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# PENNSYLVANIA BULLETIN

Volume 43

Number 18

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Pages 2415—2548

## Agencies in this issue

The Courts

Department of Banking and Securities

Department of Environmental Protection

Department of Health

Department of Labor and Industry

Department of Public Welfare

Department of Revenue

Department of Transportation

Environmental Hearing Board

Environmental Quality Board

Fish and Boat Commission

Independent Regulatory Review Commission

Insurance Department

Pennsylvania Public Utility Commission

Public School Employees' Retirement Board

State Board of Education

State Board of Nursing

State Board of Pharmacy

State Conservation Commission

Susquehanna River Basin Commission

Detailed list of contents appears inside.



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

**No. 462, May 2013**

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# CONTENTS

## THE COURTS

### APPELLATE PROCEDURE

Order amending notes to Rules 341 and 512 of the Rules of Appellate Procedure; no. 225 appellate procedural rules doc. . . . . 2423

### DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of disbarment (2 documents) . . . . . 2435

### LOCAL COURT RULES

#### Adams County

Amendment of rules of judicial administration; administrative order no. 25 of 2013 . . . . . 2424

#### Lackawanna County

Repeal and adoption of family court rules; 13-CV-1. . . 2424

#### York County

Administrative order appointing custody mediators; misc. civil 2013-MI-000040-55 . . . . . 2435

### SUPREME COURT

Philadelphia Traffic Court Judge Christine Solomon; no. 400 judicial administration doc. . . . . 2435

## EXECUTIVE AGENCIES

### DEPARTMENT OF BANKING AND SECURITIES

#### Notices

Actions on applications. . . . . 2444

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### Notices

Applications, actions and special notices. . . . . 2444

Availability of technical guidance . . . . . 2513

Pennsylvania's 2014 Ambient Air Monitoring Network Plan; availability for public comment . . . . . 2514

Proposed annual Monitoring Network Plan for Philadelphia. . . . . 2514

Philadelphia. . . . . 2514

### DEPARTMENT OF HEALTH

#### Notices

Long-term care nursing facilities; request for exception. . . . . 2514

### DEPARTMENT OF LABOR AND INDUSTRY

#### Rules and Regulations

Responsibilities of employers; effective date of 34 Pa. Code § 63.52(e) . . . . . 2438

### DEPARTMENT OF PUBLIC WELFARE

#### Notices

Income limits and co-payments for the Subsidized Child Care Program . . . . . 2515

Payment methodology for services in the School-Based Access Program . . . . . 2524

### DEPARTMENT OF REVENUE

#### Notices

Pennsylvania \$500 Frenzy instant lottery game. . . . . 2524

Pennsylvania Neon 9s '13 instant lottery game . . . . . 2526

### DEPARTMENT OF TRANSPORTATION

#### Notices

Committee meetings . . . . . 2528

Findings . . . . . 2528

### ENVIRONMENTAL HEARING BOARD

#### Notices

Rosebud Mining Company v. DEP; EHB doc. no. 2013-046-B. . . . . 2529

### ENVIRONMENTAL QUALITY BOARD

#### Notices

Meeting cancellation . . . . . 2529

### FISH AND BOAT COMMISSION

#### Notices

Additions to list of Class A wild trout waters . . . . . 2529

Classification of wild trout streams; additions to the list. . . . . 2530

### INDEPENDENT REGULATORY REVIEW COMMISSION

#### Notices

Action taken by the Commission. . . . . 2530

### INSURANCE DEPARTMENT

#### Notices

Medical Care Availability and Reduction of Error (MCARE) Fund relocation; notice 2013-04 . . . . . 2531

### PENNSYLVANIA PUBLIC UTILITY COMMISSION

#### Notices

Service of notice of motor carrier applications. . . . . 2531

Service of notice of motor carrier formal complaints . . . . . 2532

Telecommunications. . . . . 2537

### PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

#### Notices

Actuarial tables. . . . . 2537

### STATE BOARD OF EDUCATION

#### Rules and Regulations

Higher education; academic programs . . . . . 2436

### STATE BOARD OF NURSING

#### Notices

Bureau of Professional and Occupational Affairs v. Eric J. Collins, LPN; doc. no. 1353-51-12 . . . . . 2545

Bureau of Professional and Occupational Affairs v. Roseann Thomas, LPN; doc. no. 0741-51-11. . . . . 2545

### STATE BOARD OF PHARMACY

#### Proposed Rulemakings

Collaborative management of drug therapy. . . . . 2439

---

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**STATE CONSERVATION COMMISSION**

**Notices**

Action on odor management plans for concentrated animal operations and concentrated animal feeding operations and volunteers complying with the Commonwealth's Facility Odor Management Program ..... 2545

**SUSQUEHANNA RIVER BASIN COMMISSION**

**Notices**

Public hearing..... 2546

# 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 [ww.legis.state.pa.us](http://ww.legis.state.pa.us).

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

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### Printing Format

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

### Fiscal Notes

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

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

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# List of Pa. Code Chapters Affected

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

<b>4 Pa. Code (Administration)</b>		45 .....	2042
<b>Proposed Rules</b>		47 .....	1281
405 .....	1850		
<b>Statements of Policy</b>			
9 .....	220, 875, 1084, 1283, 1863		
58 .....	1731		
67a .....	877		
<b>7 Pa. Code (Agriculture)</b>			
<b>Adopted Rules</b>			
143 .....	216		
144 .....	216		
<b>17 Pa. Code (Conservation and Natural Resources)</b>			
<b>Proposed Rules</b>			
45 .....	1419		
<b>22 Pa. Code (Education)</b>			
<b>Adopted Rules</b>			
31 .....	2436		
<b>25 Pa. Code (Environmental Protection)</b>			
<b>Adopted Rules</b>			
78 .....	526		
105 .....	967		
121 .....	806		
123 .....	806, 2140		
139 .....	806		
901 .....	830		
<b>Proposed Rules</b>			
127 .....	677		
806 .....	872		
<b>31 Pa. Code (Insurance)</b>			
<b>Proposed Rules</b>			
124 .....	1269		
<b>34 Pa. Code (Labor and Industry)</b>			
<b>Adopted Rules</b>			
63 .....	2438		
<b>40 Pa. Code (Liquor)</b>			
<b>Adopted Rules</b>			
15 .....	12		
<b>Proposed Rules</b>			
11 .....	2040		
<b>49 Pa. Code (Professional and Vocational Standards)</b>			
<b>Adopted Rules</b>			
13 .....	2033		
16 .....	2142		
18 .....	2142, 2145		
25 .....	2147		
<b>Proposed Rules</b>			
1 .....	1279		
3 .....	1854		
6 .....	2041		
7 .....	1855		
13 .....	2044		
15 .....	1859		
27 .....	2439		
33 .....	1857		
		52 .....	2042
		47 .....	1281
		<b>Statements of Policy</b>	
		13 .....	1422
		<b>52 Pa. Code (Public Utilities)</b>	
		<b>Adopted Rules</b>	
		62 .....	1413
		<b>Proposed Rules</b>	
		1 .....	1273
		5 .....	1273
		65 .....	870
		1011 .....	1725
		1015 .....	1725
		1017 .....	1720, 1725
		1021 .....	1725
		1027 .....	1725
		1051 .....	1725
		1053 .....	1725
		1055 .....	1720
		1057 .....	1725
		1059 .....	1725
		<b>55 Pa. Code (Public Welfare)</b>	
		<b>Adopted Rules</b>	
		52 .....	833
		<b>Statements of Policy</b>	
		51 .....	878
		6000 .....	1732
		6400 .....	222
		<b>58 Pa. Code (Recreation)</b>	
		<b>Adopted Rules</b>	
		147 .....	2311
		401a .....	660
		403a .....	660
		405a .....	660
		407a .....	660
		461a .....	660
		471a .....	660
		491a .....	660
		493a .....	660
		494a .....	660
		495a .....	660
		497a .....	660
		499a .....	660
		501a .....	660
		511a .....	660
		<b>Proposed Rules</b>	
		65 .....	2034, 2035
		75 .....	15
		137 .....	2039
		139 .....	1712, 1718, 2037
		141 .....	1710
		143 .....	2037
		421a .....	2152
		421b .....	2152
		439a .....	2152
		461a .....	834
		465a .....	834, 2152
		481a .....	2152
		501a .....	2152



503a	2152
503b	2152
513a	2152
525	834
575	834
577	834
579	834
603a	834, 2152
605a	2312
609a	834
623a	834
627a	834
629a	834
631a	834
633a	834, 2152
635a	834
637a	834
639a	2312
641a	2312
643a	2312
647a	2312
649a	834
653a	2312
655a	2312
657a	2312
659a	834
661a	834
663a	834
665a	834
<b>Statements of Policy</b>	
439b	1733
<b>61 Pa. Code (Revenue)</b>	
<b>Adopted Rules</b>	
7	532
117	535
119	535
121	535
901	532
<b>101 Pa. Code (General Assembly)</b>	
<b>Statements of Policy</b>	
31	17
303	878
<b>204 Pa. Code (Judicial System General Provisions)</b>	
<b>Adopted Rules</b>	
81	1173
83	1173
<b>Proposed Rules</b>	
71	1699
81	1997
303	431
<b>207 Pa. Code (Judicial Conduct)</b>	
<b>Proposed Rules</b>	
51	2269
<b>210 Pa. Code (Appellate Procedure)</b>	
<b>Adopted Rules</b>	
1	2007
2	2007
3	2423
5	2423
17	2271
21	2007
25	964, 2007
63	514
65	298

<b>Proposed Rules</b>	
19	1700
40	1700
<b>225 Pa. Code (Rules of Evidence)</b>	
<b>Adopted Rules</b>	
Article I	620
Article II	620
Article III	620
Article IV	620
Article V	620
Article VI	620
Article VII	620
Article VIII	620
Article IX	620
Article X	620
<b>Proposed Rules</b>	
Article VIII	210
<b>231 Pa. Code (Rules of Civil Procedure)</b>	
<b>Adopted Rules</b>	
200	525
1000	1835
1300	2135
1910	801, 2272
3000	2136
Part II	1836
<b>Proposed Rules</b>	
Part II	2010
<b>234 Pa. Code (Rules of Criminal Procedure)</b>	
<b>Adopted Rules</b>	
1	652
2	652
4	654
7	1702
<b>Proposed Rules</b>	
5	210
6	2304
8	801
<b>237 Pa. Code (Juvenile Rules)</b>	
<b>Adopted Rules</b>	
6	1551
<b>Proposed Rules</b>	
1	2306
11	2306
<b>246 Pa. Code (Minor Court Civil Rules)</b>	
<b>Proposed Rules</b>	
200	8, 2136
400	8
<b>249 Pa. Code (Philadelphia Rules)</b>	
Unclassified	657, 658, 1078, 2138
<b>255 Pa. Code (Local Court Rules)</b>	
Unclassified	9, 11, 212, 214, 299, 658, 964, 1173, 1175, 1176, 1408, 1410, 1551, 1842, 2139, 2308, 2309, 2424, 2435

# THE COURTS

## Title 210—APPELLATE PROCEDURE

### PART I. RULES OF APPELLATE PROCEDURE

[ 210 PA. CODE CHS. 3 AND 5 ]

#### Order Amending Notes to Rules 341 and 512 of the Rules of Appellate Procedure; No. 225 Appellate Procedural Rules Doc.

##### Order

*Per Curiam*

And Now, this 16th day of April, 2013, upon the recommendation of the Appellate Court Procedural Rules Committee, the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3) in the interests of efficient administration:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the Notes to Pennsylvania Rules of Appellate Procedure 341 and 512 are amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and the amendments herein shall be effective to appeals and petitions for review filed 30 days after adoption.

##### Annex A

#### TITLE 210. APPELLATE PROCEDURE

#### PART I. RULES OF APPELLATE PROCEDURE

#### ARTICLE I. PRELIMINARY PROVISIONS

#### CHAPTER 3. ORDERS FROM WHICH APPEALS MAY BE TAKEN

##### FINAL ORDERS

#### Rule 341. Final Orders; Generally.

\* \* \* \* \*

**Official Note: Related Constitutional and Statutory Provisions**—Section 9 of Article V of the Constitution of Pennsylvania provides that “there shall be a right of appeal from a court of record or from an administrative agency to a court of record or to an appellate court.” The term “administrative agency” is not defined in Rule 102 of these rules and as used in this rule is intended to have the same meaning as the term “administrative agency” in Section 9 of Article V of the Constitution of Pennsylvania. The constitutional provision is implemented by 2 Pa.C.S. § 702 (appeals), 2 Pa.C.S. § 752 (appeals), and 42 Pa.C.S. § 5105 (right to appellate review).

\* \* \* \* \*

**Final Orders—Pre and Post-1992 Practice**—The 1992 amendment generally eliminates appeals as of right under Rule 341 from orders not ending the litigation as to all claims and as to all parties. Formerly, there was case

law that orders not ending the litigation as to all claims and all parties are final orders if such orders have the practical consequence of putting a litigant out of court.

A party needs to file only a single notice of appeal to secure review of prior non-final orders that are made final by the entry of a final order, see *K.H. v. J.R.*, 573 Pa. 481, 493-94, 826 A.2d 863, 870-71 (2003) (following trial); *Betz v. Pneumo Abex LLC*, \_\_\_ Pa. \_\_\_, 44 A.3d 27, 54 (2012) (summary judgment). Where, however, one or more orders resolves issues arising on more than one docket or relating to more than one judgment, separate notices of appeal must be filed. *Commonwealth v. C.M.K.*, 932 A.2d 111, 113 & n.3 (Pa. Super. 2007) (quashing appeal taken by single notice of appeal from order on remand for consideration under Pa.R.Crim.P. 607 of two persons’ judgments of sentence).

The 1997 amendments to subdivisions (a) and (c), substituting the conjunction “and” for “or,” are not substantive. The amendments merely clarify that by definition any order which disposes of all claims will dispose of all parties and any order that disposes of all parties will dispose of all claims.

\* \* \* \* \*

#### CHAPTER 5. PERSONS WHO MAY TAKE OR PARTICIPATE IN APPEALS

##### MULTIPLE APPEALS

#### Rule 512. Joint Appeals.

Parties interested jointly, severally or otherwise in any order in the same matter or in joint matters or in matters consolidated for the purposes of trial or argument, may join as appellants or be joined as appellees in a single appeal where the grounds for appeal are similar, or any one or more of them may appeal separately or any two or more may join in an appeal.

**Official Note:** [ Substantially the same as former Supreme Court Rule 20 (prior to its omission by the revision and renumbering order of April 27, 1972), former Superior Court Rule 9A, and former Commonwealth Court Rule 26. The rule continues the policy that “taking one appeal from several judgments is not acceptable practice and is discouraged.” *General Electric Credit Corp. v. Aetna Casualty and Surety Co.*, 437 Pa. 463, 469, 263 A.2d 448, 452 (1970). ] This describes who may join in a single notice of appeal. The rule does not address whether a single notice of appeal is adequate under the circumstances presented. Under Rule 341, a single notice of appeal will not be adequate to take an appeal from orders entered on more than one trial court docket. See Rule 341, Note (“Where, however, one or more orders resolves issues arising on more than one docket or relating to more than one judgment, separate notices of appeal must be filed.”).

[Pa.B. Doc. No. 13-810. Filed for public inspection May 3, 2013, 9:00 a.m.]

# Title 25—LOCAL COURT RULES

## ADAMS COUNTY

### Amendment of Rules of Judicial Administration; Administrative Order No. 25 of 2013

#### Order of Court

*And Now*, this 18th day of April, 2013, the Court hereby Orders that the Adams County Rules of Judicial Administration shall be amended as follows:

#### 620. Older Adults Protective Services Act.

A. This Rule addresses procedures to be followed under the Older Adults Protective Services Act, 35 P. S. § 10225.101, et seq.

B. Emergency Petitions. Whenever a petition for emergency order is filed under Section 307 of the Act, 35 P. S. § 10225.307, outside the normal business hours of the Court of Common Pleas, said petition shall be presented to the on-call Magisterial District Judge.

Any order entered by a Magisterial District Judge shall be considered a temporary order but shall remain in effect until a preliminary hearing is held pursuant to Paragraph D.

C. The Magisterial District Judge shall contact the Court Administrator as soon as possible after granting or denying relief. All papers shall be promptly forwarded for filing to the Prothonotary's Office.

D. If the Magisterial District Judge grants relief, the Court will schedule a preliminary hearing to be held at 1:00 P.M. on the next Business Court Day following the granting of relief by the Magisterial District Judge. The Magisterial District Judge granting relief shall provide notice to all known interested parties in the form set forth in Paragraph E., below.

E. At the preliminary hearing, the Court shall determine whether the relief granted pursuant to the emergency order shall remain in effect or be modified and shall set a date for a plenary hearing.

#### F. Form of Notice

##### Notice

An Emergency Petition under the Older Adults Protective Services Act has been filed as attached. An emergency order has been granted and will remain in effect until 1:00 P.M. on \_\_\_\_\_, 20 \_\_, when it will be considered in a Courtroom that will be designated on that date in the Adams County Courthouse, Gettysburg, Pennsylvania. At that time, the emergency order may be continued, modified, or terminated. If the order is continued or modified, a full hearing on the merits will be scheduled. You may appear for either hearing. The Court may proceed in absence of any interested person except the petitioner to take testimony and enter an order granting relief.

The older adult affected by this proceeding is entitled to be represented by counsel and is hereby notified that if he/she cannot afford a lawyer to go to or telephone the office set forth below to apply for court appointed counsel.

Adams County Court Administrator  
Adams County Courthouse  
111-117 Baltimore Street  
Gettysburg, PA 17325  
Telephone: (717) 337-9846

#### Magisterial District Judge

This rule shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. It is further directed that:

a. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall be filed with the Adams County Clerk of Courts and the Adams County Law Library for inspection and copying;

b. Seven (7) certified copies of this Order shall be forwarded to the Administrative Office of the Pennsylvania Courts for distribution in accordance with the provisions of Pa. R.J.A. No. 103(c)(2); and

c. Two (2) certified copies of this Order together with a computer diskette that complies with the requirement of 1 Pa. Code § 13.11(b), or other compliant format per 1 Pa. Code § 13.11(d), containing the text of the local rule(s) adopted hereby shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

*By the Court*

MICHAEL A. GEORGE,  
*President Judge*

[Pa.B. Doc. No. 13-811. Filed for public inspection May 3, 2013, 9:00 a.m.]

