooklyn Township  
 Receiving Stream(s) and Classification(s) Horton Creek and UNT to Horton Creek (CWF/MF)

ESCGP-1 # ESX11-013-0001  
 Applicant Name Caiman Penn Midstream, LLC  
 Contact Person Rick Moncrief  
 Address 5949 Sherry Lane, Suite 645  
 City, State, Zip Dallas, TX 75225  
 County Blair County  
 Township(s) Freedom, Juniata, and Greenfield Townships  
 Receiving Stream(s) and Classification(s) Blue Knob Run, South Dry Run, Polecat Run, Carson Run, Poplar Run, Bobs Creek (HQ);  
 Secondary: Susquehanna River

ESCGP-1 # ESX12-115-0049  
 Applicant Name Carrizo Marcellus, LLC  
 Contact Person Gary Byron  
 Address 251 Drainlick Road, P. O. Box 231  
 City, State, Zip Drifting, PA 16834  
 County Susquehanna County  
 Township(s) Bridgewater and Jessup Townships  
 Receiving Stream(s) and Classification(s) UNT to East Branch Wyalusing Creek and East Branch Wyalusing Creek (Both CWF)

ESCGP-1 # ESX12-081-0048  
 Applicant Name Anadarko E&P Company, LP  
 Contact Person Nathan S. Bennett  
 Address 33 W. Third Street, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) Cascade Township  
 Receiving Stream(s) and Classification(s) Salt Run, West Branch Wallis Run (Both EV, MF);  
 Secondary: Wallis Run (EV, MF)

ESCGP-1 # ESX12-033-0012  
 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) Little Laurel Run, Saunders Run, Alex Branch (HQ);  
 Secondary: Laurel Run and Trout Run

ESCGP-1 # ESX12-081-0051  
 Applicant Name Anadarko E&P Company, LP

Contact Person Nathan S. Bennett  
 Address 33 W. Third Street, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) Cogan House Township  
 Receiving Stream(s) and Classification(s) Long Run,  
 Larry's Creek (Both EV, MF);  
 Secondary: Larry's Creek (EV, MF), West Branch  
 Susquehanna River (WWF, MF)

ESCGP-1 # ESX12-115-0060  
 Applicant Name WPX Energy Appalachia, LLC  
 Contact Person David Freudenrich  
 Address 6000 Town Center Blvd., Suite 200  
 City, State, Zip Canonsburg, PA 15317-5841  
 County Susquehanna County  
 Township(s) Silver Lake Township  
 Receiving Stream(s) and Classification(s) UNT to Little  
 Rhiney Creek/Snake Creek (CWF, MF);  
 Secondary: Little Rhiney Creek (CWF, MF)

ESCGP-1 # ESX12-117-0039  
 Applicant Name Talisman Energy USA, Inc.  
 Contact Person Tracy Gregory  
 Address 337 Daniel Zenker Drive  
 City, State, Zip Horseheads, NY 14845  
 County Tioga County  
 Township(s) Bloss Township  
 Receiving Stream(s) and Classification(s) UNT to Sawmill  
 Creek (CWF/MF), UNT to Flower Run (CWF/MF);  
 Secondary: Johnson Creek (CWF/MF)

ESCGP-1 # ESX12-081-0049  
 Applicant Name Range Resources (PA), LLC  
 Contact Person Mary C. Patton  
 Address 100 Throckmorton Street, Suite 1200  
 City, State, Zip Ft. Worth, TX 76102  
 County Lycoming County  
 Township(s) Cogan House Township  
 Receiving Stream(s) and Classification(s) Little Gap Run  
 and Hoagland Run (Both HQ-CWF)

ESCGP-1 # ESX12-117-0040  
 Applicant Name Talisman Energy USA, Inc.  
 Contact Person Tracy Gregory  
 Address 337 Daniel Zenker Drive  
 City, State, Zip Horseheads, NY 14845  
 County Tioga County  
 Township(s) Liberty Township  
 Receiving Stream(s) and Classification(s) UNT to Sawmill  
 Creek, Bellman Run (Both CWF/MF);  
 Secondary: South Creek (CWF, MF)

ESCGP-1 # ESX12-015-0089  
 Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Patrick Myers, Jr.  
 Address 100 Ist Center  
 City, State, Zip Horseheads, NY 14845  
 County Bradford County  
 Township(s) Leroy Township  
 Receiving Stream(s) and Classification(s) Towanda Creek  
 (TSF-MF)