## LACKAWANNA COUNTY

### Repeal and Adoption of Family Court Rules; 13-CV-1

#### Administrative Order

*And Now*, this 16th day of April, 2013, it is hereby Ordered and Decreed that the following Lackawanna County Family Court Rules are amended as follows:

1. All other local Lackawanna County Court Family Law Rules as they appear prior to the effective date of this Order on the Administrative Office of the Pennsylvania Courts' (AOPC) website, Lackawanna Bar Association's website or in the Westlaw local rules are hereby repealed;

2. New Local Rules 1910.10, 1915.1(b), 1915.3(a), 1915.3(b), 1915.4(a), 1915.4(b), 1915.4(d), 1915.4-1(a), 1915.4-2(a), 1915.4-2(a)(4), 1915.4-2(b)(2), 1915.4-2(b)(6), 1915.11(a), 1915.13, 1920.3(a), 1920.3(b), 1920.51(a)(3), 1940.3(a), 1940.6(b), and 1940.6(c) are adopted as reflected in the following rules;

3. Pursuant to Pa. R.Civ.P. 239(c) and 239.8(b)—(d) (as amended December 15, 2010), the following Local Rules shall be disseminated and published as follows:

(a) One (1) copy of the Local Rules shall be filed with the Administrative Office of the Pennsylvania Courts;

(b) Two (2) certified copies of the Local Rules and a computer diskette containing the text of the Local Rules in MS-DOS, ASCII, Microsoft Word, or WordPerfect format and labeled with the court's name and address and

computer file name shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

(c) One (1) certified copy of the Local Rules and a computer diskette containing the text of the Local Rules in MS-DOS, ASII, Microsoft Word, or WordPerfect format and labeled with the court's name and address and computer file name shall be filed with the Civil Procedural Rules Committee which shall then forward a copy to the Administrative Office of the Pennsylvania Courts (AOPC) for publication on the AOPC website;

(d) The Local Rules shall be kept continuously available for public inspection and copying in the Office of the Clerk of Judicial Records, Family Court Division, and upon request and payment of reasonable costs of reproduction and/or mailing the Clerk of Judicial Records shall furnish to any person a copy of the requested Local Rule(s);

(e) A computer diskette containing the text of the following Local Rules in either MS-DOS, ASCII, Microsoft Word or WordPerfect format and labeled with the court's name and address and computer file name shall be distributed to the Lackawanna Bar Association;

(f) The Local Rules shall be published on the website of the Lackawanna Bar Association ([www.lackawannabar.org](http://www.lackawannabar.org)) and the website of the Administrative Office of the Pennsylvania Courts (<http://ujportal.pacourts.us/>);

4. The following repeals and new adoptions to Local Rules 1910.10, 1915.1(b), 1915.3(a), 1915.3(b), 1915.4(a), 1915.4(b), 1915.4(d), 1915.4-1(a), 1915.4-2(a), 1915.4-2(a)(4), 1915.4-2(b)(2), 1915.4-2(b)(6), 1915.11(a), 1915.13, 1920.3(a), 1920.3(b), 1920.51(a)(3), 1940.3(a), 1940.6(b), and 1940.6(c) shall become effective thirty (30) days after the date of their publication in the *Pennsylvania Bulletin* as per Pa. R.Civ.P. 239(d); and

5. The following repeals and new adoptions to Local Rules 1910.10, 1915.1(b), 1915.3(a), 1915.3(b), 1915.4(a), 1915.4(b), 1915.4(d), 1915.4-1(a), 1915.4-2(a), 1915.4-2(a)(4), 1915.4-2(b)(2), 1915.4-2(b)(6), 1915.11(a), 1915.13, 1920.3(a), 1920.3(b), 1920.51(a)(3), 1940.3(a), 1940.6(b), and 1940.6(c) shall become effective upon publication on the website of the Administrative Office of the Pennsylvania Courts pursuant to Pa. R.Civ.P. 239.8(d).

*By the Court*

HONORABLE THOMAS J. MUNLEY,  
*President Judge*

### Lackawanna County Family Court Rules

#### 1910.10

In accordance with Pa.R.C.P. 1910.10, the hearing procedure of Pa.R.C.P 1910.12 is hereby adopted in this judicial district.

#### 1915.1(b)

“Conciliation Conference” means an office conference which is conducted at the court house, by a conference officer or a hearing officer, at which all parties and/or their counsel shall be present.

“Conference Officer” or “Hearing Officer” means an attorney engaged in the practice of law before the Court of Common Pleas of Lackawanna County who is duly licensed to practice law in the Commonwealth of Pennsylvania, who shall conduct the conciliation conference at such times and places as the Court shall direct.

“Kids First.” A four hour orientation and education program established to help parents understand the effect of divorce and family conflict on their lives and the lives of their children.

“Parenting Plan.” A parenting plan is a written description of what the parent believes would be the best residential living arrangement for the child(ren).

#### 1915.3(a)

In addition to the information required by Pa.R.C.P. 1915.15(a), every complaint for custody, partial custody or visitation shall contain the following averments:

(I) Plaintiff has been advised of the requirement to attend the seminar entitled “Kids First.”

(ii) Defendant has been advised of the requirement to attend the seminar entitled “Kids First.”

#### 1915.3(b)

(i) The Order required under this rule shall be completed by the Family Court Administrator at the time the complaint is filed.

(ii) The Family Court Administrator shall schedule a conciliation conference to be held within forty-five (45) days from the date of the initial filing.

(iii) The Family Court Administrator shall also include in the Order the dates each parent shall attend the Kids First seminar.

(iv) Both parents shall attend the Kids First Seminar on a date scheduled by the Family Court Administrator.

(v) The moving party is responsible for ensuring that the opposing party receives the Kids First brochure and registration form.

(vi) Each party is to submit the registration form and payment to Kids First prior to the seminar.

(vii) Parents proceeding in forma pauperis or who are on public assistance must provide proof of same to the presenter.

(viii) Parents residing outside Lackawanna County may contact the presenter for possible alternative programs if unable to attend the Kids First seminar.

(ix) The Court has authorized the presenter to approve individual changes to the Kids First registration, only upon a showing of good cause.

(x) After successfully completing the Kids First seminar, the presenter will issue a certificate of completion to the parties, and will provide the Family Court Clerk of Judicial Records with a seal of completion which shall be affixed by the Family Court Clerk of Judicial Records to the front inside cover of the file.

(xi) The presenter shall timely provide the Family Court with a list of non-attendees, along with court docket numbers, against whom the Court may issue contempt proceedings for failure to appear.

#### 1915.4(a)

At least 7 days prior to the conciliation conference, the parties shall file and serve a Parenting Plan. The Plan shall be in the form attached as Form A in the Appendix.

#### 1915.4(b)

The Order and Motion for a Custody Hearing or Trial shall be presented in Motion Court. Parties and/or their counsel shall then present the executed Order to the Family Court Administrator who shall thereafter provide

the requisite dates. The Order and Motion for a Custody Hearing or Trial shall be in the form attached as Form B in the Appendix.

Prior to a custody hearing or trial, counsel and the parties shall appear for a pre-trial or status conference. The pre-trial or status conference shall be scheduled by the Court no later than 30 days before the custody hearing or trial. Both parties shall file a Pre-Hearing or Pre-Trial Statement no later than 5 days before the pre-trial hearing or conference, and serve it on the opposing party. The Pre-Hearing or Pre-Trial Statement shall be in the form attached as Form C in the Appendix.

#### **1915.4(d)**

The time line for prompt disposition of a primary custody matter would be essentially as set forth in the form attached as Form D in the Appendix.

#### **1915.4-1(a)**

In accordance with Pa.R.C.P. 1915.4-1, the custody proceedings in this judicial district are conducted pursuant to Pa.R.C.P. 1915.4-2.

#### **1915.4-2(a)**

At least 7 days prior to the conciliation conference, the parties shall file and serve a Parenting Plan. The Plan shall be in the form attached as Form A in the Appendix.

#### **1915.4-2(a)(4)**

In instances where the parties attend mediation as set forth in Pa.R.C.P. 1940.3(a) and/or 1940.3(c), mediation shall take place as soon as reasonably possible at the conclusion of the conciliation conference, but in no event shall it take place so as to interfere with the time period prescribed in Pa.R.C.P. 1915.4-2(a)(4).

#### **1915.4-2(b)(2)**

The conference officer or hearing officer shall encourage and supervise the formulation of consent orders. In cases where consent orders cannot be obtained, the conference officer or hearing officer shall receive evidence and hear argument as set forth in Pa.R.C.P. 1915.4-2(b)(2).

#### **1915.4-2(b)(6)**

The time line for prompt disposition of a partial custody or visitation matter would be essentially as set forth in the form attached as Form E in the Appendix.

#### **1915.11(a)**

In accordance with 23 Pa.C.S.A. § 5334, the Guardian Ad Litem procedure set forth in 23 Pa.C.S.A. § 5334 is hereby adopted in this judicial district.

#### **1915.13**

(a) At any time after commencement of the action, the court may, on application of any party or ex parte on the application of a hearing officer, grant appropriate interim or special relief. Such relief may include issuance of a writ of ne exeat directed to the present custodian of the child(ren) where flight to evade jurisdiction is imminent.

(b) When relief is sought on application of a party, the court shall grant appropriate interim or special relief only after written notice and hearing unless it appears to the satisfaction of the court that immediate and irreparable injury will be sustained before notice can be given or a hearing held, in which case the court may issue a preliminary or special injunction without a hearing or without notice. In determining whether a preliminary or special injunction should be granted and whether notice of a hearing should be required, the court may act on the

basis of the averments of the pleadings or petition and may consider affidavits of parties or third persons, or any other proof which the court may require.

(c) Special relief and/or interim relief granted without notice to the opposing party shall be deemed dissolved unless a hearing on the continuance of the special and/or interim relief is held within five (5) days after granting such relief or within such other time as the parties may agree or as the court upon cause shown shall direct.

#### **1920.3(a)**

Every complaint, counterclaim, or petition in an action for divorce or annulment shall be filed with the Family Court Clerk of Judicial Records.

#### **1920.3(b)**

Any party filing with the Family Court Clerk of Judicial Records a claim for child, spousal support or alimony pendente lite in a complaint, counterclaim or petition may simultaneously file a conformed copy thereof in the domestic relations office of this court where it shall proceed in accordance with the practice and procedure of the domestic relations section of this court.

#### **1920.51(a)(3)**

(i) For Appointment of a Master, counsel (or party if pro se) shall present the Order and Motion for Appointment of Master in Motion Court. The moving part shall provide opposing counsel (or party if pro se) with three (3) days notice of his/her intent to present the Motion. Counsel shall then present the executed Order to the Family Court Administrator who shall thereafter assign a Master per sub-section (ii) herein.

(ii) After the Court approves the appointment of a Master, the moving party shall proceed to the Court Administrator. The moving party must inform the Court Administrator of all pending divorce cases that he/she has with any Master from the list of Masters as a litigant. Within five (5) days of receipt of Notice that a party is requesting a Master, counsel for the opposing party must notify the Court Administrator of all pending cases he/she has with any Masters on the list as a litigant. In addition, both counsel shall notify the Court Administrator of any Masters that were litigants on divorce cases that ended within three (3) months from the date the Court is being requested to appoint a Master. Upon Notice to the Court Administrator from both sides, the Court Administrator shall appoint a Master that is not named on either list presented to the Court Administrator. This requirement shall also apply to pro-se litigants.

In the event a party is pro-se and later hires counsel or a party hires new counsel after the Master is appointed, this provision shall not apply since the Master has already been in place. New counsel shall refrain from accepting the case if he/she feels there is an appearance of a potential conflict.

Attorneys shall have the right to agree to and select a Master from the list of Masters provided each attorney obtains the written consent of his/her client. The requirement about Masters being involved in other cases is waived when both attorneys and their clients agree on a Master. The completed Waiver of Conflict Form shall be an exhibit to the Motion for Appointment of Master. The Waiver of Conflict Form shall be in the form attached as Form F in the Appendix.

In addition, the Master acting as an attorney, shall not accept a new case if opposing counsel on the new case is involved in current litigation before the Master. In this

instance, the Master must either withdraw as Master with Court approval or not accept the case as private counsel for a litigant.

In the event two (2) Masters are litigants in separate pending divorce proceedings, neither Master shall be permitted to act as Master for the other's proceeding. This restriction cannot be waived.

(iii) In all actions for which appointment of a Master is sought, the party seeking appointment shall pay the sum of Seven Hundred and Fifty (\$750.00) Dollars at the time of the appointment directly to the appointed Master and serve the Master with a copy of the Order and Motion for Appointment of Master. The Master shall not commence action on the case until payment is received. The Master shall be required to deposit the fee into his or her escrow account until earned and billed. Master's fees shall be billed at a rate of One Hundred Twenty-Five Dollars (\$125.00) per hour. The Master may require additional deposits of funds from either or both parties, if necessary. The Master may enter such order concerning the allocation of Master's fees and related costs as may appear just and reasonable. Whenever the amount required to be deposited is exhausted before the filing of the Master's Report and Recommendations, proceedings may be stayed until the amount so directed shall be deposited. Any party who seeks a waiver of the \$750.00 fee shall do so by filing a Petition with a Rule Returnable so that the Court can address the same. Forms for this purpose will be available at the Family Court Administrator's Office.

(iv) Within twenty (20) days from the date the Master receives notice of his/her appointment and the \$750.00 fee, the Master shall schedule a Pre-Hearing Conference. The Master shall give written notice to the parties through their counsel or directly if they are unrepresented.

(v) The parties with the aid of their counsel and the appropriate assistance of the Master should make a good faith effort to resolve contested matters, including the marital property division, and shall determine those items which are contested and upon which testimony shall be taken at a scheduled hearing.

(vi) Before fixing the time and place for the hearing, the Master shall examine the pleadings to determine the formal sufficiency and regularity of the proceeding, including the matter of jurisdiction. If, in the opinion of the Master, the proceeding is defective in any manner, s/he shall report any defects to the Court with appropriate notice to the parties through their counsel or directly if they are unrepresented, within twenty (20) days from his or her appointment and shall suspend further action until the defect is cured. If the defect is not cured within a reasonable period of time, the Master shall apply to the Court for instructions. When the Master is satisfied as to the formal sufficiency and regularity of the proceedings, including jurisdiction, or when directed by the Court to proceed, s/he shall thereafter promptly fix the time and place of taking testimony, if any.

(vii) At the close of the Pre-Hearing Conference, the Master shall establish a scheduling deadline, and the time and place for a formal hearing. The Master shall give written Notice of the schedule and formal hearing to

the parties through their counsel or directly if they are unrepresented, by mail within ten (10) days. The Master shall file said Notice with the Court. The party who has filed for appointment of the Master shall engage a stenographer for transcription of the Hearing.

(viii) After the formal hearing, the Master shall file a report consistent with Pa.R.C.P. 1920.53 &/or 1920.54. The Master shall conclude the case within six (6) months from the date the Master receives notice of his/her appointment. This date may be extended by agreement of the Master and all counsel of record and/or the parties, if pro se. If the Master cannot conclude the case within this six-month time frame, then s/he shall file a Status Report at the expiration of each six-month time period. The Master shall give the Family Court Administrator a copy of each such Status Report. The Status Report shall be in the form attached as Form G in the Appendix.

(ix) Upon completion of the case, the Master shall send a final bill and upon payment in full, the Master shall file a Certification of Payment that all Master's fees have been paid. In any case in which a Master is appointed, no Decree in Divorce shall be entered absent a Master's Certification of Payment that all Master's fees have been paid. In addition, upon completion of the case, the Master shall file a Divorce Master Closing Form. The Master shall give the Family Court Administrator a copy of each such Divorce Master Closing Form. The Divorce Master Closing Form shall be in the form attached as Form H in the Appendix.

#### **1940.3(a)**

If the parties agree to attend mediation, or mediation is ordered by the Court, the Court may appoint the mediator, or if desired by the parties, the parents may choose an appropriate mediator approved by the Court. If the parties agree to attend mediation, or mediation is ordered by the Court, then the Order for Mediation shall be in the form attached as Form I in the Appendix.

#### **1940.6(b)**

If the parties execute a Memorandum of Understanding, then the Mediator shall provide a copy to the Family Court Administrator within 14 days. The Family Court Administrator shall thereafter send both counsel and/or the parties a letter notifying them that they have the right to object to the Memorandum of Understanding within 20 days from the date of the letter, and if no objection is received within that time, the Memorandum of Understanding will be adopted by the Court as an Order. The letter shall be in the form attached as Form J in the Appendix. The Objection shall be in the form attached as Form K in the Appendix.

#### **1940.6(c)**

If the parties cannot reach a resolution during Mediation, then the Mediator shall report this in writing to the Family Court Administrator within 14 days. Upon receipt of this information, the Family Court Administrator shall send both counsel and/or the parties a letter notifying them they must, on their, reschedule the matter for conference and/or hearing. The letter shall be in the form attached as Form L in the Appendix.

All prior Local Rules rescinded. All previous Local Rules adopted.

APPENDIX

FORM A

CAPTION

PARENTING PLAN PURSUANT TO 23 PA.C.S.A. § 5331(c)

This Parenting Plan involves the following child/children:

Child's Name	Age	Where does this child live?
_____	_____	_____
_____	_____	_____
_____	_____	_____

If you have children not addressed by this parenting plan, name here:

Child's Name	Age	Where does this child live?
_____	_____	_____
_____	_____	_____
_____	_____	_____

Legal Custody (who makes decisions about certain things):

Circle one:

	Both parties decide together	Plaintiff	Defendant
Diet	_____	_____	_____
Religion	_____	_____	_____
Medical Care	_____	_____	_____
Mental Health Care	_____	_____	_____
Discipline	_____	_____	_____
Choice of School	_____	_____	_____
Choice of Study	_____	_____	_____
School Activities	_____	_____	_____
Sports Activities	_____	_____	_____
Additional Items	_____	_____	_____

Explain what process you will use to make decisions?

(For example, the parent confronted with or anticipating the choice will call the other parent when the choice presents itself, and the other parent must agree or disagree within 24 hours of any deadline)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Physical Custody (where the child/children live)

The child's/children's residence is with \_\_\_\_\_ .

Describe which days and which times of the day the child/children will be with each person:

Monday: \_\_\_\_\_

Tuesday: \_\_\_\_\_

Wednesday: \_\_\_\_\_

Thursday: \_\_\_\_\_

Friday: \_\_\_\_\_

Saturday: \_\_\_\_\_

Sunday: \_\_\_\_\_

Describe where and when the child/children will be dropped off and/or picked up (day and time of day)?

Drop-Off

Where: \_\_\_\_\_

When: \_\_\_\_\_

Pick-Up

Where: \_\_\_\_\_

When: \_\_\_\_\_

If one of you doesn't show up, how long with the other one wait? \_\_\_\_\_

If there are any extraordinary costs (taxi, train, airplane, etc.), who will pay for which costs?