ESCGP-1 # ESX12-117-0038  
 Applicant Name Great Mountain Operating  
 Contact Person James Smith  
 Address 611 South Main Street  
 City, State, Zip Grapevine, TX 76051  
 County Tioga County  
 Township(s) Morris Township  
 Receiving Stream(s) and Classification(s) Black Run (EV);  
 Secondary: Stony Fork

ESCGP-1 # ESX12-015-0090  
 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) West Burlington Township  
 Receiving Stream(s) and Classification(s) Preacher Brook  
 (CWF, MF)

ESCGP-1 # ESX12-115-0056  
 Applicant Name WPX Energy Appalachia, LLC  
 Contact Person David Freudenrich  
 Address 6000 Town Center Blvd., Suite 200  
 City, State, Zip Canonsburg, PA 15317-5841  
 County Susquehanna County  
 Township(s) Liberty Township  
 Receiving Stream(s) and Classification(s) UNT  
 Susquehanna River (CWF, MF);  
 Secondary: Susquehanna River

ESCGP-1 # ESX12-081-0020 (03)  
 Applicant Name Anadarko Marcellus Midstream, LLC  
 Contact Person Nathan S. Bennett  
 Address 33 W. Third Street, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) Loyalsock, Eldred, Cascade and Gamble  
 Townships  
 Receiving Stream(s) and Classification(s) Millers Run  
 (WWF, MF), Lick Run, Mill Creek (Both TSF, MF),  
 Roaring Run, Wallis Run, Murray Run, and Caleb's  
 Run (All EV, MF)

ESCGP-1 # ESX12-115-0054  
 Applicant Name Angelina Gathering Company, LLC  
 Contact Person Danny Spaulding  
 Address 2350 N. Sam Houston Pkwy, E., Suite 125  
 City, State, Zip Houston, TX 77032  
 County Susquehanna County  
 Township(s) Lenox Township  
 Receiving Stream(s) and Classification(s) UNT to East  
 Branch Tunkhannock Creek (CWF, MF)

ESCGP-1 # ESX12-015-0097  
 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) Standing Stone Township  
 Receiving Stream(s) and Classification(s) Tributary 29992  
 and 29993 to King Creek (WWF, MF), King Creek  
 (WWF, MF), Tributary 64509 to Vought Creek (WWF,  
 MF), Vought Creek (WWF, MF), Tributaries 29989,  
 29990, 30008, 30009, 30030 to Susquehanna River  
 (WWF, MF), Susquehanna River (WWF, MF)

ESCGP-1 # ESX11-081-0019 (04)  
 Applicant Name Anadarko Marcellus Midstream, LLC  
 Contact Person Nathan S. Bennett  
 Address 33 W. Third Street, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) Mifflin, Cogan House and Lewis Townships  
 Receiving Stream(s) and Classification(s) West Branch  
 Wallis Run, East Branch Wallis Run (EV)

ESCGP-1 # ESX12-081-0023 (01)  
 Applicant Name Anadarko Marcellus Midstream, LLC  
 Contact Person Nathan S. Bennett  
 Address 33 W. Third Street, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) Cascade Township

Receiving Stream(s) and Classification(s) UNT to Lick Run (HQ-CWF), UNT to Larry's Creek, Larry's Creek, UNT to Marsh Run, Second Fork Larry's Creek, UNT to Wolf Run, Wolf Run, Wendell Run (EV)

ESCGP-1 # ESX12-131-0007

Applicant Name Chief Gathering, LLC  
Contact Person Nicholas Bryan  
Address 999 North Loyalsock Avenue, Suite G  
City, State, Zip Montoursville, PA 17754  
County Wyoming County  
Township(s) Nicholson Township  
Receiving Stream(s) and Classification(s) UNT to Monroe Creek (CWF), Horton Creek (CWF)

ESCGP-1 # ESX12-015-0093

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) Overton Township  
Receiving Stream(s) and Classification(s) Schrader Creek, Millstone Creek & Chilson Run (HQ-CWF/MF)

ESCGP-1 # ESX12-081-0054

Applicant Name Anadarko E&P Company, LP  
Contact Person Nathan S. Bennett  
Address 33 W. Third Street, Suite 200  
City, State, Zip Williamsport, PA 17701  
County Lycoming County  
Township(s) Cascade Township  
Receiving Stream(s) and Classification(s) UNT West Branch Wallis Run (EV, MF), UNT East Branch Wallis Run (EV, MF);  
Secondary: West Branch Wallis Run (EV, MF), East Branch Wallis Run (EV, MF)

ESCGP-1 # ESX12-015-0087

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) Warren Township  
Receiving Stream(s) and Classification(s) UNT to Wappasening Creek, Wappasening Creek (CWF/MF)