\_\_\_\_\_

HOLIDAYS

Where will the child/children stay?

HOLIDAY	Year A	Year B	Every Year
Martin Luther King Day	_____	_____	_____
President's Day	_____	_____	_____
Easter	_____	_____	_____
Memorial Day	_____	_____	_____
Fourth of July	_____	_____	_____
Labor Day	_____	_____	_____
Yom Kippur	_____	_____	_____
Rosh Hashanah	_____	_____	_____
Thanksgiving	_____	_____	_____
Vacation after Thanksgiving	_____	_____	_____
Christmas Vacation	_____	_____	_____
Kwanzaa	_____	_____	_____
New Year's Eve/Day	_____	_____	_____
Spring Vacation	_____	_____	_____
Easter Sunday	_____	_____	_____
Child's Birthday	_____	_____	_____
Mother's Day	_____	_____	_____
Father's Day	_____	_____	_____
Other	_____	_____	_____
Other	_____	_____	_____
Other	_____	_____	_____

Summer Vacation Plans

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Special Activities or School Activities

Child's Name	Activity	Will both of you attend? If not, which one of you will attend?
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Temporary changes to this parenting schedule

From time to time, one of you might want or need to rearrange the parenting time schedule due to work, family or other events. You can attempt to agree on these changes. If you cannot agree, the parent receiving the request will make the final decision.

The parent asking for the change will ask:

- \_\_\_\_\_ In person
- \_\_\_\_\_ By letter/mail
- \_\_\_\_\_ By phone



No later than:

- \_\_\_\_\_ 12 hours
- \_\_\_\_\_ 24 hours
- \_\_\_\_\_ 1 week
- \_\_\_\_\_ 1 month

The parent being asked for a change will reply:

- \_\_\_\_\_ In person
- \_\_\_\_\_ By letter/mail
- \_\_\_\_\_ By phone

No later than:

- \_\_\_\_\_ 12 hours
- \_\_\_\_\_ 24 hours
- \_\_\_\_\_ 1 week
- \_\_\_\_\_ 1 month

May parents contact one another? \_\_\_\_\_

When the child/children is/are with one of you, how may they contact the other parent?

When and how may \_\_\_\_\_ contact the child?

In the event that proposed changes, disputes or alleged breaches of this parenting plan and custody order are necessary or desired, the parties agree that such changes will be addressed by the following method (specific method of arbitration, mediation, court action, etc.):

The following matter or matters as specified by the court:

Other (Anything else you want to agree on)

Date: \_\_\_\_\_  
 \_\_\_\_\_  
 Signature of Mother

Date: \_\_\_\_\_  
 \_\_\_\_\_  
 Signature of Father

Date: \_\_\_\_\_  
 \_\_\_\_\_  
 Signature of Witness

**FORM B**

(Caption)

**ORDER FOR A CUSTODY HEARING OR TRIAL**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_, upon consideration of the Motion for a Custody Hearing or Trial, a full Custody Hearing or Trial (circle one) is scheduled for the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, at \_\_\_ A./P.M., in Courtroom No. \_\_, Lackawanna County Family Court, 200 Adams Avenue, Scranton, Pennsylvania.

Further, a Pre-Trial or Status Conference is scheduled for the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, at \_\_\_ A./P.M., in Courtroom No. \_\_, Lackawanna County Family Court, 200 Adams Avenue, Scranton, Pennsylvania

At least 5 days prior to the Pre-Trial or Status Conference, parties or their counsel shall file and serve on the Court and opposing party or counsel, a Pre-Hearing or Pre-Trial Statement which shall be in the form as prescribed by FORM C in the Appendix of the Lackawanna County Local Rules of Family Court.

BY THE COURT:  
\_\_\_\_\_

(Caption)

MOTION FOR A CUSTODY HEARING OR TRIAL

- 1. The parties have attended a conciliation conference.
- 2. The parties have attended all required court programs.
- 3. The parties are unable to resolve their difference(s) regarding the following issue(s):

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- 4. The parties move the Court to schedule a Custody Hearing or Trial (circle one).

By: \_\_\_\_\_  
 Plaintiff or Defendant  
 \_\_\_\_\_  
 Address  
 \_\_\_\_\_  
 Telephone number

FORM C

(Caption)

PRE-HEARING OR PRE-TRIAL STATEMENT

- 1. Date of Conference:

Party's Name:

Counsel's Name, Address, Telephone Number:

Opposing Counsel's Name, Address, Telephone Number:

Guardian ad Litem:

Children subject to custody proceeding:

NAME	BIRTH DATE	AGE	GRADE IN SCHOOL
------	------------	-----	-----------------

Household Members (other than children subject to this proceeding) and relationship:

NAME	RELATIONSHIP TO PARTY
------	-----------------------

- 2. Date and terms of current custody order and proposed changes to order, if any:
- 3. Brief Statement of the procedural history and relevant facts:
- 4. Summary of all legal and factual issues and citation to legal authority relied upon by counsel:
- 5. Name and address of each expert whom the party intends to call as a witness. A report of each such expert witness listed shall be attached to the pre-trial statement. The report shall describe the witness's qualifications and experience and state the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion:
- 6. Name, address and a short summary of the testimony of each person, other than the party, whom the party intends to call as a non-expert witness, a summary paragraph of the anticipated testimony of each witness and a statement by counsel that counsel has communicated with each witness whose anticipated testimony is summarized.
- 7. A list of all of the exhibits which the party expects to offer in evidence, each containing an identifying mark. Any exhibits that do not exceed three pages shall be attached to the pre-trial statement, and any exhibits which exceed three pages shall be described.
- 8. Statement of any Requested Stipulations of fact or admissibility of exhibits:
- 9. Estimated Length of Hearing time necessary for Counsel to present evidence: (NOTE: The Court will strictly enforce the parties' estimated trial time):
- 10. Each party shall attach a proposed Order:
- 11. Any Additional Issues Which Should be Considered to Facilitate Settlement:

By: \_\_\_\_\_  
 Plaintiff or Defendant  
 \_\_\_\_\_  
 Address  
 \_\_\_\_\_  
 Telephone number

## THE COURTS

## FORM D

**TIME LINE FOR PROMPT DISPOSITION OF PRIMARY CUSTODY**

By Day 1	Filing of complaint or petition seeking primary physical custody
By Day 38	Parenting Plan must be filed using Form A in the Appendix. (Lack. Co. L.R. 1915.4(a))
By Day 45	Conciliation Conference must be held. (Pa.R.C.P. 1915.4(a)) If the parties reach an agreement at the conciliation conference, then the case proceeds as set forth in Form I. If the parties do not reach an agreement at the conciliation conference, then the parties follow the next step.
By Day 180	Order for a Custody Trial and Motion for a Custody Trial must be filed. (Pa.R.C.P. 1915.4(b)) Party or counsel must present an Order and Motion for a Custody Trial in motion court using Form B in the Appendix. (Form B)
By Day 235	Pre-Hearing or Pre-Trial Statement must be filed using Form C in the Appendix (5 days before the Pre-Trial or Status conference). (Pa.R.C.P. 1915.4-4(b), and Lack. Co. L.R. 1915.4-4(b))
By Day 240	Pre-trial or status conference must be held. (Pa.R.C.P. 1915.4-4(a), and Lack. Co. L.R. 1915.4-4(b))
By Day 270	Custody trial must commence. (Pa.R.C.P. 1915.4(c))
By Day 315	Custody trial must be concluded. (Pa.R.C.P. 1915.4(c))
By Day 330	Custody decision must be made. (Pa.R.C.P. 1915.4(d))

## FORM E

**TIME LINE FOR PROMPT DISPOSITION OF PARTIAL CUSTODY AND VISITATION**

Day 1	Filing of complaint or petition seeking partial custody and visitation
By Day 38	Parenting Plan must be filed using Form A in the Appendix. (Lack. Co. L.R. 1915.4(a))
By Day 45	Conciliation Conference must be held. (Pa.R.C.P. 1915.4-2(a)(1)) If the parties reach an agreement at the conciliation conference, then the conference officer shall prepare a written order in conformity with the agreement. (Pa.R.C.P. 1915.4-2(a)(3))
By Day 55	Pre-Hearing or Pre-Trial Statement must be served using Form C in the Appendix. (Pa.R.C.P. 1915.4-4(b))
By Day 60	Pre-trial or status conference must be held. (Pa.R.C.P. 1915.4-4(a))
By Day 90	Hearing before conference officer must be held. (Pa.R.C.P. 1915.4-2(a)(4))
By Day 100	Hearing officer shall file a report and recommendation with respect to the entry of an order of partial custody or visitation. (Pa.R.C.P. 1915.4-2(b)(3))
By Day 120	Parties or counsel must file exceptions to hearing officer's report and recommendation. (Pa.R.C.P. 1915.4-2(b)(4))
By Day 165	Court must hear argument on exceptions. (Pa.R.C.P. 1915.4-2(b)(6))
By Day 180	Court must enter an appropriate final order. (Pa.R.C.P. 1915.4-2(b)(6))

**Form F**

(Caption)

**WAIVER OF CONFLICT FORM**

I, \_\_\_\_\_ Esq., hereby certify that I have fully informed my client \_\_\_\_\_, who is the undersigned Plaintiff/Defendant in this matter, of any and all pending cases in which (Attorney seeking to be appointed Master) was involved as a litigant. Furthermore I advised my client of any and all cases in which (Attorney seeking to be appointed Master) was involved as a litigant that ended three (3) months prior to the date of this certificate and my client waives any and all possible conflicts of interest which may exist in the appointment of (Attorney seeking to be appointed Master) as Master in this proceeding.

\_\_\_\_\_  
Date Attorney for Plaintiff /Defendant

I, \_\_\_\_\_ Plaintiff/Defendant, have read the statement contained in this Certificate and it is true and correct and I consent to the appointment of (Attorney seeking to be appointed Master) as Master in this Divorce proceeding.

\_\_\_\_\_  
Date Plaintiff /Defendant

Form G

(Caption)

DIVORCE MASTER STATUS REPORT

The Master has not concluded the case within six (6) months from the date the Master received notice of his/her appointment due to the following:

Date: \_\_\_\_\_
Master in Divorce

Form H

(Caption)

DIVORCE MASTER CLOSING FORM

- 1. Date of Appointment as Master by Court: \_\_\_\_\_
2. List of Claims the Court has appointed the Master to Hear: \_\_\_\_\_
3. Date Master received fee and copy of Motion Appointing Master from Moving Party: \_\_\_\_\_
4. Counsel for Plaintiff: \_\_\_\_\_
Counsel for Defendant: \_\_\_\_\_
5. Master's Pre-Hearing Conference with Counsel held on: \_\_\_\_\_
In-Person or by Telephone (circle one)
6. Master's Pre-Hearing Conference with Parties held on: \_\_\_\_\_
7. Date any outstanding discovery to be completed by: \_\_\_\_\_
8. Inventories per Pa.R.C.P. 1920.33(a) filed on:
Plaintiff: \_\_\_\_\_
Defendant: \_\_\_\_\_
Pre-Trial Statements per Pa.R.C.P. 1920.33(b) filed on:
Plaintiff: \_\_\_\_\_
Defendant: \_\_\_\_\_
9. Pre-Hearing Retainers, if any, paid by:
Plaintiff: \_\_\_\_\_
Defendant: \_\_\_\_\_
10. Master's Hearing held on: \_\_\_\_\_
11. Hearing Transcript filed with Court Clerk on: \_\_\_\_\_
12. Master Report & Recommendation Prepared: Y \_\_\_\_\_
N \_\_\_\_\_
If yes, date filed with Court Clerk on: \_\_\_\_\_
13. Written Agreement to be filed by Parties: Y \_\_\_\_\_
N \_\_\_\_\_
14. Bill for Master's Fees Submitted to Parties on: \_\_\_\_\_
Plaintiff's Share: \_\_\_\_\_
Defendant's Share: \_\_\_\_\_
15. Certification of Payment filed by Master on: \_\_\_\_\_
16. Identify any Open Issues: \_\_\_\_\_

Date: \_\_\_\_\_
Master in Divorce

THE COURTS

FORM I

(Caption)

ORDER FOR MEDIATION

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_, it is hereby ORDERED and DECREED that the parties shall resolve their disputed issues through mediation. The parties shall attend a mediation orientation session in order to provide them with a full understanding of their rights and responsibilities as participants in the process.

The mediation orientation session shall be conducted by \_\_\_\_\_, phone #\_\_\_\_\_.

The parties are assured that the mediation process shall remain confidential and that their discussions in mediation are for the purposes of reaching an agreement between them regarding the disputed issues.

Accordingly, the parties shall not subpoena the mediator and/or the mediation records.

The parties shall split the cost of mediation.

BY: \_\_\_\_\_

FORM J

MEDIATION LETTER

Dear \_\_\_\_\_:

Please be advised I have been notified by the Mediator that a signed and dated Memorandum of Understanding has been reached between the parties. I have attached the Memorandum of Understanding and Notice of Objection. If you do not object to the Memorandum of Understanding by \_\_\_\_\_ (insert 20 days), then it will become a Court Order. You can object to the Memorandum of Understanding by completing and filing the Notice of Objection with the Family Court Clerk of Judicial Records, 200 Adams Ave., 1st floor, Scranton, PA 18503. You must mail a copy of your Notice of Objection to opposing counsel, or the party if not represented, and the undersigned. Upon receipt of a Notice of Objection, I will schedule another conciliation conference to address all pending custody issues.

Family Court Administrator

FORM K

(CAPTION)

NOTICE OF OBJECTION TO MEMORANDUM OF UNDERSTANDING

The parties are hereby notified that they have until \_\_\_\_\_ to file this Notice with the Family Court Clerk of Judicial Records. The Family Court Clerk of Judicial Records is located at 200 Adams Ave., 1st floor, Scranton, PA 18503.

THIS NOTICE MUST BE FILED AND TIME STAMPED BY THE FAMILY CLERK OF JUDICIAL RECORDS BY THIS DATE TO PRESERVE YOUR OBJECTION.

If neither party files a Notice by the above date, then the Memorandum of Understanding shall operate as an Order of Court, and be enforceable as such, until further order of court.

BY THE COURT:  
\_\_\_\_\_

FORM L

LETTER POST MEDIATION

Dear \_\_\_\_\_:

Please be advised I have been notified by the Mediator that Mediation was not successful. Therefore, you should schedule a Hearing to address all pending custody issues.

Family Court Administrator

[Pa.B. Doc. No. 13-812. Filed for public inspection May 3, 2013, 9:00 a.m.]

\_\_\_\_\_

## YORK COUNTY

**Administrative Order Appointing Custody Mediators; Misc. Civil 2013-MI-000040-55****Administrative Order Appointing and Approving Custody Mediators**

*And Now, To Wit*, this 3rd day of January, 2013, it is *Ordered* that the following individuals have been appointed and approved as custody mediators, under Pa.R.Civ.P. § 1940.4, effective immediately and until further Order:

Leslie S. Arzt, Esquire  
 William J. Bowman, II, M.A.  
 John A. Bray  
 Timothy J. Colgan, Esquire  
 Claudia Dearment, Esquire  
 Angela N. Dobrinoff-Blake, Esquire  
 Edna M. Moore, Esquire  
 Kathleen J. Prendergast, Esquire  
 Scott A. Ruth, Esquire  
 Barbara Orsburn Stump, Esquire  
 Rebecca Tortorici, Esquire  
 Audrey E. Woloshin, Esquire

Any individual approved as a mediator shall remain in compliance with any and all rules and regulations of the Commonwealth of Pennsylvania, and shall only mediate custody cases in conformity with procedures and duties set forth under Pa.R.Civ.P. § 1940.1—1940.9.

Custody Mediators shall be compensated at the rate of \$135.00 per party for a two-hour mediation session.

*It Is Further Ordered* that, in accordance with Pa.R.Civ.P. § 239, the District Court Administrator shall:

(a) File seven copies hereof with the Administrative Office of Pennsylvania Courts;

(b) Distribute two certified copies hereof to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

(c) File one certified copy hereof with the Domestic Relations Procedural Rules Committee; and

(d) Supervise the distribution hereof to all Judges, the mediator appointed, and to the custody conciliators.

*By the Court*

STEPHEN P. LINEBAUGH,  
*President Judge*

[Pa.B. Doc. No. 13-813. Filed for public inspection May 3, 2013, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Disbarment

Notice is hereby given that Joan Palmer Davis, having been disbarred from the practice of law in the State of Georgia by Order of the Supreme Court of Georgia

entered on February 27, 2012, the Supreme Court of Pennsylvania issued an Order on April 16, 2013, disbarring Joan Palmer Davis from the Bar of this Commonwealth, effective May 16, 2013. 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. 13-814. Filed for public inspection May 3, 2013, 9:00 a.m.]

### Notice of Disbarment

Notice is hereby given that Shakyamuni-Re Shiva Arati, having been disbarred on consent from the practice of law in the State of Maryland by Order of the Court of Appeals of Maryland dated November 14, 2012, the Supreme Court of Pennsylvania issued an Order on April 16, 2013, disbarring Shakyamuni-Re Shiva Arati from the Bar of this Commonwealth, effective May 16, 2013. 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. 13-815. Filed for public inspection May 3, 2013, 9:00 a.m.]

## SUPREME COURT

### Philadelphia Traffic Court Judge Christine Solomon; No. 400 Judicial Administration Doc.

#### Order

*Per Curiam*

*And Now*, this 18th day of April, 2013, a Rule is issued upon Philadelphia Traffic Court Judge Christine Solomon to show cause why she should not be subject to a suspension from her judicial duties without pay for a period of ninety (90) days based upon her refusal to cooperate with the Court-ordered administrative review of the Traffic Court. *See In re: Avellino*, 690 A.2d 1138 (Pa. 1997); and *see, In re: McFalls*, 795 A.2d 367 (Pa. 2002).

The Rule to Show Cause is returnable on Monday, April 29, 2013 with the response to be filed with the Supreme Court Prothonotary at No. 62 Eastern District Miscellaneous Docket 2013.

McCaffery, J. notes his dissent.

[Pa.B. Doc. No. 13-816. Filed for public inspection May 3, 2013, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 22—EDUCATION

### STATE BOARD OF EDUCATION

[ 22 PA. CODE CH. 31 ]

#### Higher Education; Academic Programs

The State Board of Education (Board) amends Chapter 31 (relating to general provisions) to read as set forth in Annex A. This final-omitted rulemaking is under authority of the Public School Code of 1949 (24 P. S. §§ 1-101—27-2702).

#### *Purpose*

This final-omitted rulemaking conforms language in § 31.21(b)(2) (relating to curricula) regarding measuring specialized associate degree programs with related provisions in the regulations and guidance documents of the Pennsylvania Higher Education Assistance Agency (PHEAA) and the State Board of Private Licensed Schools. Conformation of the language in Chapter 31 will ensure consistency in policy implementation across agencies and clarify the Board's long-standing intention to allow specialized associate degree programs to be measured in credit hours or clock hours per a school's institutional mission.

#### *Background*

Chapter 31 generally addresses requirements for academic programs at postsecondary institutions that offer postsecondary degree programs in this Commonwealth, including provisions that establish parameters for measuring degree completion. The former parameters for earning a specialized associate degree required the satisfactory completion of "at least 60 semester credit hours with a minimum of 1,500 clock hours or a minimum of 90 quarter credit hours." This language is inconsistent with related regulations and guidance documents of PHEAA and the State Board of Private Licensed Schools and does not clearly reflect the Board's long-standing policy intention to allow specialized associate degree programs to be measured in clock hours or credit hours.

PHEAA's regulation in § 121.33(1) (relating to approved program of study in higher education grant program), which addresses student financial aid, establishes eligibility requirements for students in this Commonwealth seeking State higher education grants to support postsecondary studies. PHEAA regulations provide for a student pursuing a specialized associate degree to qualify for a State grant as long as the student is enrolled in an approved program of study that consists of at least 60 semester credit hours or at least 1,500 clock hours.

The State Board of Private Licensed Schools addresses requirements for student information publications in § 73.61(a)(5) (relating to general student information publications; program and course brochures; supplements) and directs institutions authorized to award specialized associate degrees to inform students of "the number of clock hours or credit hours, where applicable, of instruction in each course." The following guidance documents and forms used in day-to-day practice by the State Board of Private Licensed Schools and higher education institutions also consistently cite specialized associate degree requirements in the context of clock hours or credit hours:

PDE-3004 (Program/Course Outline); PDE-3003 (Summary Information About Proposed Program or Course); PDE 3744 (Program Change Sheet); PDE-4627 (Student Information Publication or Catalog); PDE-3786 (Board Member Review and Evaluation Guide); PDE-3774 (Enrollment Agreement); and State Board of Private Licensed Schools sample syllabus.

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

The Board decided to conform § 31.21(b)(2), which addresses how specialized associate degree programs are measured, with related provisions in the regulations and guidance documents of PHEAA and the State Board of Private Licensed Schools by clarifying that programs may be measured in either clock hours or credit hours. The former use of "with" in § 31.21(b)(2) was inconsistent with related policies of these other State agencies. It did not reflect the Board's long-standing intention to provide flexibility to institutions of higher education in determining how programs are measured per a school's institutional mission. It was also misaligned with institutional practice as directed by the forms and guidance documents of the State Board of Private Licensed Schools. Amending § 31.21(b)(2) to refer to "or," rather than "with," creates consistency in policy implementation across State agencies.

Further, this amendment to § 31.21(b)(2) will safeguard students pursuing specialized associate degrees at institutions in this Commonwealth from a potential reduction in eligibility for Federal Pell Grant aid. These students could be subject to a reduction in aid due to the United States Department of Education's new interpretation of Federal regulations addressing credit and clock hour requirements for the awarding of financial aid. The United States Department of Education interprets its regulations to say that if a state refers to clock hours as an academic conversion measurement to credit hours, then programs using the conversion method will be considered a clock hour program for the purpose of determining eligibility for Title IV (financial aid).

In the 2011-2012 school year, 35,198 students in this Commonwealth enrolled in specialized associate degree programs received \$118,448,952 in Federal Pell Grant aid. Under the United States Department of Education's new interpretation of Federal regulations, Pell Grant aid to those students potentially could be reduced by \$23 million to \$35 million. Amending § 31.21(b)(2) to clearly and consistently state that specialized associate degree programs may be measured in either clock hours or credit hours, as already provided by PHEAA and State Board for Private Licensed Schools regulations, will safeguard current students and future students pursuing specialized associate degrees from a potential reduction in Pell Grant aid.

#### *Affected Parties*

The final-omitted rulemaking will affect postsecondary education institutions in this Commonwealth authorized to award specialized associate degrees.

#### *Cost and Paperwork Estimates*

This final-omitted rulemaking does not carry a new cost for the regulated community. This final-omitted rulemaking does not change current paperwork or reporting requirements and does not create additional paperwork or reporting requirements.

*Effective Date*

The final-omitted rulemaking is effective upon publication in the *Pennsylvania Bulletin*.

*Sunset Date*

The Board will review the effectiveness of Chapter 31 every 4 years in accordance with the Board's policy and practice. Therefore, a sunset date is not necessary.

*Contact Person*

Interested persons may contact Karen Molchanow, Executive Director, State Board of Education, 333 Market Street, Harrisburg, PA 17126-0333, (717) 787-3787, ra-stateboardofed@pa.gov.

*Final-Omitted Rulemaking*

The Board promulgated this amendment as a final-omitted rulemaking. The Board believes this amendment meets the criteria in section 204(3) of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. § 1204(3)), known as the Commonwealth Documents Law (CDL), because the final-omitted rulemaking conforms § 31.21(b)(2) to related provisions in the regulations and guidance documents of PHEEA and the State Board of Private Licensed Schools. Any other amendment to § 31.21(b)(2) would lead to less consistency in policy implementation across State agencies and, therefore, consideration of alternative formulations is contrary to the public interest.

*Regulatory Review*

Under section 5.1(c) of the Regulatory Review Act (71 P. S. § 745.5a(c)), on March 5, 2013, the Board submitted a copy of the final-omitted rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Education and the Senate Committee on Education. On the same date, the regulations were submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-506).

Under section 5.1(j.2) of the Regulatory Review Act, on April 17, 2013, the final-omitted rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on April 18, 2013, and approved the final-omitted rulemaking.

*Findings*

The Board finds that:

(1) Notice of proposed rulemaking is impracticable, unnecessary and contrary to the public interest under section 204(3) of the CDL and the regulation promulgated thereunder, 1 Pa. Code § 7.4(3).

(2) The amendment of the regulation in the manner provided in this order is necessary and appropriate for administration of the Public School Code of 1949.

*Order*

The Board, acting under the authority of the Public School Code of 1949, orders that:

(a) The regulations of the Board, 22 Pa. Code Chapter 31, are amended by amending § 31.21 to read as set forth in Annex A.

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

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

(d) This order is effective upon publication in the *Pennsylvania Bulletin*.

KAREN MOLCHANOW,  
*Executive Director*

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 43 Pa.B. 2530 (May 4, 2013).)*

**Fiscal Note:** 6-328. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 22. EDUCATION**

**PART I. STATE BOARD OF EDUCATION**

**Subpart C. HIGHER EDUCATION**

**CHAPTER 31. GENERAL PROVISIONS**

**ACADEMIC PROGRAM**

**§ 31.21. Curricula.**

(a) The curricula must provide the opportunity for the achievement of the stated objectives of the institution, as related to its statement of philosophy and mission, and must be structured in a group of coherent, integrated degree programs.

(b) Degree requirements stated in this section may be stated in terms of semester credit hours or quarter credit hours, as determined by the institution and conforming to generally accepted academic practices. General education, as defined in this section, refers to the curricular inclusion of humanities, arts, communications, social sciences, mathematics, technology and science courses in support of the mission of the institution. A semester credit hour represents a unit of curricular material that normally can be taught in a minimum of 14 hours of classroom instruction, plus appropriate outside preparation or the equivalent as determined by the faculty. A quarter credit hour represents a unit of curricular material that normally can be taught in a minimum of 10 hours of classroom instruction, plus appropriate outside preparation or the equivalent as determined by the faculty.

(1) An associate degree exclusive of a specialized associate degree must require the satisfactory completion of a minimum of 60 semester credit hours, which includes a minimum of 20 semester credit hours of general education, or a minimum of 90 quarter credit hours, which must include a minimum of 30 quarter credit hours of general education.

(2) A specialized associate degree must require the satisfactory completion of at least 60 semester credit hours or a minimum of 1,500 clock hours or a minimum of 90 quarter credit hours. At least 70%, but no more than 80%, of the program must consist of specialized instruction that bears directly upon the employment objectives of the program; and at least 20% of the program must consist of general education.



(3) A baccalaureate degree must require the satisfactory completion of a minimum of 120 semester credit hours or a minimum of 180 quarter credits. Of the total baccalaureate degree program course requirements, at least 40 semester credit hours or 60 quarter credit hours must be in general education and represent a broad spectrum of disciplines in general education.

(4) A first professional degree, except those for the preparation of professional educators, must require the satisfactory completion of a minimum of 60 semester credit hours or 90 quarter credit hours for admission to the degree program and the satisfactory completion of a total minimum of 150 semester credit hours or 225 quarter credit hours for the program. Professional educator preparation programs must comply with Chapter 354 (relating to preparation of professional educators).

(5) A master's degree must require the satisfactory completion of a minimum of 30 semester credit hours or 45 quarter credit hours beyond the baccalaureate level.

(6) The number of semester or quarter credit hours for a degree beyond a first professional or master's degree shall be determined by the faculty and reflect the recommendations of professional associations or National learned societies.

(c) An institution may enter into agreements with other institutions, individuals or other providers of educational services to provide all or part of certain programs on behalf of the institution. A course offered for institutional credit shall be operated directly by or under the control of the institution granting the credit.

(d) To assure academic integrity, an institution shall provide students in a distance education program access to academic and student services, including textbooks, study guides, library and other learning resources, personal interaction with faculty, tutors or other educational personnel by computer, telephone, mail or face-to-face meetings. The institution shall assure integrity of student work and provide opportunity for student assessment. These programs must comply with the regulations that apply to resident-based programs as prescribed in this chapter and Chapters 35, 36, 40 and 42 and conform to generally accepted academic practices for delivery of instruction through distance education.

[Pa.B. Doc. No. 13-817. Filed for public inspection May 3, 2013, 9:00 a.m.]

## Title 34—LABOR AND INDUSTRY

### DEPARTMENT OF LABOR AND INDUSTRY

[ 34 PA. CODE CH. 63 ]

#### Responsibilities of Employers; Effective Date of 34 Pa. Code § 63.52(e)

In the final-form rulemaking published at 41 Pa.B. 3094 (June 18, 2011), the order stated that § 63.52(e) “will take effect on the date designated by the Department in a notice published in the *Pennsylvania Bulletin* and will apply to calendar quarters and billing periods that begin on or after the effective date.”

Under section 201(a) of the Unemployment Compensation Law (43 P. S. § 761(a)) and the effective date provision published at 41 Pa.B. 3097, the effective date of § 63.52(e) is January 1, 2014.

Section 63.52(e) requires that employers file unemployment compensation reports by specified electronic methods. The Department of Labor and Industry (Department) intends to distribute information and instructions to employers regarding the implementation of electronic filing.

The final-form rulemaking published at 41 Pa.B. 3094 also stated that §§ 63.111—63.115 will take effect upon publication of a notice in the *Pennsylvania Bulletin*. The Department will publish a separate notice indicating this effective date.

Questions concerning this notice should be directed to Gregg D. Shore, Deputy Secretary for Unemployment Compensation Programs, Labor and Industry Building, 651 Boas Street, Harrisburg, PA 17121.

JULIA K. HEARTHWAY,  
*Secretary*

[Pa.B. Doc. No. 13-818. Filed for public inspection May 3, 2013, 9:00 a.m.]

# PROPOSED RULEMAKINGS

## STATE BOARD OF PHARMACY

[ 49 PA. CODE CH. 27 ]

### Collaborative Management of Drug Therapy

The State Board of Pharmacy (Board) proposes to amend §§ 27.1, 27.301 and 27.311 (relating to definitions; written protocol for the management of drug therapy in an institutional setting; and certification of professional liability insurance—written protocol) and add §§ 27.302 and 27.312 (relating to collaborative agreement for management of drug therapy in a non-institutional setting; and certification of professional liability insurance—collaborative agreement) to read as set forth in Annex A.

#### *Effective Date*

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

#### *Statutory Authority*

The proposed rulemaking is authorized under sections 6(k)(9) and 9.3 of the Pharmacy Act (act) (63 P. S. §§ 390-6(k)(9) and 390-9.3).

#### *Background and Purpose*

In August 2002, the act was amended to add section 9.1 (63 P. S. § 390-9.1) to authorize pharmacists practicing in an institution setting to manage drug therapy by means of a written protocol. In August 2010, section 9.3 of the act was amended to provide for collaborative drug therapy management in accordance with a written collaborative agreement between a physician and a pharmacist in a setting other than an institutional setting. This proposed rulemaking is required to implement section 9.3 of the act.

#### *Description of Proposed Amendments*

The Board proposes to amend § 27.1 by amending the definition of “practice of pharmacy” to correspond with the definition in the act. The 2010 amendments to the act changed the term “managing drug therapy” to “management of drug therapy.” The Board’s regulations do not define “managing drug therapy.” Instead, § 27.1 defines the term “drug therapy management.” The Board proposes to use the statutory term “management of drug therapy” as defined by the act throughout the proposed rulemaking. The definition will be amended to apply to the institutional and non-institutional drug therapy protocols provided in the act and recent amendments. The Board also proposes to amend §§ 27.301 and 27.311 to incorporate the amended definitions of “drug therapy management” and “practice of pharmacy.”

The Board proposes to add § 27.302 to set forth the pharmacist’s obligations under a non-institutional written collaborative agreement for management of drug therapy including: entering into a written collaborative agreement containing provisions required under the act with a physician who meets the qualifications in the act; maintaining appropriate professional liability insurance; complying with the prohibition against providing economic incentives to a physician; obtaining a written referral prior to initiating drug therapy management; maintaining patient records in a proper format and maintaining access to them; and handling patient records in compliance with

the Health Insurance Portability and Accountability Act of 1996 (Pub. L. No. 104-191, 110 Stat. 1936), the Health Information Technology for Economic and Clinical Health Act (Pub. L. No. 111-5, Div. A, Title XIII, Div. B, Title IV, 123 Stat. 226, 467) and associated rules and regulations. Proposed § 27.302 seeks to implement the amendments to the act while, to the greatest extent possible, maintaining consistency with the regulations governing written protocols in institutional settings in § 27.301.

In the course of establishing the opportunity for pharmacists to engage in the management of drug therapy in non-institutional settings under a collaborative agreement with a physician, the most recent amendments to the act also amended several of the act’s disciplinary provisions to permit pharmacists to be employed by a physician for the purpose of the management of drug therapy. These pharmacists, however, may not engage in retail dispensing while in health care practice within the context of employment. The amendments to the act also established that the act’s limitations on a pharmacist’s entry into an employment relationship with a physician would not prohibit entry into a collaborative agreement for the management of drug therapy. The Board sought to address the concerns that may arise in a collaborative agreement context regarding physician control over pharmacists, economic incentives and diverting or directing of prescriptions or patients from either professional to the other in subsections (c), (d) and (e).

The 2002 amendments to the act imposed the obligation that a pharmacist engaging in the management of drug therapy under a written protocol in an institutional setting maintain professional liability insurance in a minimum amount of \$1 million per occurrence or claims made, which the Board implemented in § 27.311. Section 9.3 of the act also included a requirement that pharmacists engaged in the management of drug therapy under a collaborative agreement with a physician in a non-institutional setting maintain professional liability insurance in a minimum amount of \$1 million per occurrence or claims made. The Board proposes to add § 27.312 to implement that provision.

#### *Fiscal Impact and Paperwork Requirements*

The proposed rulemaking will have minimal fiscal impact on the Board or the regulated community. The licensees’ obligations regarding certification to the Board of professional liability insurance to practice under a collaborative agreement would be similar to those of licensees practicing in institutional settings under a written protocol.

#### *Sunset Date*

The Board reviews the effectiveness of its regulations on an ongoing basis. Therefore, a sunset date has not been assigned.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on April 22, 2013, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee. A copy of this material is available to the public upon request.

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

Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Regulatory Unit Counsel, Department of State, P. O. Box 2649, Harrisburg, PA 17105-2649, ST-PHARMACY@state.pa.us within 30 days following publication in the Pennsylvania Bulletin.

EDWARD J. BECHTEL, R.Ph.,  
Chairperson

**Fiscal Note:** 16A-5425. No loss of revenue. A minimal increase in program costs to the Commonwealth or its political subdivisions is expected. These costs are associated with recordkeeping for pharmacists engaging in collaborative management of drug therapy. These costs would be assumed by the Board and offset through license fees. (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 27. STATE BOARD OF PHARMACY  
GENERAL PROVISIONS

§ 27.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

\* \* \* \* \*

*Drug order*—An oral or written order issued by a medical practitioner which is either written on or entered by computer into the medical record of a patient in an institution for the dispensing of a drug or device for administration to the patient. The term does not include an order for a drug for a patient in an institution which the patient will self-administer which will be considered a prescription.

[ *Drug therapy management*—Any of the following processes performed in an institutional setting pursuant to a written agreement, protocol or order as set forth in section 9.1 of the act (63 P. S. § 390-9.1):

- (i) Adjusting a drug regimen.
- (ii) Adjusting drug strength, frequency of administration or route.
- (iii) Administration of drugs.
- (iv) Ordering laboratory tests and ordering and performing other diagnostic tests necessary in the management of drug therapy, consistent with the testing standards of the institution. ]

FDLE—Federal Drug Law Examination.

\* \* \* \* \*

*MPJE*—Multistate Pharmacy Jurisprudence Examination.

*Management of drug therapy*—

(i) Any of the following processes performed under a written protocol as set forth in section 9.1 of the act (63 P. S. § 390-9.1) or under a collaborative agreement as set forth in section 9.3 of the act (63 P. S. § 390-9.3):

- (A) Adjusting a drug regimen.
- (B) Adjusting drug strength, frequency of administration or route.
- (C) Administration of drugs.
- (D) Ordering laboratory tests and ordering and performing other diagnostic tests necessary in the management of drug therapy.
- (E) Monitoring the patient's vital signs.
- (F) Providing education and training to the patient that is related to the management of the drug therapy.

(ii) The term excludes medication therapy management services in the practice of pharmacy provided under the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Pub. L. No. 108-173, 117 Stat. 2066)

*Medical practitioner*—A physician, dentist, veterinarian or other individual authorized and licensed by law to prescribe drugs.

\* \* \* \* \*

*Practice of pharmacy*—

(i) The provision of health care services by a pharmacist, which includes:

\* \* \* \* \*

(I) [ **Managing** ] Management of drug therapy under a written collaborative agreement as set forth in section 9.3 of the act or, if in an institutional setting, consistent with the institution's assignment of clinical duties under a written protocol as set forth in section 9.1 of the act.