ESCGP-1 # ESX12-015-0096

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) Spaulding Creek, UNT to Spaulding Creek, UNT to Satterlee Creek;  
Secondary: Susquehanna River

ESCGP-1 # ESX11-081-0070 (02)

Applicant Name Anadarko Marcellus Midstream, LLC  
Contact Person Nathan S. Bennett  
Address 33 W. Third Street, Suite 200  
City, State, Zip Williamsport, PA 17701  
County Lycoming County  
Township(s) Cascade Township  
Receiving Stream(s) and Classification(s) Slacks Run (HQ-CWF/MF)

ESCGP-1 # ESX12-115-0071

Applicant Name Appalachia Midstream Services, LLC  
Contact Person Patrick Myers, Jr.  
Address 100 1st Center

City, State, Zip Horseheads, NY 14845  
County Susquehanna County  
Township(s) Auburn Township  
Receiving Stream(s) and Classification(s) Carter Creek, Little Meshoppen Creek;  
Secondary: Tuscarora Creek, Meshoppen Creek

ESCGP-1 # ESX12-115-0066

Applicant Name Williams Field Services Company, LLC  
Contact Person Kristy Flavin  
Address 1605 Coraopolis Heights Road  
City, State, Zip Moon Township, PA 15108  
County Susquehanna County  
Township(s) Auburn and Dimock Townships  
Receiving Stream(s) and Classification(s) Trib. To Riley Creek/Upper Susquehanna—Tunkhannock Watershed

ESCGP-1 # ESX12-115-0031

Applicant Name Appalachia Midstream Services, LLC  
Contact Person Patrick Myers, Jr.  
Address 100 1st Center  
City, State, Zip Horseheads, NY 14845  
County Susquehanna County  
Township(s) Auburn Township  
Receiving Stream(s) and Classification(s) UNT to Little Meshoppen Creek (CWF) Watershed: Mehoopany-Bowman, UNT to Tuscarora Creek (CWF) Watershed: Wysox—Wyalusing;  
Secondary: Little Meshoppen Creek, Tuscarora Creek (Both CWF)

ESCGP-1 # ESX11-117-0146 (01)

Applicant Name EQT Gathering  
Contact Person Brian Clauto  
Address 455 Racetrack Road  
City, State, Zip Washington, PA 15301  
County Tioga County  
Township(s) Duncan Township  
Receiving Stream(s) and Classification(s) Sand Run (CWF) & Wilson Creek (CWF);  
Secondary: Babb Creek

ESCGP-1 # ESX12-113-0018

Applicant Name Chief Oil & Gas, LLC  
Contact Person Michael Hritz  
Address 6051 Wallace Road, Ext., Suite 210  
City, State, Zip Wexford, PA 15090  
County Sullivan County  
Township(s) Cherry Township  
Receiving Stream(s) and Classification(s) Mill Creek (EV);  
Secondary: Little Loyalsock Creek (CWF/MF)

ESCGP-1 # ESX12-015-0095

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) Athens and Litchfield Townships  
Receiving Stream(s) and Classification(s) Susquehanna River, UNT(s) to Susquehanna River (3), Mallory Creek, UNT to Satterlee Creek;  
Secondary: Susquehanna River

ESCGP-1 # ESX11-115-0174 (01)

Applicant Name Williams Field Services Company, LLC  
Contact Person Kristy Flavin  
Address 1605 Coraopolis Heights Road  
City, State, Zip Moon Township, PA 15108  
County Susquehanna County  
Township(s) Springville, Dimock, Bridgewater and Brooklyn Townships



Receiving Stream(s) and Classification(s) Meshoppen, White, and Stevens Creeks / Upper Susquehanna—Tunkhannock Watershed

ESCGP-1 # ESX12-015-0092

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) Smithfield Township  
Receiving Stream(s) and Classification(s) The Buck Creek—(WWF/MF), UNT to the Buck Creek (WWF/MF)

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

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

<i>ESCGP-1 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
OG0412002	Bill Larkin NiSource 5250 Grand Avenue Pittsburgh, PA 15225	Beaver	New Sewickley Township	Crows Run (WWF)
<i>Fayette County Conservation District: 10 Nickman Plaza, Lemont Furnace, PA 15456 (724) 438-4497</i>				
<i>ESCGP-1 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
26118002-01	William Brett Texas Eastern Transmissions LP 890 Winter Street Suite 300 Waltham, MA 08451	Fayette	German Township	UNT to North Branch of Browns Run (WWF)
26128001	Ronald Huer Texas Eastern Transmissions LP 5400 Westhemier Ct. 5D-65 Houston, TX 77056	Fayette	Wharton Township	Meadow Run (HQ-CWF)
<i>Washington County Conservation District: 2800 North Main St, Suite 105, Washington PA, 15301 (724) 705-7098</i>				
<i>ESCGP-1 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
0063118002-2	MarkWest Liberty Midstream & Resource, LLC	Washington	Amwell Township	UNT to Redd Run (TSF) Redd Run (TSF)