\* \* \* \* \*

(L) Acts, services, operations or transactions necessary or incident to the provision of these health care services.

(M) Drug therapy management, including services provided under the Medicare Prescription Drug, Improvement and Modernization Act of 2003.

(ii) The term does not include the operations of a manufacturer or distributor as defined in The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. §§ 780-101—780-144).

\* \* \* \* \*

[ **DRUG THERAPY MANAGEMENT** ]  
**MANAGEMENT OF DRUG THERAPY**

§ 27.301. Written protocol for the management of drug therapy in an institutional setting.

(a) The management of drug therapy under section 9.1 of the act (63 P. S. § 390-9.1) shall be performed under a written protocol consistent with the institution's assignment of clinical duties. Ordering of laboratory tests and ordering or performing other diagnostic tests necessary in the manage-

**ment of drug therapy shall be consistent with the testing standards of the institution.**

(b) The written protocol for [ **drug therapy** ] management of **drug therapy** between [ **licensed** ] physicians and pharmacists must contain:

(1) A statement identifying the physician responsible for authorizing [ **drug therapy** ] management of **drug therapy**.

(2) A statement identifying the pharmacist authorized to perform the [ **drug therapy** ] management of **drug therapy**.

(3) A statement requiring that [ **drug therapy** ] regimens for the management of **drug therapy** be initiated by a [ **licensed** ] physician for patients referred to a pharmacist for management of **drug therapy**.

(4) A statement identifying the types of [ **drug therapy management** ] decisions regarding the management of **drug therapy** that the pharmacist is authorized to make, including a statement of the ailments or diseases involved within the physician's scope of practice, and types of [ **drug therapy** ] management of **drug therapy** authorized.

(5) A statement of the functions and tasks the pharmacist shall follow in the course of exercising [ **drug therapy management authority** ] management of **drug therapy**, including the method for documenting decisions made and a plan for communication or feedback to the authorizing physician concerning specific decisions made. Documentation of each intervention shall occur as soon as practicable, but no later than 72 hours after the intervention in the patient medical record and shall also be recorded in the pharmacist's records.

(6) A statement that requires notification to the authorizing physician of any changes in dose, duration or frequency of medication prescribed as soon as practicable but not longer than 72 hours after the change.

(7) [ **A provision for execution of the agreement when any licensed physician or licensed pharmacist may be temporarily absent from a practice setting or temporarily unavailable to participate in its execution.** ] A provision for implementation of the written protocol when a physician or pharmacist who is a party to the protocol is temporarily unavailable to participate in its implementation.

(8) A provision for notification of the role of the pharmacist by a [ **licensed** ] physician to each referred patient the management of whose drug therapy [ **management** ] may be affected by the [ **agreement** ] written protocol and providing an opportunity for the patient to refuse [ **drug therapy** ] management of **drug therapy** by a pharmacist.

(9) The signatures of the [ **licensed** ] physicians and [ **licensed** ] pharmacists who are entering into the written protocol, and the dates signed.

(10) A statement allowing for the termination of the [ **agreement** ] written protocol at the request of any party to it at any time.

[ (b) ] (c) The written protocol must be available as follows:

(1) At the practice site of [ **any licensed** ] each physician who is a party to the [ **agreement** ] written protocol.

(2) At the practice site of [ **any licensed** ] each pharmacist who is a party to the [ **agreement** ] written protocol.

(3) At the institution where a written [ **agreement or** ] protocol is in place.

(4) To any patient the management of whose drug therapy [ **management** ] is affected by the [ **agreement** ] written protocol, upon request of the patient.

(5) Upon request, to representatives of the Bureau and the Department of Health.

[ (c) ] (d) The written protocol shall be filed with the Bureau.

[ (d) ] (e) The written protocol must be effective for a period not to exceed 2 years from the date of execution. At the end of the 2-year period, or sooner, the parties shall review the [ **agreement** ] written protocol and make a determination as to its renewal, necessary modifications or termination.

*(Editor's Note: The following section is new and printed in regular type to enhance readability.)*

**§ 27.302. Collaborative agreement for management of drug therapy in a non-institutional setting.**

(a) Before practicing the management of drug therapy in a non-institutional setting, a pharmacist shall enter into a written collaborative agreement with a physician authorizing the management of drug therapy for diseases or for conditions or symptoms of diseases.

(b) The collaborative agreement shall be between a physician and a pharmacist.

(c) A pharmacist may not provide economic or other incentives, inducements or benefits to a physician for the purpose of entering into a collaborative agreement for the management of drug therapy.

(d) A pharmacist who is employed by a physician under a collaborative agreement for the purpose of management of drug therapy may not engage in retail dispensing while in the health care practice or within the context of employment.

(e) Participation in a collaborative agreement authorizing the management of drug therapy is voluntary. A physician or pharmacist is not required to participate.

(f) The collaborative agreement must contain:

(1) A statement identifying the physician responsible for authorizing the management of drug therapy.

(2) A statement identifying the pharmacist authorized to perform the management of drug therapy.

(3) A statement requiring that regimens for the management of drug therapy be initiated by a physician for patients referred to a pharmacist for management of drug therapy.

(4) A statement identifying the types of decisions regarding the management of drug therapy that the pharmacist is authorized to make within the physician's scope of practice and the types of management of drug therapy authorized.

(5) A statement identifying the terms under which a pharmacist providing the management of drug therapy is permitted to: adjust the drug regimen, the drug strength and the frequency of administration; adjust the route of administration; administer drugs; order laboratory tests and order and perform other diagnostic tests necessary in the management of drug therapy without prior written or oral consent by the collaborating physician. This paragraph does not provide prescriptive authority to a pharmacist.

(6) A statement of the functions and tasks the pharmacist shall follow in the course of exercising management of drug therapy, including the method for documenting decisions made and a plan for communication or feedback to the authorizing physician concerning specific decisions made. Documentation of each intervention shall occur as soon as practicable, but no later than 72 hours after the intervention, and be recorded in the pharmacist's records.

(7) A statement that requires notification to the authorizing physician of changes in dose, duration or frequency of medication prescribed as soon as practicable but no longer than 72 hours after the change.

(8) A provision for implementation of the collaborative agreement when a physician or pharmacist who is a party to the agreement is temporarily unavailable to participate in its implementation.

(9) A provision for notification of the role of the pharmacist by a physician to each referred patient the management of whose drug therapy may be affected by the collaborative agreement and providing an opportunity for the patient to refuse management of drug therapy by a pharmacist.

(10) The signatures of the physicians and pharmacists who are entering into the collaborative agreement and the dates signed.

(11) A statement allowing for the termination of the collaborative agreement at the request of a party to it at any time.

(g) The collaborative agreement must be available:

(1) At the practice site of each physician who is a party to the collaborative agreement.

(2) At the practice site of each pharmacist who is a party to the collaborative agreement.

(3) To a patient the management of whose drug therapy is affected by the agreement, upon request of the patient.

(4) Upon request, to representatives of the Bureau and the Department of Health.

(h) The collaborative agreement must be maintained on the premises of the pharmacy for review during inspection by or by request of representatives of the Bureau and the Department of Health.

(i) The collaborative agreement must be effective for no more than 2 years from the date of execution. At the end of the 2-year period, or sooner, the parties shall review the collaborative agreement and make a determination as to its renewal, necessary modifications or termination.

(j) A pharmacist who is party to a collaborative agreement authorizing the management of drug therapy shall:

(1) Utilize an area for in-person, telephonic or other approved electronic consultations regarding the management of drug therapy that ensures the confidentiality of the patient information being discussed.

(2) Initiate the management of drug therapy only upon a written referral to the pharmacist from the physician. The written referral must include the minimum frequency in which the pharmacist shall conduct the management of the drug therapy in person.

(3) Confirm that the physician who is a party to the collaborative agreement holds an active and unrestricted license and that the terms of the collaborative agreement are within the scope of the physician's current practice at the time of the execution of the collaborative agreement.

(k) Patient records regarding the management of drug therapy may be maintained in a computerized recordkeeping system which meets the requirements for Federal and State-certified electronic health care records, subject to the following:

(1) The pharmacist who is a party to the collaborative agreement shall have access to the records of the patient who is the recipient of the management of drug therapy.

(2) The handling of patient records by the pharmacist providing the management of drug therapy shall comply with the Health Insurance Portability and Accountability Act of 1996 (Pub. L. No. 104-191, 110 Stat. 1936), the Health Information Technology for Economic and Clinical Health Act (Pub. L. No. 111-5, Div. A, Title XIII, Div. B, Title IV, 123 Stat. 226, 467) and associated rules and regulations.

#### PROFESSIONAL LIABILITY INSURANCE

§ 27.311. Certification of professional liability insurance—**written protocol.**

(a) A licensee who engages in [ **drug therapy** ] management of **drug therapy** under a written protocol shall maintain professional liability insurance in the minimum amount of [ **\$1,000,000** ] **\$1 million** per occurrence or claims made. **The Board will accept from a licensee as satisfactory evidence of insurance coverage any of the following:**

(1) **Personally purchased professional liability insurance.**

(2) **Professional liability insurance coverage provided by the individual licensee's employer.**

(3) **Similar insurance coverage acceptable to the Board.**

(b) A licensee who engages in [ **drug therapy** ] management of **drug therapy** under a written protocol shall certify compliance with subsection (a) on a form [ **provided by** ] available from the Board. The [ **form shall be provided** ] licensee shall submit the completed certification form to the Board with the written protocol.

(c) A licensee who engages in [ **drug therapy** ] management of **drug therapy** under a written protocol shall, upon request, make available to the Board or its agents [ **all records, relating to** ] a certificate of insurance regarding the licensee's maintenance of professional liability insurance[ , including policies, cancelled checks, receipts or other proofs of premium payment ] .

**(d) Failure to maintain insurance coverage as required under the act and this section will subject the licensee to disciplinary action under section 5(a)(6) of the act (63 P. S. § 390-5(a)(6)).**

*(Editor's Note: The following section is new and printed in regular type to enhance readability.)*

**§ 27.312. Certification of professional liability insurance—collaborative agreement.**

(a) A licensee who is a party to a collaborative agreement authorizing the management of drug therapy shall obtain and maintain a level of professional liability insurance coverage in the minimum amount of \$1 million per occurrence or claims made. The Board will accept from a licensee as satisfactory evidence of insurance coverage any of the following:

- (1) Personally purchased liability insurance.
- (2) Professional liability insurance coverage provided by the individual licensee's employer.

(3) Similar insurance coverage acceptable to the Board.

(b) A licensee who engages in the management of drug therapy under a collaborative agreement shall provide an affidavit to the Board that the licensee has obtained professional liability insurance in accordance with subsection (a) on a form available from the Board. The licensee shall submit the completed affidavit form to the Board with the collaborative agreement.

(c) A licensee who engages in the management of drug therapy under a collaborative agreement shall, upon request, make available to the Board or its agents a certificate of insurance regarding the licensee's maintenance of professional liability insurance.

(d) Failure to maintain insurance coverage as required under the act and this section will subject the licensee to disciplinary action under section 5(a)(6) of the act (63 P. S. § 390-5(a)(6)).

[Pa.B. Doc. No. 13-819. Filed for public inspection May 3, 2013, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending April 23, 2013.

Under section 503.E of the Department of Banking and Securities Code (71 P. S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file their comments in writing with the Department of Banking and Securities, Corporate Applications Division, 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, contact the Corporate Applications Division at (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

### BANKING INSTITUTIONS

#### Branch Applications

#### Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
4-15-2013	Conestoga Bank Chester Springs Chester County	<i>To:</i> 125 East Swedesford Road Wayne Chester County  <i>From:</i> 500 Chesterbrook Boulevard Wayne Chester County	Effective

### SAVINGS INSTITUTIONS

No activity.

### CREDIT UNIONS

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
4-22-2013	Patriot Federal Credit Union Chambersburg Franklin County  Application for approval to merge Community of Healthcare Employees Credit Union, Chambersburg, with and into Patriot Federal Credit Union, Chambersburg.	Filed

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 13-820. Filed for public inspection May 3, 2013, 9:00 a.m.]

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## 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. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

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

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

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

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

## **I. NPDES Renewal Applications**

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

<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>
PA0044776 (Sewage)	Northwestern Chester County Municipal Authority Honey Brook Twp. STP 37 Dampman Road Honey Brook, PA 19344	Chester County Honey Brook Township	West Branch Brandywine Creek (3-H)	N

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

<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>
PAS604803 (Storm Water)	Burns Salvage & Excavating 101 Valley View Road Bellefonte, PA 16823-8705	Centre County Benner Township	Buffalo Run (9-C)	Y
PA0233552	Todd Hiller CAFO 84 Hiller Lane Allenwood, PA 17810	Union County Gregg Township	Spring Creek (10-C)	N



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

<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>
PA0204862 Industrial Waste	Guardian Inds Corp 1000 Glasshouse Rd Jefferson Hills, PA 15025	Allegheny County Jefferson Hills Boro	Monongahela River	Y
PA0253375 Sewage	Sewickley Twp Muni Sew Auth Seventh St Hutchinson, PA 15640	Westmoreland County Sewickley Twp	Sewickley Creek	Y
PA0219185 Sewage	Glen Campbell Boro SR 286 N Glen Campbell, PA 15706	Indiana County Glen Campbell Boro	Brady Run	Y
PA0024864 Sewage	Westmoreland County Muni Auth 2132 SR 30 E Ligonier, PA 15658	Westmoreland County Ligonier Boro	Mill Creek	Y

*Northwest Region: Clean Water 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>
PA0090514 (Sewage)	Gulick MHP 457 Kepple Road Sarver, PA 16055-8613	Butler County Winfield Township	Unnamed Tributary of Buffalo Creek (18-F)	Y

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

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

**PA0013714**, SIC Code 4911, **Exelon Generation Co. LLC**, 300 Exelon Way, Kennett Square, PA 19348-2473. Facility Name: Eddystone Generating Station. This existing facility is located in Eddystone Borough, **Delaware County**.

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

The receiving stream(s), Crum Creek and Delaware River, is located in State Water Plan watershed 3-G and is classified for Warm Water Fishes, Migratory Fishes and 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 an average stormwater flow.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
PCBs (Wet Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 004 are based on an average stormwater flow.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>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

The proposed effluent limits for Outfall 005 are based on a design flow of 0.45 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>Instant. 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
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Suspended Solids Effluent Net Intake	XXX	XXX	XXX	30	60	75
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX

<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>
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX
Dissolved Iron	XXX	XXX	XXX	Report	Report	XXX
Total Zinc	XXX	XXX	XXX	Report	Report	XXX
PCBs (Wet Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 007 are based on a design flow of 604.03 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
Total Residual Chlorine	XXX	XXX	XXX	XXX	XXX	0.2
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Suspended Solids						
Effluent Net	XXX	XXX	XXX	30	100	XXX
Intake	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	700	1,400	1750
Total Cadmium	XXX	XXX	XXX	Report	Report	XXX
Total Lead	XXX	XXX	XXX	Report	Report	XXX
Total Mercury	XXX	XXX	XXX	Report	Report	XXX
Total Silver	XXX	XXX	XXX	Report	Report	XXX
Total Thallium	XXX	XXX	XXX	Report	Report	XXX
Spectrus CT 1300	XXX	XXX	XXX	XXX	0.05	XXX

The proposed effluent limits for Outfall 008 are based on a design flow of 835.08 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
Total Residual Chlorine	XXX	XXX	XXX	XXX	XXX	0.2
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Suspended Solids						
Effluent Net	XXX	XXX	XXX	30	100	XXX
Intake	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	700	1,400	1750
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Cadmium	XXX	XXX	XXX	Report	Report	XXX
Total Lead	XXX	XXX	XXX	Report	Report	XXX
Total Mercury	XXX	XXX	XXX	Report	Report	XXX
Total Silver	XXX	XXX	XXX	Report	Report	XXX
Total Thallium	XXX	XXX	XXX	Report	Report	XXX
Hydrazine	XXX	XXX	XXX	0.00001	XXX	XXX
Spectrus CT 1300	XXX	XXX	XXX	XXX	0.05	XXX

The proposed effluent limits for Outfall 010 are based on a design flow of 0.144 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
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Oil and Grease	XXX	XXX	XXX	15	20	30
Total Aluminum	XXX	XXX	XXX	Report	Report	XXX
Dissolved Iron	XXX	XXX	XXX	Report	Report	XXX

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

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</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

<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>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
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 014 are based on an average stormwater flow.

<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>Instant. Minimum</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

The proposed effluent limits for Outfall 107 are based on a design flow of 3.045 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>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	30	100	XXX
Total Dissolved Solids	XXX	XXX	XXX	15,000	30,000	37500
Oil and Grease	XXX	XXX	XXX	15	20	30
Total Arsenic	XXX	XXX	XXX	Report	Report	XXX
Total Boron	XXX	XXX	XXX	Report	Report	XXX
Total Cadmium	XXX	XXX	XXX	Report	Report	XXX
Total Copper	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Total Lead	XXX	XXX	XXX	Report	Report	XXX
Total Mercury	XXX	XXX	XXX	Report	Report	XXX
Total Selenium	XXX	XXX	XXX	Report	Report	XXX
Total Silver	XXX	XXX	XXX	Report	Report	XXX
Total Thallium	XXX	XXX	XXX	Report	Report	XXX
PCBs (Dry Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 108 are based on a design flow of 3.045 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>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	30	100	XXX
Total Dissolved Solids	XXX	XXX	XXX	15,000	30,000	37500
Oil and Grease	XXX	XXX	XXX	15	20	30
Total Arsenic	XXX	XXX	XXX	Report	Report	XXX
Total Boron	XXX	XXX	XXX	Report	Report	XXX
Total Cadmium	XXX	XXX	XXX	Report	Report	XXX
Total Copper	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Total Lead	XXX	XXX	XXX	Report	Report	XXX
Total Mercury	XXX	XXX	XXX	Report	Report	XXX
Total Selenium	XXX	XXX	XXX	Report	Report	XXX
Total Silver	XXX	XXX	XXX	Report	Report	XXX
Total Thallium	XXX	XXX	XXX	Report	Report	XXX

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

- A. Acquire Necessary Property Rights
- B. Proper Sludge Disposal

- C. WQM Permit Condition
- D. BAT/ELG Reopener
- E. Chlorine Discharge
- F. Thermal Impact
- G. Mixing Zone
- H. TDS monitoring at Outfall 007 and 008
- I. Composite Sampling During High Tide and Low Tide
- J. Proper Test Methods
- K. Delaware Estuary Study
- L. No Intake Trash Return
- M. Coal Pile Runoff Basins
- N. BMPs for Outfall 005
- O. Chemical Metal Cleaning Condition
- P. Spectrus CT1300 Test Method
- Q. Calculation for Hydrazine Concentration
- R. TMDL/WLA Analysis
- S. TSS Net Calculation
- T. Chemical Additive Condition
- U. Cooling Water Intake Condition
- V. Stormwater Condition
- W. PCBs 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 not in effect.