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335*

ESCGP-1 #ESX12-047-0042—Spring Creek Waterline Extension

Applicant Seneca Resources Corporation  
Contact Mr. Doug Kepler  
Address 51 Zents Boulevard  
City Brookville State PA Zip Code 15825  
County Elk Township(s) Highland(s)  
Receiving Stream(s) and Classification(s) UNT to Big Run, Big Run, and UNT to Red Lick Run

ESCGP-1 #ESX12-047-0043—Boone Mountain C Well Pad Applicant EOG Resources

Contact Joe Wilson/Brent Young  
Address 2039 South Sixth Street  
City Indiana State PA Zip Code 15701  
County Elk Township(s) Fox(s)  
Receiving Stream(s) and Classification(s) Burch Run

ESCGP-1 # Breakneck Beagle Club A Well Pad & Impoundment—ESX11-019-0090A

Applicant Rex Energy Operating Corporation  
Contact Russell Macaw  
Address 476 Rolling Ridge Drive, Suite 300  
City State College State PA Zip Code 16801  
County Butler Township(s) Jackson(s)  
Receiving Stream(s) and Classification(s) UNTs to Likens Run (WWF)

*Southwest Region: Oil & Gas Program Mgr. 400 Waterfront Dr. Pittsburgh PA*

8/8/11

ESCGP-1 No: ESX11-059-0051

Applicant Name: CHESAPEAKE APPALACHIA LLC

Contact Person MR ERIC HASKINS

Address: 101 N MAIN STREET

City: ATHENS State: PA Zip Code: 18810

County: GREENE Township: ALEPPO

Receiving Stream (s) And Classifications: TWO UNT's TO HART'S RUN (WV)/OHIO RIVER BASIN; OTHER

3/5/12

ESCGP-1 No.: ESX11-059-0056 MAJOR REVISION

Applicant Name: LAUREL MOUNTAIN MIDSTREAM LLC

Contact Person: MR FRANK CANNETO

Address: 1605 CORAOPOLIS HEIGHTS ROAD

City: MOON TOWNSHIP State: PA Zip Code: 15108

County: GREENE Township(s): JEFFERSON

Receiving Stream(s) and Classifications: UNT TO SOUTH FORK TENMILE CREEK (WWF), UNT TO PUMKIN RUN (WWF)/TENMILE CREEK WATERSHED; OTHER

3/27/12

ESCGP-1 No.: ESX12-059-0020

Applicant Name: CHEVRON APPALACHIA LLC

Contact Person: MR JEREMY HIRTZ

Address: 800 MT VIEW DRIVE

City: SMITHFIELD State: PA Zip Code: 15478  
 County: GREENE Township(s): GREENE  
 Receiving Stream(s) and Classifications: UNT's TO  
 WHITELEY CREEK/WHITELEY CREEK; OTHER

3/12/12

ESCGP-1 No.: ESX12-125-0030

Applicant Name: MARKWEST LIBERTY MIDSTREAM &  
 RESOURCES LLC

Contact Person: MR RICK LOWRY

Address: 824 MORGANZA ROAD

City: CANONSBURG State: PA Zip Code: 15317

County: WASHINGTON Township(s): ROBINSON, MT.  
 PLEASANT, SMITH, MIDWAY (BORO)

Receiving Stream(s) and Classifications: ROBINSON  
 RUN (WWF), UNT's TO ROBINSON RUN (WWF),  
 UNT's TO CHERRY RUN (WWF), AND A UNT TO  
 RACCOON CREEK (WWF); OTHER

[Pa.B. Doc. No. 12-809. Filed for public inspection May 4, 2012, 9:00 a.m.]

### Laurel Hill/Back Creek Critical Area Advisory Committee Meeting Cancellation

The May 9, 2012, Laurel Hill/Back Creek Critical Area Advisory Committee (CAAC) meeting, associated with the Department of Environmental Protection (Department), has been cancelled. The next scheduled meeting is June 13, 2012, at the Seven Springs Lodge, Seven Springs, PA 15622.

The CAAC was created by the Ohio Regional Water Resources Committee under 27 Pa.C.S. Chapter 31 (relating to water resources planning) to help guide the development of a Critical Area Resource Plan (CARP). The Department has designated Laurel Hill and Back Creeks as Critical Water Planning Areas. The Department will work with the local CAAC and the Ohio Regional Water Resources Committee to develop a CARP for both watersheds.