**PA0054917**, Sewage, SIC Code 4952, **Uwchlan Township Municipal Authority**, 715 North Ship Road, Exton, PA 19341-1945. Facility Name: Uwchlan Township Eagleview STP. This existing facility is located in 460 Eagleview Boulevard, Eagleview Corporate Center, Exton, PA 19341, Uwchlan 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), Shamona Creek, is located in State Water Plan watershed 3-H 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 0.475 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Instant. Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average Daily Max</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
CBOD <sub>5</sub>						
May 1 - Oct 31	23.4	35	XXX	6	9	12
Nov 1 - Apr 30	46.8	70	XXX	12	18	24
Total Suspended Solids	79.2	118.8	XXX	20	30	40
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
UV Transmittance (mjoules/cm <sup>2</sup> )	XXX	XXX	Report Min	Geo Mean Report	XXX	XXX
Total Nitrogen	198	XXX	XXX	50	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	3.1	XXX	XXX	0.8	XXX	1.6
Nov 1 - Apr 30	9.3	XXX	XXX	2.4	XXX	4.8
Total Phosphorus						
Apr 1 - Oct 31	3.1	XXX	XXX	0.8	XXX	1.6
Nov 1 - Mar 31	6.2	XXX	XXX	1.6	XXX	3.2

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

Proposed Part C Conditions:

- A. No Stormwater
- B. Acquire Necessary Property Rights
- C. Sludge Disposal Requirement
- D. Small Stream
- E. Notification of Designation of Operator
- F. Seasonal Fecal Coliform Effluent Limitations
- G. Remedial Measures if Unsatisfactory Effluent
- H. I-max Requirements
- I. UV Disinfection Reopener if Alternate Installed
- J. Change of Ownership
- K. Certified Operator
- L. Fecal Coliform I-max Reporting
- M. Laboratory Certification
- N. Operations and Maintenance Plan

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 not in effect.

**PA0026131**, Sewage, SIC Code 4952, **Upper Merion Municipal Utility Authority**, 175 W Valley Forge Road, King Of Prussia, PA 19406. Facility Name: Trout Run WPCC. This existing facility is located in Upper Merion Township, **Montgomery County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage from Trout Run Water Pollution Control Center located at 900 Mancill Mill Road, King of Prussia, PA 19406.

The receiving stream(s), Schuylkill River, is located in State Water Plan watershed 3-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The nearest public water supply intake is for Pennsylvania American Water Company—Norristown District.

The proposed effluent limits for Outfall 002 are based on a design flow of 6 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2
CBOD <sub>5</sub> Influent	Report	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	1,251	1,876	XXX	25	40	50
BOD <sub>5</sub> Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	1,501	2,252	XXX	30	45	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ammonia-Nitrogen May 1 - Oct 31	751	XXX	XXX	15.0	XXX	30.0
Nov 1 - Apr 30	1,000	XXX	XXX	20.0	XXX	40.0
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
PCBs (Dry Weather) (pg/L) (Interim)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
PCBs (Wet Weather) (pg/L) (Interim)	XXX	XXX	XXX	Report Daily Max	XXX	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 0.000000 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly		Minimum	Average Monthly	Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
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
Fecal Coliform (CFU/100 ml)	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

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

- No Stormwater in Sewers
- Obtain Necessary Property Rights
- Proper Sludge Disposal
- Chlorine Minimization
- Notification of Responsible Operator
- O&M Plan
- Fecal Limits
- Pretreatment Program
- Whole Effluent Toxicity Monitoring

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 not in effect.

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

**PA0081281**, Sewage, SIC Code 6515, **Park Acquisition LLC**, 2160 Hanover Road, Gettysburg, PA 17325-7719. Facility Name: Cavalry Heights Mobile Home Park. This existing facility is located in Mount Pleasant Township, **Adams County**.

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

The receiving stream(s), Unnamed Tributary to White Run, is located in State Water Plan watershed 13-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.025 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Total Annual	Minimum	Average Monthly		
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	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.10	XXX	0.20
CBOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	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	Geo Mean 2,000 Geo Mean	XXX	10,000

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Total Annual		Average Monthly		
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	1.5	XXX	3.0
Nov 1 - Apr 30	XXX	XXX	XXX	4.5	XXX	9.0
Total Phosphorus	Report	Report	XXX	2.0	XXX	4.0

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

The EPA Waiver is in effect.

**PA0084646**, Sewage, SIC Code 8211, **Southern Fulton School District**, 3072 Great Cove Road #100, Warfordsburg, PA 17267. Facility Name: Southern Fulton Elementary School. This existing facility is located in Bethel Township, **Fulton County**.

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

The receiving stream, Unnamed Tributary to White Oak Run, is located in State Water Plan watershed 13-B 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 0.010 MGD.

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Total Annual		Average Monthly		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
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	0.04	XXX	0.13
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
Nitrate-Nitrite as N (lbs/year)	XXX	Report	XXX	Report	XXX	XXX
Total Nitrogen (lbs/year)	XXX	Report	XXX	Annl Avg Report	XXX	XXX
Ammonia-Nitrogen				Annl Avg		
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18
Total Kjeldahl Nitrogen (lbs/year)	XXX	Report	XXX	Report	XXX	XXX
Total Phosphorus (lbs/year)	XXX	Report	XXX	Annl Avg Report	XXX	XXX

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

The EPA Waiver is in effect.

**PA0009440**, Industrial Waste, SIC Code 4941, **PA American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055. Facility Name: Silver Spring Water Plant. This existing facility is located in Silver Spring Township, **Cumberland 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), Conodoguinet Creek, is located in State Water Plan watershed 7-B and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.000000 MGD.

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids	XXX	XXX	XXX	30	60	75

The proposed effluent limits for Outfall 002 are based on a design flow of 0.391 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>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
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Aluminum	XXX	XXX	XXX	4.0	8.0	10
Total Iron	XXX	XXX	XXX	2.0	4.0	5.0
Total Manganese	XXX	XXX	XXX	1.0	2.0	2.5

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 002.

<i>Parameters</i>	<i>Mass</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Annl Avg (lbs/day)</i>	<i>Annual Total (lbs)</i>		<i>Monthly Average</i>	<i>Maximum</i>
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen (Interim)	Report			Report	
Total Nitrogen (Final)	Report	Report		Report	
Total Phosphorus (Interim)	Report			Report	
Total Phosphorus (Final)	Report	Report		Report	

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

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

The EPA Waiver is in effect.

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

**NPDES Permit No. PA0229156**, CAFO, **Four Winds Dairy LLC**, 400 Vanetten Road, Ulysses, PA 16948.

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

Description of Existing Action/Activity: Authorization for a 2,216 AEU dairy CAFO consisting of 1100 milk cows, 105 dry cows, 655 heifers and 205 calves. The CAFO is situated near the source to the North Fork of the Cowanesque River in watershed 4-A classified for CWF. A release or discharge to waters of the Commonwealth under normal operation conditions is not expected. Normal operation conditions are defined as conditions below a 25-year, 24-hour storm event.

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

**PA0038237**, Sewage, SIC Code 4952, **Rostraver Township Sewage Authority**, 1744 Rostraver Road, Belle Vernon, PA 15012-4001. Facility Name: Pollock Run Water Pollution Control Plant. This existing facility is located in Rostraver 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(s), Youghiogheny River, 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 1.5 MGD.

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6	XXX	XXX	9
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	.5	XXX	XXX
CBOD <sub>5</sub>	313	475	XXX	25	38	XXX
BOD <sub>5</sub> Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	375	563	XXX	30	45	XXX
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
Total Nitrogen	Report	Report	XXX	Report	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	Report	XXX

The EPA Waiver is not in effect.

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

**PA0020346**, Sewage, SIC Code 4952, **Punxsutawney Borough**, 301 East Mahoning Street, Suite 1, Punxsutawney, PA 15767. Facility Name: Punxsutawney Borough STP. This existing facility is located in Punxsutawney Borough, **Jefferson 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, the Mahoning Creek, is located in State Water Plan watershed 17-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 2.4 MGD.

Parameters	Mass (lbs/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	430	645	XXX	21.5	32.0	43.0
Total Suspended Solids	600	900	XXX	30	45	60
Total Dissolved Solids	Report	48,000 Daily Max	XXX	Report	XXX	Report
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	Report	XXX	Report
Fecal Coliform (CFU/100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen May 1 - Oct 31	150	XXX	XXX	7.5	XXX	15.0
Nov 1 - Apr 30	450	XXX	XXX	22.5	XXX	45.0
Total Barium	Report	XXX	XXX	Report	XXX	Report
Total Strontium	Report	XXX	XXX	Report	XXX	Report
Total Uranium (µg/L)	Report	XXX	XXX	Report	XXX	Report
Total Zinc (Interim)	Report	XXX	XXX	Report	Report Daily Max	Report
(Final)	15.4	XXX	XXX	0.77	1.54 Daily Max	1.92
Chloride	Report	XXX	XXX	Report	XXX	Report
Bromide	Report	XXX	XXX	Report	XXX	Report
Gross Alpha (pCi/L)	XXX	XXX	XXX	Report	XXX	Report

<i>Parameters</i>	<i>Mass (lbs/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Radium 226/228, Total (pCi/L)	XXX	XXX	XXX	Report	XXX	Report
Chronic Toxicity—						
Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	5.0	XXX	XXX
				Daily Max		
Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	5.0	XXX	XXX
				DailyMax		
Pimephales Survival (TUc)	XXX	XXX	XXX	5.0	XXX	XXX
				Daily Max		
Pimephales Growth (TUc)	XXX	XXX	XXX	5.0	XXX	XXX
				Daily Max		

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

- Requirement to Use eDMR System
- Solids Management
- Chronic WET Limitations
- Combined Sewer Overflows
- POTW Pretreatment Program Implementation
- Acceptance of Natural Gas-Related Wastewaters
- Chapter 95 Treatment Requirements
- Engineering Evaluation of the Second Oxidation Ditch
- Requirement To Sample For Al, Fe, and Mn During NPDES Renewal
- Toxics Reduction Evaluation (TRE)

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

This is a second draft to add Total Zinc limitations. The EPA Waiver is not in effect.

**PA0272604**, Sewage, SIC Code 4952, 8811, **Paul Zentz**, 11558 Route 62, Tidioute, PA 16351. Facility Name: Paul Zentz SRSTP. This proposed facility is located in Limestone Township, **Warren County**.

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

The receiving stream is an un-named tributary of the Allegheny River, located in State Water Plan watershed 16-F and 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 0.0004 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Monthly</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
CBOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		

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

The EPA Waiver is in effect.

**PA0238465**, Industrial Waste, SIC Code 4941, **Johnsonburg Municipal Authority**, 520 A Market Street, Johnsonburg, PA 15845-1284. Facility Name: Johnsonburg Borough WTP. This existing facility is located in Ridgway Township, **Elk County**.

Description of Existing Activity: The application is for a renewal/expansion of an NPDES permit for an existing discharge of treated filter backwash and filter to waste water.

The receiving stream, Silver Creek, is located in State Water Plan watershed 17-A 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 0.07355 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Aluminum	1.5	3	XXX	2.44	4.9	6.1
Total Copper						
(Interim)	Report	XXX	XXX	Report	XXX	XXX
(Final)	0.0028	0.006	XXX	0.0045	0.009	0.011
Total Iron	XXX	XXX	XXX	2	4	5
Total Manganese	XXX	XXX	XXX	1	2	2.5

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

- Copper Toxics Reduction Evaluation & Schedule of Compliance

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

The EPA Waiver is in effect.

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

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

**WQM Permit No. WQG02461303**, Sewerage, **Pennsylvania Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106.

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

Description of Action/Activity: Construction and operation of a pump station and gravity collection system.

**WQM Permit No. 0913401**, Sewerage, **Lower Bucks County Joint Municipal Authority**, 7811 New Falls Road, Levittown, PA 19055.

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

Description of Action/Activity: Organic loading and rerating.

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

**WQM Permit No. 3613402**, Sewerage, **J. Douglas Metzler**, 631 Martic Heights Drive, Holtwood, PA 17532.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction / operation of an Individual Residential Spray Irrigation System to serve their residence at 83 Douts Hill Road, Holtwood.

**WQM Permit No. 2213401**, Sewerage, **East Hanover Township Municipal Authority**, 8848 Jonestown Road, PO Box 4323, Grantville, PA 17028-8650.

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

Description of Proposed Action/Activity: Seeking permit approval for an upgrade to increase the pump station's rated capacity from 576,000 gpd to 871,200 gpd.

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

**WQM Permit No. 1113401**, Sewerage, **Johnstown Redev Auth**, 4th Fl Public Safety Bldg, 401 Washington St, Johnstown, PA 15901-2874

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

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

The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source.

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

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

**PAI130504**, MS4, **Tredyffrin Township Chester County**, 1100 Duportail Road, Berwyn, PA 19312. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Tredyffrin Township, **Chester County**. The receiving stream(s), Unnamed Tributary to Crow Creek, Unnamed Tributary to Darby Creek, Unnamed Tributary to Gulph Creek, Little Valley Creek, Valley Creek, Trout Creek and Unnamed Tributary to Crum Creek, are located in State Water Plan watershed 3-F and 3-G and are classified for Exceptional Value Waters, Migratory Fishes, Warm Water Fishes, Migratory Fishes, High Quality Waters—Cold Water Fishes, Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. 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.

**PAI130530**, MS4, **West Whiteland Township Chester County**, 101 Commerce Drive, Exton, PA 19341-2726. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in West Whiteland Township, **Chester County**. The receiving stream(s), Broad Run, West Valley Creek, East Branch Chester Creek and Ridley Creek are located in State Water Plan watershed 3-H and 3G and are classified for High Quality Waters—Cold Water Fishes, Cold Water Fishes and Migratory Fishes, Trout Stocking Fishes, High Quality Waters—Trout Stocking, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA waiver is in effect.

*Southcentral Regional Office: Regional Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Telephone: 717.705.4707.*

**PAI133520**, MS4, **Freedom Township Blair County**, 131 Municipal Street, East Freedom, PA 16637. The application is for a new individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Freedom Township, **Blair County**. The receiving stream(s), Frankstown Branch Juniata River, Halter Creek, Poplar Run and South Dry Run, is located in State Water Plan watershed 11-A and is classified for Warm Water Fishes, Migratory Fishes, Trout Stocking, Migratory Fishes, Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is not in effect.

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI014613004	PPL Electric Utilities Two North Ninth Street Allentown, PA 18101	Montgomery	Marlborough Township	Unnamed Tributary To Unami Creek HQ-TSF

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

*Lehigh County Conservation District: Lehigh County Ag Center, 4184 Dorney Park Rd., Ste. 105, Allentown, PA 18104, 610-391-9583.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023913001	Peter A. Cooper 4500 Broadway Allentown, PA 18104	Lehigh	South Whitehall Twp.	Unnamed Tributary to Cedar Creek, HQ-CWF, MF

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

*Potter County Conservation District: 107 Market Street, Coudersport, PA 16915 (814) 274-8411, X 4*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI045313002	Francis J Palo Inc 309 S 4th Ave Clarion PA 16214	Potter	Portage Township	Freeman Run HQ-CWF

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

PAG-12      CAFOs

**CAFO Notices of Intent Received**

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

**PAG124830**, CAFO [Duck Poultry], **Dennis Zimmerman**, 55 Zimmerman Lane, Beaver Springs, PA 17812.

This proposed facility is located in Spring Township, **Snyder County**.

Description of Size and Scope of Proposed Operation/Activity: Duck barn on 25 acres where they raise 9,500 ducks. There are about 18 acres available for manure application.

They have about 15.56 AEU's. They generate about 558,000 gallons of manure. They have one manure pit that stores about 237,265 gallons.

The receiving stream, Middle Creek, is in watershed Middle Creek and classified for: CWF.

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

**STATE CONSERVATION COMMISSION**

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

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

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

**NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET**

<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>
Robert Shearer 806 Anderson Ferry Road Mount Joy, PA 17552	Lancaster	300	399.68	Swine/Beef	NA	R
Paul Swanger 150 Kissel Barrick Road Bainbridge, PA 17502	Lancaster	12	372.47	Swine	NA	R

**PUBLIC WATER SUPPLY (PWS) PERMITS**

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

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a

concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

The permit application and related documents are on file at the office listed before the application and available

for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

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

**SAFE DRINKING WATER**

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

*Central Office: Bureau Director, Safe Drinking Water, PO Box 8467, Harrisburg, PA 17105-8467*

**Permit No. [9996579], Public Water Supply.**

Applicant **[Ice River Springs Water Company, Inc.]**  
 [Township or Borough] [Morganton, North Carolina]  
 Responsible Official [Alexandra Gott, Owner and CEO]  
 Type of Facility [Out of State Bottled Water System]  
 Application Received Date [April 18, 2013]  
 Description of Action [Applicant requesting Department approval to use a new spring source and sell a new bottled water product in Pennsylvania under the brand name: Member's Mark Spring Water.]

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

**Application No. 5413503, Public Water Supply.**

Applicant **Hegins-Huble Authority**  
 915 West Maple Street  
 Valley View, PA. 17983  
 [Township or Borough] Hegins Township  
**Schuylkill County**  
 Responsible Official Mr. Demetrius Kasmari  
 Manager  
 Type of Facility Public Water Supply  
 Consulting Engineer Alfred Benesch & Company  
 Ms. Jacqueline A. Peleschak, PE.  
 400 One Norwegian Plaza  
 PO Box 1090  
 Pottsville, PA. 17901  
 Application Received Date April 8, 2013  
 Description of Action Replace well #2 vertical turbine pump with submersible pump rated at 292 gpm. Sequester iron and manganese with addition of a poly phosphate.

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

**Permit No. 0213514, Public Water Supply.**  
 Applicant **Pittsburgh Water & Sewer Authority**  
 Penn Plaza I  
 1200 Penn Avenue  
 Pittsburgh, PA 15222  
 [Township or Borough] City of Pittsburgh  
 Responsible Official James Good, Interim Executive Director  
 Pittsburgh Water & Sewer Authority  
 Penn Plaza I  
 1200 Penn Avenue  
 Pittsburgh, PA 15222  
 Type of Facility Water system  
 Consulting Engineer  
 Application Received Date April 8, 2013  
 Description of Action Installation of a TRS system in the Allentown Tank #1.

**Permit No. 0213515, Public Water Supply.**  
 Applicant **Pittsburgh Water & Sewer Authority**  
 Penn Plaza I  
 1200 Penn Avenue  
 Pittsburgh, PA 15222  
 [Township or Borough] City of Pittsburgh  
 Responsible Official James Good, Interim Executive Director  
 Pittsburgh Water & Sewer Authority  
 Penn Plaza I  
 1200 Penn Avenue  
 Pittsburgh, PA 15222  
 Type of Facility Water system  
 Consulting Engineer  
 Application Received Date April 8, 2013  
 Description of Action Installation of a TRS system in the Squirrel Hill water storage tank.

**Application No. 3213513, Public Water Supply.**  
 Applicant **Indiana County Municipal Services Authority**  
 602 Kolter Drive  
 Indiana, PA 15701  
 [Township or Borough] Young Township  
 Responsible Official Michael Duffalo, Executive Director  
 Indiana County Municipal Services Authority  
 602 Kolter Drive  
 Indiana, PA 15701  
 Type of Facility Water system  
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
 PO Box 853  
 Latrobe, PA 15650  
 Application Received Date April 22, 2013

Description of Action Construction of a 721,000 gallon water storage tank with a mixing system to serve the Windy Ridge Business and Technology Park.

**MINOR AMENDMENT**

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

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

**Application No. 6313503MA, Minor Amendment.**

Applicant **Authority of the Borough of Charleroi**  
3 McKean Avenue  
Charleroi, PA 15022

[Township or Borough] Fallowfield Township

Responsible Official Edward Golanka, Manager  
Authority of the Borough of Charleroi  
3 McKean Avenue  
Charleroi, PA 15022

Type of Facility Water system

Consulting Engineer Chester Engineers, Inc.  
1555 Coraopolis Heights Road  
Moon Township, PA 15108

Application Received Date April 11, 2013

Description of Action Painting and rehabilitation of the Fallowfield water storage tank.

**Application No. 3013501MA, Minor Amendment.**

Applicant **Southwestern Pennsylvania Water Authority**  
1442 Jefferson Road  
Jefferson, PA 15344

[Township or Borough] Center, Jefferson, Richhill and Wayne Townships

Responsible Official John W. Golding, Manager  
Southwestern Pennsylvania Water Authority  
1442 Jefferson Road  
Jefferson, PA 15344

Type of Facility Water system

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

Application Received Date April 18, 2013

Description of Action Permitting of the following bulk loading stations: Dry Tavern, Rogersville, Ruff Creek, Spraggs and Wind Ridge.

**Application No. 3213512MA, Minor Amendment.**

Applicant **Central Indiana County Water Authority**  
30 East Wiley Street  
Homer City, PA 15748

[Township or Borough] Center Township

Responsible Official Robert Walbeck, Chairman  
Central Indiana County Water Authority  
30 East Wiley Street  
Homer City, PA 15748

Type of Facility Water system

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

Application Received Date April 16, 2013

Description of Action Permitting of the bulk loading station at the water treatment plant.

**Application No. 0313504MA, Minor Amendment.**

Applicant **Kittanning Suburban Joint Water Authority**  
710 Tarrtown Road  
Kittanning, PA 16210

[Township or Borough] East Franklin Township

Responsible Official Richard W. Lauer, Manager  
Kittanning Suburban Joint Water Authority  
710 Tarrtown Road  
Kittanning, PA 16210

Type of Facility Water system

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

Application Received Date April 18, 2013

Description of Action Permitting of the bulk loading station at the water treatment plant.

**Application No. 0213516MA, Minor Amendment.**

Applicant **Fawn Frazer Joint Water Authority**  
326 Donnellville Road  
Natrona Heights, PA 15065

[Township or Borough] Frazer Township

Responsible Official Edward L. Adams, Chairman  
Fawn Frazer Joint Water Authority  
326 Donnellville Road  
Natrona Heights, PA 15065

Type of Facility Water system

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

Application Received Date April 18, 2013

Description of Action Permitting of the bulk load-out connection with Range Resources.

**Application No. 0213517MA, Minor Amendment.**

Applicant	<b>Fox Chapel Authority</b> 255 Alpha Drive Pittsburgh, PA 15238
[Township or Borough]	Fox Chapel Borough and O'Hara Township
Responsible Official	Mark Nicely, Manager Fox Chapel Authority 255 Alpha Drive Pittsburgh, PA 15238
Type of Facility	Water system
Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road PO Box 200 Indianola, PA 15051
Application Received Date	April 22, 2013
Description of Action	Permitting of the bulk load-out stations on Fox Chapel Road and Gamma Drive.

**HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES****Applications received, under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.**

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

**PAR000537548. Waste Management of Fairless LLC**, 1000 New Ford Mill Road, Morrisville, PA 19067. This Class 1 permit modification application is for transfer of ownership and permit for the United States Steel Corporation's existing RCRA Post-Closure Permit for Borrow Pit 20 (BP-20), a closed hazardous waste facility, to Waste Management of Fairless, LLC. BP-20 is located within the former Fairless Works Facility in Falls Township, **Bucks County**. Application was received at the Southeast Regional Office on March 13, 2013.

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

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

**General Permit No. WMGR096SE003. Jones & Losito, Inc.**, P. O. Box 485, 181 Willow Street, Toughkenamon, PA 19374. The General Permit No. WMGR096SE003, which authorized the beneficial use of regulated fill as construction material at the Reedville Farm Site (known as Closed Cloud Landfill) located at 320 Reedville Road in Lower Oxford Township, **Chester County** is revoked based on the permittee's request for permit withdrawal. The revocation of permit was approved by the Southeast Regional Office on April 18, 2013.

**AIR QUALITY****PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS NEW SOURCES AND MODIFICATIONS**

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

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

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

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

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

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

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

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

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

**15-0021A: Glasgow, Inc.—Catanach Asphalt Plant and Quarry** (660 North Morehall Road, Malvern, PA



19355) for removal and replacement of a scalping screen and primary crusher at their facility in East Whiteland Township, **Chester County**.

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

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

**39-309-07: Lafarge North America, Inc.** (5160 Main Street, Whitehall, PA 18052) to issue a revised Plan Approval for their plant in Whitehall Township, **Lehigh County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (DEP) intends to issue a revised Plan Approval No. 39-309-076 to Lafarge North America, Inc., 5160 Main Street, Whitehall, PA 18052, for their plant located in Whitehall Township, Lehigh County. The facility currently operates under Title V Operating Permit No. 39-00011. This plan approval will be incorporated into the Title V Operating Permit through an administrative amendment at a later date, and the action will be published as a notice in the *Pennsylvania Bulletin*.

Plan Approval No. 39-309-076 was issued by DEP on May 19, 2010 for the installation and operation of a Dry Absorbent Addition (DAA) system and Selective Non-Catalytic Reduction (SNCR) system for the control of sulfur dioxide (SO<sub>2</sub>) and nitrogen oxide (NO<sub>x</sub>) emissions from Kiln Nos. 2 and 3 operated at Lafarge's Whitehall facility. The Department had imposed an ammonia "slip" emission limit for both kilns in Plan Approval No. 39-309-076. Lafarge filed a protective appeal specifically in relation to conditions restricting ammonia slip to 10 ppmvd at 15% O<sub>2</sub>. Following a series of meetings and negotiations with representatives from PADEP, a series of actions were initiated that included (1) Lafarge's measurement and determination of "background" ammonia concentrations from Kiln No. 2 via emission testing performed during the period from October 20 through 28, 2010, (2) a systematic review of alternative conditions to the ammonia limits included in Plan Approval No. 39-309-076, and ultimately (3) an ammonia risk assessment modeling analysis to evaluate the impact of potential ammonia emissions on the surrounding area. The results of the ammonia risk assessment modeling analyses were reported to DEP. The Department concluded that the modeled ammonia concentrations were below the applicable acute and chronic ammonia exposure guidelines for both kilns. Based on study and risk assessment conducted by the company, the Department has changed conditions in the Plan Approval No. 39-309-076 for both kilns to include short term (hourly) and long term (annual) ammonia injection rate restrictions, monitoring requirements, which include the monitoring of ammonia injection rates and clinker production. Additionally, the revised Plan Approval includes recordkeeping requirements to ensure that ambient ammonia concentrations do not exceed the acute and chronic ammonia exposure guidelines.

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 DEP Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information which they believe should be considered prior to the issuance of this permit may submit the information to the address shown in the preceding paragraph. Each

written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed revised permit No. 39-309-076 and a concise statement regarding the relevancy of the information or objections to the issuance of the permit is required.

A public hearing may be held, if DEP, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Raymond Kempa, P.E., Environmental Group Manager, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, Phone 570-826-2531 within 30 days after publication date.

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

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

**06-050070: Carpenter Technology Corp.** (101 Bern Street, Reading, PA 19601) for construction of two (2) reheat furnaces at their specialty steel alloy facility in Muhlenberg Township, **Berks County**.

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

Plan Approval 06-050070 is for the construction of two new reheat furnaces. These new sources shall be subject to and comply with the Department's best available technology (BAT) requirements. The new reheat furnaces will allow certain other equipment at the facility to run at a higher capacity than previously. The plan approval will also involve the removal of an emission cap from an existing hot box. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The expected actual air emissions from the proposed project are 1.18 tpy of PM, 8.78 tpy of NO<sub>x</sub>, 8.99 tpy of CO, 0.24 tpy of SO<sub>2</sub>, and 0.88 tpy of VOCs.

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

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

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

Thomas Hanlon, Facilities Permitting Chief, may be contacted at 717-705-4862, or at 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.

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

**67-05084A: York Wallcoverings, Inc.** (2075 Loucks Road, York, PA 17408) for construction of a new four-color rotogravure printing line with in-line embossing at their facility in West Manchester Township, **York County**.

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

Plan Approval 67-05084A is for the construction of a new four-color rotogravure printing line with in-line embossing. The company shall be subject to and comply with 40 CFR Part 60, Subpart FFF—Standards of Performance for Flexible Vinyl and Urethane Coating and Printing. The plan approval will contain restrictions that are designed to control emissions consistent with best available technology pursuant to 25 Pa. Code § 127.1 as well as additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Potential VOC emissions from the new press are estimated to be approximately 10.12 tons per year. Potential total HAP emissions are estimated to be less than one ton per year.

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 DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

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

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

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

**22-03051A: Buse Funeral Home** (9066 Jonestown Road, Grantville, PA 17028) for operation of a human crematory in East Hanover Township, **Dauphin County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received an application and intends to issue a plan approval to the above mentioned company for the above mentioned project.

Plan Approval No. 22-03051A is for the operation of a CMS Millennium II crematory. The Plan Approval will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The actual air emissions from the crematory are estimated to be 0.03 tpy of PM<sub>10</sub>, 0.10 tpy of NO<sub>x</sub>, 0.20 tpy SO<sub>x</sub>.

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

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

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

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

**36-03038A: Evans Eagle Burial Vaults, Inc.** (15 Graybill Road, Leola, PA 17540) for operation of three (3) human crematories in Upper Leacock Township, **Lancaster County**.

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

Plan Approval No. 36-03038A is for the operation of an All Crematory 1701, a CMS Millennium II, and a Matthews Power Pak II human crematories. The units are each controlled by an afterburner. The Plan Approval will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The actual air emissions from the crematories are estimated to be approximately 0.66 tpy of PM<sub>10</sub>, 0.94 tpy of CO, 0.28 tpy of NO<sub>x</sub>, 0.23 tpy SO<sub>x</sub>.

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

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

above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

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

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

**41-00086A: Knight-Confer Funeral Home, Inc.** (1914 Memorial Avenue, Williamsport, PA 17701) for a plan approval to construct a human crematorium at their facility in Williamsport, **Lycoming County**. The respective facility is a natural minor facility for which a state only operating permit has not been issued.

The Department's review of the information submitted by Knight-Confer Funeral Home, Inc. indicates that construction of the crematorium will meet all applicable air quality regulatory 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. Based on these findings, the Department intends to approve the application and issue plan approval for construction of the crematorium. Additionally, if the Department determines the crematorium is operating in compliance with all plan approval conditions, the conditions established in the plan approval will be incorporated into a state only operating permit.

The emission of air contaminants from the crematorium will not exceed the following limits in any 12 consecutive month period: NO<sub>x</sub>-0.82 ton; CO-0.69 ton; VOCs-0.04 ton; SO<sub>x</sub>-0.01 ton; PM<sub>10</sub>-1.58 tons.

In addition to the emission limitations, the following is a summary of the types of conditions the Department intends place in the plan approval to ensure compliance with all applicable regulatory requirements:

1. The particulate matter emissions from the crematory shall not exceed 0.08 grain per dry standard cubic foot of exhaust, corrected to 7% oxygen.

2. The visible emissions from the crematory shall not equal or exceed 10% opacity for a period or periods aggregating more than 3 minutes in any one hour or equal or exceed 30% opacity at any time.

3. The crematory shall only be fired on natural gas or LP gas.

4. Only human remains and associated containers, which are constructed of cardboard, particleboard or wood, shall be incinerated in the crematory. Under no circumstances shall the crematory be used for the incineration of hospital waste, infectious waste or any other type of waste other than human remains and associated containers.

5. The crematory shall be equipped with instrumentation to continuously monitor and record the primary and secondary combustion chamber exit temperatures any time the crematory is in operation.

6. The crematory shall be equipped with instrumentation to continuously monitor the opacity of the effluent gas any time the crematory is in operation.

7. A secondary combustion chamber temperature of at least 1800°F shall be maintained for a residence time of at least one (1) second at any time that cremation is occurring in the crematory.

8. The crematory shall be equipped with an interlock which prevents the primary combustion chamber burner from firing unless the secondary combustion chamber is at a temperature of at least 1800°F.

9. The crematory shall be equipped with an interlock which prevents the primary combustion chamber burner from firing and sounds an alarm any time the opacity of the visible emissions exceeds 10%.

10. The charge door of the crematory shall be kept shut during the cremation cycle except for short periods of time in order to inspect and/or reposition the remains.

11. The permittee shall maintain accurate and comprehensive records of the primary and secondary combustion chamber temperature chart recordings.

A copy of the plan approval application and the Department's review is available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. 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 David M. Shimmel, P.E., Chief, New Source Review Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3568.

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

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

**33-085B: Symmco, Inc.** (101 South Park St., PO Box F, Sykesville, PA 15865) for installation of a 24" iron sintering furnace and associated control device(s) at their facility in Sykesville Borough, **Jefferson County**.

Under 25 Pa. Code §§ 127.44(b) and 127.424(b), that DEP intends to issue Plan Approval 33-085B to Symmco, Inc. for the installation of a 24" iron sintering furnace and associated control device(s) at their facility in Sykesville Borough, Jefferson County. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 33-085B is for the installation of a 24" electrically heated iron sintering furnace. Emissions from this source will be controlled by an associated F.A.S.T. Panel hydration system and afterburner, which are proposed as Best Available Technology (BAT) for the proposed source. Based on the information provided by the applicant and DEP's own analysis, the proposed source will have a total potential to emit of approximately 0.67 ton of particulate matter, 0.06 ton of carbon monoxide, and 0.07 ton of nitrogen oxides (NO<sub>x</sub>) per year.

The Plan Approval will contain additional testing, monitoring, reporting, recordkeeping and work practice requirements designed to keep the facility operating within all applicable air quality requirements. Copies of the application, DEP's analysis, and other documents used in the evaluation are available for public inspection

between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the address shown below. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments, identification of the proposed Plan Approval; No. 33-085B and a concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

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

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

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

**AMS 12207A: Growmark Inc.—Pier 122 South** (4101 South Christopher Columbus Boulevard, Philadelphia, PA 19148) for operation of loading, unloading, and distribution of dry fertilizers and other miscellaneous bulk materials. The process includes crane unloading ship, material transfer via conveyor to hopper, truck unloading to conveyor, conveyor drop into covered storage, unloading of rail cars, material transfer from rail cars via conveyor and material drop into covered storage. The crane used for loading and unloading will be operated using diesel generator. There will be a potential emission increase of 15.6 tons for Nitrogen Oxides (NO<sub>x</sub>) for the facility and 48 tons of PM-10. The plan approval will contain operating, testing, monitoring, and recordkeeping requirements to ensure operation within all applicable requirements.

This permit has been modified to reflect the change in the size of the engine from 800 kW to 1000 kW. The potential emission above has been revised and includes 3 ton of NO<sub>x</sub> increase.

**AMS 12207A: Growmark Inc.** (Pier 122 South, 4101 South Christopher Columbus Boulevard, Philadelphia, PA 19148) for operation of loading, unloading, and distribution of dry fertilizers and other miscellaneous bulk materials. The process includes crane unloading ship, material transfer via conveyor to hopper, truck unloading to conveyor, conveyor drop into covered storage, unloading of rail cars, material transfer from rail cars via conveyor and material drop into covered storage. The crane used for loading and unloading will be operated using diesel generator. There will be a potential emission increase of 15.6 tons for Nitrogen Oxides (NO<sub>x</sub>) for the facility and 48 tons of PM-10. The plan approval will contain operating, testing, monitoring, and recordkeeping requirements to ensure operation within all applicable requirements.

This permit has been modified to reflect the change in the size of the engine from 800 kW to 1000 kW. The potential emission above has been revised and includes 3 ton of NO<sub>x</sub> increase.

**AMS 13021: Naval Support Activity—Philadelphia** (700 Robbins Avenue, Philadelphia, PA 19111) to install and operate one (1) new 250 kW non-emergency generator and re-classifying six (6) existing generator as non-emergency. The facility will also be replacing two (2) existing boilers with one (1) new 0.5 MMBTU/hr natural gas fired hot water heater. There will be a potential emission increase 14.08 tons per year of nitrogen oxide (NO<sub>x</sub>). The facility's actual emissions will be restricted below the signification threshold. 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.

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

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

**18-00005: Dominion Transmission, Inc.** (P. O. Box 2450, Clarksburg, WV 26302-2450) for a Title V Operating Permit renewal for their Finnefrock facility in Leidy Township, Clinton County.