Questions concerning the schedule or agenda items for the June 13, 2012, meeting can be directed to Jay Braund at (717) 783-2402 or jbraund@pa.gov. This schedule, an agenda for the meeting and meeting materials will be available through the Public Participation Center on the Department's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us).

Persons with a disability who require accommodations to attend any of the meetings listed previously should contact the Department at (717) 783-2402 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-810. Filed for public inspection May 4, 2012, 9:00 a.m.]

### Nutrient Credit Trading Program; Action

The Department of Environmental Protection (Department) provides notice of the following action under the Nutrient Credit Trading Program (Trading Program). This action was taken under 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed), published at 40 Pa.B. 5790 (October 9, 2010).

Nutrient trading is a market-based program that provides incentives for entities to create nutrient reduction

credits (credits) by going beyond statutory, regulatory or voluntary obligations and goals to remove nutrients from a watershed. The credits can be traded to help others more cost-effectively meet their obligations or goals. The primary purpose of the Trading Program is to provide for more efficient ways for National Pollutant Discharge Elimination System permittees to meet their effluent limits for nutrients.

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

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board. Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

For further information about this action or the Trading Program, contact Karen Price, Interstate Waters Office, Department of Environmental Protection, P. O. Box 8465, Harrisburg, PA 17105-8465, (717) 772-4785, [kprice@pa.gov](mailto:kprice@pa.gov) or visit the Department's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keywords: "Nutrient Trading").

The following certification request has been approved by the Department. The approval of this request is considered a final action of the Department.

**Lycoming County Conservation District** (542 County Farm Road, Suite 202, Montoursville, PA 17754). This approval is applicable to nitrogen reduction credits to be generated by Client LyChET0001 from the pollutant reduction activities of 17.5 acres of Off-Stream Watering with Stream Fencing (pasture) and 2.66 acres of Riparian Forest Buffer. This approval includes a verification plan, and authorizes the generation of 1,385 nitrogen reduction credits. This certification of annual credits is valid until September 30, 2016, as long as the pollution reduction activities are implemented, maintained and verified under the terms and conditions contained in the certification. After September 30, 2016, credits for the pollution reduction activities may only be generated if recertification, which will be based on the program requirements in place on the date of the recertification submission, is obtained. Notice of the certification request was published for comment at 42 Pa.B. 866 (February 11, 2012).

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-811. Filed for public inspection May 4, 2012, 9:00 a.m.]

### Nutrient Credit Trading Program; Notice of Inter-Basin Trading Request

The Department of Environmental Protection (Department) has received a request under the Nutrient Credit Trading Program (Trading Program) for use of credits generated in a river basin other than the river basin in which the credit user is located. See 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed), published at 40 Pa.B. 5790 (October 9, 2010).

Nutrient trading is a market-based program that provides incentives for entities to create nutrient reduction credits (credits) by going beyond statutory, regulatory or voluntary obligations and goals to remove nutrients from the Chesapeake Bay Watershed. The credits can be traded to help others more cost-effectively meet their obligations or goals. The primary purpose of the Trading Program is to provide for more efficient ways for National Pollutant Discharge Elimination System (NPDES) permittees to meet their effluent limits for nutrients. According to 25 Pa. Code § 96.8(h)(2), credits generated in the Susquehanna or Potomac River Basin may only be used in the basin in which they were generated, unless otherwise approved by the Department.

#### *Description of the Request*

The Borough of Chambersburg has requested approval of a 5-year pilot program for the use of nitrogen and phosphorus credits that will be generated in the Susquehanna River Basin to meet NPDES nitrogen and phosphorus limits at its wastewater treatment facility (WWTF) located in the Potomac River Basin. The request includes two inter-basin trading factors designed to encourage local basin credit generation. Chambersburg asserts that there are insufficient certified credits within the Potomac River basin to meet the projected nitrogen and phosphorus credit needs at its WWTF.

#### *Request for Written Comments*

The Department is requesting comment on Chambersburg's request for a pilot program for inter-basin trading. The Department intends to publish notice of a final action after it considers any comments it receives. The Department does not intend to provide written responses to the comments, but will take all timely comments into consideration in determining the final action. A copy of Chambersburg's proposal may be obtained by contacting Veronica Kasi, Division of Technical and Financial Assistance at (717) 772-4053 or through the Department's web site at <http://www.dep.state.pa.us/river/nutrienttrading/>

[news/docs/ChambersburgRequestforApprovalInterBasinTrading2012.pdf](http://www.dep.state.pa.us/news/docs/ChambersburgRequestforApprovalInterBasinTrading2012.pdf).

Interested persons must submit written comments by June 4, 2012. The Department will accept comments submitted by e-mail, but comments submitted by facsimile will not be accepted. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Veronica Kasi, Division of Technical and Financial Assistance, Department of Environmental Protection, P. O. Box 8774, Harrisburg, PA 17105-8774, (717) 772-4053, [vbkasi@pa.gov](mailto:vbkasi@pa.gov).

For further information about this request or the Trading Program visit the Department's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keywords: "Nutrient Trading").

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-812. Filed for public inspection May 4, 2012, 9:00 a.m.]

### Storage Tank Advisory Committee Meeting Cancellation

The June 5, 2012, meeting of the Storage Tank Advisory Committee (Committee) is cancelled. The next meeting is scheduled for September 11, 2012, at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg PA 17105.

Questions concerning the next scheduled meeting of the Committee can be directed to Charles M. Swokel at (717) 772-5806 or [cswokel@pa.gov](mailto:cswokel@pa.gov). The agenda and meeting materials for the September 11, 2012, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.dep.state.pa.us> (DEP Keywords: "Public Participation, Participate").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-5551 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-813. Filed for public inspection May 4, 2012, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Bureau of Highway Safety and Traffic Engineering; Access Route Approval

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation approved on January 9, 2012, the following access routes for use by the types of truck combinations as indicated:

1. (X) 96" wide twin trailers (28 1/2' maximum length of each trailer).
2. (X) 102" wide 53' long trailer.
3. (X) 102" wide 48' long trailer.
4. (X) 102" wide twin trailers (28 1/2' maximum length-each)

5. (X) 102" wide maxi-cube.

<i>Route Identification</i>	<i>Route Description</i>	<i>Length Miles</i>
SR 3001	from SR 3029 to SR 3023	4.44
SR 3023	from SR 3001 to SR 3010	.26
SR 3010	from SR 3023 to Lathrop Road TR 437	1.58

Questions should be directed to Matthew Hedge at (717) 772-5462.

BARRY J. SCHOCH, P.E.,  
*Secretary*

[Pa.B. Doc. No. 12-814. Filed for public inspection May 4, 2012, 9:00 a.m.]

## HISTORICAL AND MUSEUM COMMISSION

### National Register Nominations to be Reviewed by the Historic Preservation Board

The Historic Preservation Board (Board) will hold a meeting on June 5, 2012, at 9:45 a.m. at the Labor and Industry Building, Conference Room 100, Harrisburg, PA. For individuals with a disability who wish to attend this meeting, and require an auxiliary aid, service or other accommodation to participate, contact Cheri Garrett at (717) 783-9933 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Board can accommodate their needs. For persons who have any questions or comments, contact the National Register Office of the Bureau for Historic Preservation at (717) 783-8947.

1. Downtown Wayne HD, roughly bounded by North Wayne and West Avenues; South Wayne, West Wayne and Lancaster Avenues and Louella Court; Radnor Township, Delaware County, No. 827766

2. Lansford HD, roughly bounded by Cortright Street, Snyder Avenue, East and Water Streets, Lansford, Carbon County, No. 123504.

3. Girard Avenue West HD BI, West Girard Avenue between North Taney and North 26th Streets, Philadelphia, No. 156720.

4. Ajax Metal Company, 46 Richmond Street, Philadelphia, No. 100127.

5. Irwintown Site, along the Clarion River in the Allegheny National Forest, Spring Creek Township, Elk County, No. 155242.

6. Mt. Gretna Campmeeting, roughly bounded by SR 117, Pinch Bell Road, Belle Avenue and First Street, West Cornwall Township, Lebanon County, No. 143875.

7. Pleasant Grove School, 4084 Baltimore Pike, Mt. Joy Township, Adams County, No. 006841.

8. Schenley Farms HD BI, roughly bounded by Dollar and Bayard Streets, Bellefield Avenue and Bigelow Boulevard, Pittsburgh, Allegheny County, No. 156545.

9. Wiley-Cloud House, 107 Ironstone Lane, Kennett Township, Chester County, No. 156129.

10. Ursuline Young Ladies' Academy, 201 South Winebiddle Street, Pittsburgh, Allegheny County, No. 009596.

JAMES M. VAUGHAN,  
*Executive Director*

[Pa.B. Doc. No. 12-815. Filed for public inspection May 4, 2012, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Agency Contract Termination of Don Jacobs Insurance Services, Inc. under Act 143; Westfield Insurance; Doc. No. AT12-04-009

A prereview telephone conference initiated by this office is scheduled for May 31, 2012, at 10 a.m. A date for the review of the agency contract termination shall be determined, if necessary, at the prereview telephone conference.

Motions preliminary to those at the review, protests, petitions to intervene or notices of intervention, if any, must be filed on or before May 16, 2012, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before May 30, 2012.

Persons with a disability who wish to attend the previously-referenced administrative review and require an auxiliary aid, service or other accommodation to participate in the review should contact Donna R. Fleischauer, Human Resources Director, (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 12-816. Filed for public inspection May 4, 2012, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board leases will expire:

Bucks County, Wine & Spirits Store #0921 (Relocation), Yardley, PA 19067

*Lease expiration date:* Entered 90-day status since April 1, 2008.

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,000 to 5,000 net useable square feet of new or existing retail commercial space within a 1.5-mile radius of Main Street and Afton Avenue, Yardley, PA.

*Proposals due:* May 25, 2012, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Region #1, 7114 Ridge Avenue, Philadelphia, PA 19128-3250

**Contact:** Henry Blocker, Jr., (215) 482-9670, hblocker@pa.gov

Montgomery County, Wine & Spirits Store #4616 (Relocation), Schwenksville, PA

*Lease expiration date:* 90-day status since May 1, 2009.

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 5,000 net useable square feet of new or existing retail commercial space. Location must be within a 2-mile radius of the intersection of Main Street and Perkiomen Avenue, Schwenksville, PA.

*Proposals due:* May 25, 2012, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Region #1, 7114 Ridge Avenue, Philadelphia, PA 19128-3250  
**Contact:** Henry Blocker, Jr., (215) 482-9670, hblocker@pa.gov

Philadelphia County, Wine & Spirits Store #5140 (Relocation), Philadelphia, PA

*Lease expiration date:* October 31, 2013

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 8,000 net useable square feet of new or existing retail commercial space. Location must be within a 1.5-mile radius of Castor and Aramingo Avenue, Philadelphia, PA.

*Proposals due:* May 25, 2012, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Bureau of Real Estate, Real Estate Region #1, 7114 Ridge Avenue, Philadelphia, PA 19128-3250  
**Contact:** Henry Blocker, Jr., (215) 482-9670, hblocker@pa.gov

The Liquor Control Board seeks the following new sites:

Chester County, Wine & Spirits Store #1507 (Relocation), Kennett Square, PA 19348

*Lease expiration date:* November 30, 2013

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 7,000 to 12,000 net useable square feet of new or existing retail commercial space within a 2.5-mile radius of Route 1 and Bayard Road in Kennett Square, PA.

*Proposals due:* May 25, 2012, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Region #1, 7114 Ridge Avenue, Philadelphia, PA 19128-3250  
**Contact:** James M. Bradley, (215) 482-9670, jabradley@pa.gov

Chester County, Wine & Spirits Store # (TBD) (New Store), Avondale—London Grove, PA Area

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 6,000 to 10,000 net usable square feet of new or existing retail commercial space. Location must be within a 4-mile radius of Routes 1 and 41 in the Avondale, London Grove, PA area.

*Proposals due:* May 25, 2012, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Region #1, 7114 Ridge Av-

enue, Philadelphia, PA 19128-3250  
**Contact:** James M. Bradley, (215) 482-9670, jabradley@pa.gov

Delaware County, Wine & Spirits Store # (TBD) (New Store), Middletown Township, PA 19063

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 5,500 to 11,000 net useable square feet of new or existing retail commercial space within a 1.5-mile radius of the intersection of Route 1 and Oriole Avenue in Middletown Township, PA.

*Proposals due:* May 25, 2012, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Philadelphia Region #1, 7114 Ridge Avenue, Philadelphia, PA 19128-3250  
**Contact:** James M. Bradley, (215) 482-9670, jabradley@pa.gov

JOSEPH E. BRION,  
*Chairperson*

[Pa.B. Doc. No. 12-817. Filed for public inspection May 4, 2012, 9:00 a.m.]

## OFFICE OF OPEN RECORDS

### Hearing in the Matter of James Eiseman, Jr. v. Department of Public Welfare; Doc. No. AP 2011-1098

A hearing on the previously-captioned Right-To-Know appeal will be held as follows:

**Dates:** May 21, 22 and 23, 2012  
**Time:** 10 a.m.  
**Location:** Hearing Room 4 (May 21)  
 Hearing Room 3 (May 22 and May 23)  
 Plaza Level  
 Commonwealth Keystone Building  
 400 North Street, Harrisburg, PA 17120

**Presiding:** Edward S. Finkelstein, Esq.  
 Hearing Officer  
 400 North Street, Plaza Level  
 Harrisburg, PA 17120  
 (717) 364-9903, fax (717) 425-5343

This hearing is being conducted under section 1101(a)(2) of the Right-to-Know Law (law) (65 P. S. § 67.1101(a)(2)) to determine whether certain records are exempt from disclosure under the “trade secrets or confidential proprietary information” exception in section 708(b)(11) of the law (65 P. S. § 708(b)(11)).

Persons with a disability who wish to attend the hearing should contact the Office of Open Records (OOR) to make arrangements for their special needs. Call the OOR at least 5 business days prior to the hearing to submit a request.

For persons who require an interpreter to participate in the hearings, the OOR will make every reasonable effort to have an interpreter present. Call the OOR at (717) 364-9903 at least 10 business days prior to the hearing to submit the request.

TERRY MUTCHLER,  
*Executive Director*

[Pa.B. Doc. No. 12-818. Filed for public inspection May 4, 2012, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by May 21, 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-2012-2284620. Sunny Transportation, Inc., t/a Sunny Transportation** (351 South Main Street, Pittston, Luzerne County, PA 18640)—for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton and Wyoming, to points in Pennsylvania, and return.

**A-2012-2290588. Nationwide Medical Transport, Inc.** (2735 Terwood Road, Willow Grove, Montgomery County, PA 19090)—persons in paratransit service, from points in Counties of Bucks, Delaware, Chester and the City and County of Philadelphia, to points in Pennsylvania, and return. *Attorney:* David P. Temple, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

**A-2012-2294203. John E. and Susan L. Kurtz, Tenants By Entirety** (10 Millstream Drive, Morgantown, Berks County, PA 19543)—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, between points in Pennsylvania.

**A-2012-2294248. Autoeffects Motor Sports, Inc.** (191 9th Street, Monaco, Beaver County, PA 15061)—persons, in limousine service, from points in the Town of Monaca, Beaver County, and within an airline radius of 50 statute miles, to points in Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

**A-2012-2294437. David F. Weaver** (23 North Farmersville Road, Ephrata, Lancaster County, PA 17522)—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.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-819. Filed for public inspection May 4, 2012, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant. The company has applied to transfer the rights held by Mama Bhanja Cab Co. (CPC No. 1000613-01, Medallion P-0177) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**A-12-02-003. J&K Taxi, Inc.**, 2301 Church Street, Philadelphia, PA 19124 registered with the Commonwealth on January 30, 2012.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by May 21, 2012. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 12-820. Filed for public inspection May 4, 2012, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant. The company has applied to transfer the rights held by Sahaj Trans, Inc. (CPC No. 1022493-01, Medallion P-0025 and 0986) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**A-12-03-06. Pasco Taxi, LLC**, 2301 Church Street, Philadelphia, PA 19124 registered with the Commonwealth on March 2, 2012.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA

19148, with a copy served on the applicant by May 21, 2012. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 12-821. Filed for public inspection May 4, 2012, 9:00 a.m.]

## STATE BOARD OF NURSING

### **Bureau of Professional and Occupational Affairs v. Joanne Pavlow Boland, RN; Doc. No. 0448-51- 2011**

On January 27, 2012, Joanne Pavlow Boland, Pennsylvania license no. RN322489L, of Philadelphia, Philadelphia County and Virginia Beach, VA, was indefinitely suspended based upon disciplinary actions taken against her license by the proper licensing authority in another state.

Individuals may obtain a copy of the order by writing to Beth Sender Michlovitz, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

JOSEPH J. NAPOLITANO, PhD, MPH, CRNP,  
*Chairperson*

[Pa.B. Doc. No. 12-822. Filed for public inspection May 4, 2012, 9:00 a.m.]

### **Bureau of Professional and Occupational Affairs v. Darla Jean Chamberlain, RN; Doc. No. 0473-51- 2010**

On January 31, 2012, Darla Jean Chamberlain, license no. RN580543, of Plymouth, Luzerne County, was indefinitely suspended based on her inability to practice nursing with reasonable skill and safety by reason of mental or physical illness or condition or physiological or psychological dependence upon alcohol, hallucinogenic or narcotic drugs or other drugs which tend to impair judgment or coordination.

Individuals may obtain a copy of the order by writing to Beth Sender Michlovitz, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

JOSEPH J. NAPOLITANO, PhD, MPH, CRNP,  
*Chairperson*

[Pa.B. Doc. No. 12-823. Filed for public inspection May 4, 2012, 9:00 a.m.]