In accordance with 25 Pa. Code § 127.521, DEP has received an application and intends to issue a renewal of an Air Quality Operating Permit for the abovementioned facility. The subject facility has the following potential emissions: 380.29 TPY of CO; 643.85 TPY of NO<sub>x</sub>; 0.32 TPY of SO<sub>x</sub>; 21.85 TPY of PM/PM<sub>10</sub>; 143.62 TPY of VOC; 41.17 TPY of total HAPs and 78,425 TPY of CO<sub>2e</sub>. The facility's sources include three natural gas-fired boilers, six natural gas-fired compressor engines, ten storage tanks, one parts washer, one natural gas-fired generator, one natural gas-fired space heater, three (3) emergency blowdown units, and one natural gas-fired hot water heater which have the potential to emit major quantities of nitrogen oxides (NO<sub>x</sub>), carbon monoxide (CO), volatile organic compounds (VOCs) and hazardous air pollutant (HAP) emissions. The facility has the potential to emit sulfur oxides (SO<sub>x</sub>), particulate matter (PM/PM<sub>10</sub>) and carbon dioxide equivalents (CO<sub>2e</sub>) below the major emission thresholds. The Department has determined that the sources at the facility satisfy best available technology (BAT) requirements, under 25 Pa. Code §§ 127.1 and 127.12, as well as the National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters, 40 CFR 63.7480—63.7575. The proposed Title V operating permit contains all applicable Federal and State regulatory requirements including monitoring, recordkeeping, and reporting conditions. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, 63, 64, 68, 72, 73, 74, 75, 76, 96, 97, 98 and 25 Pa. Code Chapters 121—145.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williams-

port, PA 17701. Appointments for scheduling a review must be made by calling 570 327 3693.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Permit No. TVOP 18-00005) and concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Environmental 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: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174*

**11-00370: Laurel Highlands Landfill, Inc.** (625 Cherrington Parkway, Cherrington Corporate Center, Moon Township, PA 15108-4314) for a solid waste landfill, utilities, and refuse systems at the Laurel Highlands Landfill in Jackson Township, **Cambria County**. This is a Title V Renewal application submittal.

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

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

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

**23-00046: Container Research Corporation** (Hollow Hill Road, Glen Riddle, PA 19037) for operation of one (1) boiler unit and two (2) paint spray booths in Aston Township, **Delaware County**. The main emissions from this facility are volatile organic compounds. This action is a renewal of the original State Only Operating Permit (Synthetic Minor), which was issued in September, 2002. The renewal contains conditions including monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**40-00110: Quality Collision, Inc.** (365 Courtdale Avenue, Courtdale, PA 18704) for operation of a spray coating operation in Courtdale Borough, **Luzerne County**. The source consists of two (2) spray booths with

panel filters for particulate control. This is a renewal of a State-Only Operating Permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**48-00099: CAP Glass Allentown, LLC** (799 Smith Lane, Northampton, PA 18067-1500) for operation of a glass processing facility in Northampton Borough, **Northampton County**. The operation of the facility consists of glass sorting and drying. The particulate emissions are controlled by four (4) baghouses. This is a new state-only operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**36-03134: Wilmac Health Care, Inc.** (2829 Lititz Pike, Lancaster, PA 17601) for the Lancashire Hall Nursing Home in Manheim Township, **Lancaster County**.

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

The subject facility has potential emissions of 12.2 tpy of NO<sub>x</sub>, 0.8 tpy of CO, 29.6 tpy of SO<sub>x</sub>, 28.6 tpy of PM<sub>10</sub> and 0.4 tpy of TOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63, Subpart JJJ-JJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

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

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

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

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

**21-03046: Safety-Kleen Systems, Inc.** (10 Eleanor Drive, New Kingstown, PA 17072) for their fluids recycling center in Silver Spring 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 above-mentioned facility.

The subject facility services parts washers and collects used oil from service stations and similar facilities in the mid-state region. Potential volatile organic compound (VOC) emissions from petroleum liquids handling are estimated at around 11 tons per year. Actual VOC emissions are well below the estimated potential. The facility includes three tanks subject to 40 CFR Part 60, Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984. The Operating Permit will include work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Copies of the renewal application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

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

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

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

**36-05157: Ivy Creek Custom Cabinetry, Inc.** (99 Elmwood Avenue, Landisville, PA 17538) for the custom wood kitchen cabinet manufacturing facility in East Hempfield Township, **Lancaster County**.

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

The subject facility has actual emissions of 5.1 tpy of VOCs and 0.2 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.52 Surface coating processes.

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

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

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

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

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

**36-03038A: Evans Eagle Burial Vaults, Inc.** (15 Graybill Road, Leola, PA 17540) for the operation of three (3) human crematories in Upper Leacock Township, **Lancaster County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received an application and intends to issue a Plan Approval to the above-mentioned company for the above-mentioned facility.

The subject facility has actual air emissions from three human crematories of approximately 0.66 tpy of PM<sub>10</sub>, 0.94 tpy of CO, 0.28 tpy of NO<sub>x</sub>, 0.23 tpy SO<sub>x</sub>. 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 Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

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

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

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

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

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

**41-00070: PMF Industries, Inc.** (2601 Reach Road, Williamsport, Pa 17701) for their facility in Williamsport, **Lycoming 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 a renewal of an Air Quality Operating Permit for the abovementioned facility. The subject facility has the following potential emissions: 0.01 TPY of CO; 0.05 TPY of NO<sub>x</sub>; 9.77 TPY of PM/PM<sub>10</sub>; 13.00 TPY of VOC and 1.00 TPY of CO<sub>2</sub>e. The Department has determined that the sources at the facility satisfy best available technology (BAT) requirements, pursuant to 25 Pa. Code §§ 127.1 and 127.12, as well as the requirements of 40 CFR Part 63 Subpart ZZZZ Section 63.6580 through 63.6675—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The operating permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all 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 Northcentral Regional Office at 208 West Third Street, Suite 101, Williamsport, Pa 17701.

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 public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. 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. David Shimmel, P.E., Chief, New Source Review Section, may be contacted at 570-327-3568, or at PA DEP Air Quality Program, 208 West Third Street, Suite 101, Williamsport, Pa 17701, for additional information or for the submission of comments or protests.

**14-00036: Gensimore Trucking, Inc.** (P. O. Box 5210, Pleasant Gap, PA 16823), for operation of their Happy Valley Blended Products facility located in Spring Township, **Centre County**. The facility's main sources include small combustion units rated less than 1 MMBtu/hr, two cement blending lines, and one Permanent Life Aggregates processing line. This facility has the potential annual emissions 0.11 ton of carbon monoxide, 0.32 ton of nitrogen oxides, 0.77 ton of sulfur oxides, 10.74 tons of particulate matter, 1.19 tons of particulate matter less than 10 microns in size, 0.32 ton of particulate matter less than 2.5 microns in size, 0.01 ton of hazardous air pollutants, 0.02 ton of volatile organic compounds, and 11,654 tons of greenhouse gases. No emission or equipment changes are being proposed by this action. The emission restriction, testing, monitoring, recordkeeping,

reporting, and work practice conditions of the NMOP have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State air quality regulations.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3693.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address, and telephone number of the person submitting the comments, identification of the proposed permit (specify Permit No. 14-00036) and concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to David Shimmel, P.E., Chief, New Source Review Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3568.

**19-00030 Sokol Quarries, Inc.** (PO Box 366 Bloomsburg, PA 17815-0366) for their Benton Processing facility located in Fishing Creek Township, **Columbia 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 a renewal of an Air Quality Operating Permit for the abovementioned facility. The subject facility has the following potential emissions of 6.13 TPY of PM/PM<sub>10</sub>. The Department has determined that the sources at the facility satisfy best available technology (BAT) requirements, pursuant to 25 Pa. Code §§ 127.1 and 127.12, as well as the Standards of Performance for Nonmetallic Mineral Processing Plants, 40 CFR Part 60 Subpart OOO Sections 60.670 through 60.676. The operating permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all 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 Northcentral Regional Office at 208 West Third Street, Suite 101, Williamsport, Pa 17701.

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 public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. 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. David Shimmel, P.E., Chief, New Source Review Section, may be contacted at 570-327-3568, or at PA DEP Air Quality Program, 208 West Third Street, Suite 101, Williamsport, Pa 17701, for additional information or for the submission of comments or protests.

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

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

**30-00094: (Texas Eastern Transmission, LP, P. O. Box 1642, Houston, TX 77251-1642)** In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department is providing notice that they intend to issue a State Only Operating Permit (SOOP) to Texas Eastern Transmission, LP to authorize the continued operation of the natural gas transmission facility known as the Waynesburg Station, located in Franklin Township, **Greene County**.

Emissions from this facility arise from one natural gas fire Solar Centaur Turbine Model T-5802S rated at 59.25 mmbtu/hr and 6,166 hp, one Onan emergency generator rated at 17 hp with an operating limit of 500 hours per year, fugitive emissions from piping components, vents, blowdowns, tanks and tank transfers.

This facility's potential to emit, on a rolling 12-month basis, is 28.3 tons of carbon monoxide, 39.4 tons of nitrogen oxides, 6.5 tons of volatile organic compounds, 0.9 ton of SO<sub>2</sub>, 1.7 tons of PM<sub>10</sub>, 0.81 ton of hazardous air pollutants and 29,312 tons of carbon dioxide equivalents (greenhouse gases). The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the proposed SOOP have been derived from the applicable requirements of Plan Approvals PA-30-399-005 and PA-30-399-005A, 25 Pa. Code Chapters 121—145, 40 CFR 60, Subpart GG—Standards of Performance for Stationary Gas Turbines and 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. No emission or equipment changes are being proposed by this action.

Arrangements may be made to review the application at our offices. Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Operating Permit may submit written comments to Barbara Hatch, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222, 412-442-5226 or bhatch@pa.gov. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed

permit (specify SOOP-30-00094) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

Prior to issuing an operating permit, the Department may hold a fact-finding conference or hearing at which the petitioner, and a person who has properly filed a protest under § 127.426 (relating to filing protests) may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant and other participants will be notified of the time, place and purpose of a conference or hearing, in writing or by publication in a newspaper or the *Pennsylvania Bulletin*, unless the Department determines that notification by telephone will be sufficient. Written comments or requests for a public hearing should be directed to Barbara Hatch at the addresses identified above.

**04-00710: Cronimet Corp.** (421 Railroad Street, E. Rochester, PA 15074) In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) to Cronimet Corp. to authorize the continued operation of their Scrap Metal Processing Plant located in East Rochester Boro., **Beaver County**.

The facility consists of shearing equipment, a torch cutter, a 24,000 acfm dust collector and other miscellaneous equipment associated with this type of operation. Estimated potential emission from this facility is 1.6 tons of total particulate matter (PM) per year.

The proposed SOOP contains conditions relating to emission restrictions, monitoring, recordkeeping, reporting and work practice standards.

Arrangements may be made to review the application at our offices. Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Operating Permit renewal may written comments to Barbara Hatch, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222, 412-442-5226 (bhatch@pa.gov). A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify OP-04-00710), and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held, if DEP, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where DEP determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Barbara Hatch at the location identified above.

**11-00523: Jigging Technologies, LLC** (1008 Club Drive, Johnstown, PA 15905) In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) to Jigging Technologies to authorize the continued operation of their Riders Slag Processing Plant located in East Taylor Township, **Cambria County**.

The facility consists of crushers, screens, conveyors, stockpiles, and access roads. The facility is authorized to



process up to 480,000 tons of steel slag annually, and has the potential to emit up to 70 tons of total particulate matter (PM), 16 tons of PM<sub>10</sub>, and 0.014 ton of HAPs (combined) per year. On-site pressurized water truck is available to control fugitive emissions.

The proposed SOOP contains conditions relating to emission restrictions, monitoring, recordkeeping, reporting and work practice standards.

Arrangements may be made to review the application at our offices. Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Operating Permit renewal may written comments to Barbara Hatch, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222, 412-442-5226 (bhatch@pa.gov). A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify OP-11-00523), and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held, if DEP, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where DEP determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Barbara Hatch at the location identified above.

**65-00613: Tube City IMS** (1155 Business Center Drive, Horsham, PA 19044) In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) to Tube City IMS to authorize the continued operation of their Patton Site located in Belle Vernon, Rostraver Township, **Westmoreland County**.

The facility consists of a diesel-fired generator engine, crushers, screens, conveyors, stockpiles, and roadways. The facility has the potential to emit up to 5 tons of PM<sub>10</sub>, 18.7 tons of NO<sub>x</sub>, 2.2 tons CO and 0.37 ton VOCs on a rolling 12-month basis. Water truck and sprays are used to control fugitive emissions. The proposed SOOP contains conditions relating to applicable emission restrictions, monitoring, recordkeeping, reporting and work practice standards. Conditions were derived from 25 Pa. Code Chapters 101—129.

Arrangements may be made to review the application at our offices by calling 412-442-4000. Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Operating Permit may submit their comments to Barbara Hatch, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222, 412-442-5226 (bhatch@pa.gov). A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify OP-65-00613), and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held, if DEP, in its discretion, decides that such a hearing is warranted based on the

information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where DEP determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Barbara Hatch at the location identified above.

**26-00585: Universal Well Services / Connellsville Camp Facility** (730 Braddock View Dr., P. O. Box 130, Mount Braddock, PA 15465-0130) for the operation of a sand, cement, fly ash, and HCl storage and loading facility for the oil and gas industry located in North Union Township, **Fayette 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.

The subject facility consists of two sand storage tipples equipped with dust collectors, three cement/fly ash storage silos and a mixing operation equipped with a dust collector, two HCl storage tanks equipped with an acid scrubber, an HCl transloading operation equipped with an acid scrubber, a waste oil heater, a diesel storage tank, and paved and unpaved roads and surfaces. The potential emissions from the facility are estimated to be: 0.0 tpy NO<sub>x</sub>, 0.0 tpy CO, 0.0 tpy SO<sub>x</sub>, 9.8 tpy PM, 8.2 tpy PM<sub>10</sub>, 0.0 tpy VOC, and 0.2 tpy HCl.

The facility is required to conduct a weekly survey of the facility during daylight hours while the facility is operating to ensure compliance with the visible emission, fugitive emission and malodor restrictions. Records of the weekly survey performed must be recorded. Monthly preventative maintenance inspections are to be performed on the control devices and recorded in an on-site log. The facility is also required to water all in-plant roads as needed to prevent fugitive emissions across the property line, 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 which earth or other material has been transported by trucking or earth moving equipment, or other means. Particulate matter emissions are not to exceed 0.04 gr/dscf. The proposed authorization is subject to State and Federal Regulations. The permit includes emission limits as well as operation, monitoring, reporting, and recordkeeping requirements.

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 Nick Waryanka, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (26-00585) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Mr. Mark Wayner, Regional Air Quality Program Manager, Department of Environmental Protection, Southwest Region, 400 Water-

front Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Mr. Nick Waryanka, Air Quality Engineer, at the same address or phone at (412) 442-4172.

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

**26-00534: Fayette Thermal, LLC**, (755 Opossum Lake Road, Carlisle, PA, 17013), Minor Source Operating Permit for the operation of a coal, waste coal, biomass-fired steam generation plant, known as the Fayette Thermal Steam Plant, located in Luzerne Township, **Fayette County**.

The facility contains air contamination sources consisting of two coal/waste coal/biomass-fired, 20.7 MMBtu/hr CFB boilers, three natural gas-fired, 9.9 MMBtu/hr, backup boilers, material handling equipment, and three storage silos for limestone, sand, and ash. On the CFB boilers NO<sub>x</sub> emissions are controlled by flue gas recirculation, SO<sub>2</sub> emissions are controlled by limestone injection, and particulate is controlled by fabric filtration. This facility has the potential to emit the following type and quantity of pollutants: 97.9 tons per year of NO<sub>x</sub>, 52.2 tons of SO<sub>2</sub>, 39.7 tons per year of CO, 7.2 tons per year of VOC, 2.9 tons per year of PM<sub>10</sub>, 2.1 tons per year of hydrochloric acid, 2.5 tons per year of the sum of all Hazardous Air Pollutants combined, and 48,225 tons of CO<sub>2</sub>e greenhouse gases. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to state requirements, as well as 40 CFR 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units and 40 CFR 63, Subpart JJJ-JJJ—National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers. The permit includes emission limitations and operational, monitoring, testing, reporting, and recordkeeping requirements for the facility. No emission or equipment changes are authorized by this action.

Arrangements may be made to review the application and other materials at our office by calling (412) 442-4000. Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of this State Only Operating Permit may submit the information to Martin L. Hochhauser, P.E., 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 Operating Permit (specify Operating Permit OP-26-00534), and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

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

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

*Contact: Matthew M. Williams—Telephone: 814-332-6131*

**43-00349: Valley Can, Inc.** (1264 Fredonia Road, Hadley, PA 16130-2612) for renewal of the Natural Minor Operating Permit for their facility in Perry Township, **Mercer County**. The facility is manufacturing refuse containers. The facility's emitting sources include: 1) Existing paint spray booth and, 2) Welding & Plasma cutting operation. The potential emission from the facility is VOC: 6 tons per year and, PM-10: 2 TPY. The welding operation of the facility is not subject to 40 CFR Part 63, Subpart XXXXXX because, due to the facility's NAICS Number: 332322. The surface coating operation is not subject to HHHHHH because the coating paint contained no target HAP. The emissions of pollutants from the facility are less than Title V threshold limits. Thus, the facility is considered a natural minor.

#### PLAN APPROVALS

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

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

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

**GP5-58-002: PVR NEPA Gas Gathering, LLC** (101 West Third Street, Williamsport, PA 17701) to construct and operate five (5) natural gas fired compressor engines (three (3) 1,380 HP, one (1) 2,370 HP, one (1) 690 HP), one (1) dehydration unit with reboiler and enclosed flare, two (2) produced water tanks. Also to operate one (1) existing dehydration unit with reboiler and two (2) existing produced water tanks at the Teel Station in Springville Township, **Susquehanna County**.

#### 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*

**17051601 and NPDES No. PA0235733. Junior Coal Contracting, Inc.**, (2330 Six Mile Road, Philipsburg, PA 16866). To renew the permit for the Leslie Tipple in Decatur Township, **Clearfield County** and related NPDES permit. No additional discharges. The application was considered administratively complete on April 17, 2013. Application received March 1, 2013.

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

**11930102 and NPDES no. PA0212393. E. P. Bender Coal Company, Inc.**, P. O. Box 594, Main and Lehmier Streets, Carrolltown, PA 15722, permit renewal for the continued operation and restoration of a bituminous surface mine in Dean Township, **Cambria County**, affecting 275.8 acres. Receiving stream(s): Little Laurel Run and Clearfield Creek 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 12, 2013.

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

**03080102 and NPDES Permit No. PA0251399. Rosebud Mining Co.** (301 Market St., Kittanning, PA 16201). Renewal application for reclamation only to an existing bituminous surface mine, located in East Franklin Township, **Armstrong County**, affecting 112.3 acres. Receiving streams: unnamed tributaries to Allegheny River, classified for the following use: WWF. The potable water

supply intake within 10 miles downstream from the point of discharge: PA American Water Co./Cadogan Water District. Renewal application received: April 15, 2013.

**03860111 and NPDES Permit No. PA0589144. Rosebud Mining Co.** (301 Market St., Kittanning, PA 16201). Renewal application for reclamation only to an existing bituminous surface mine, located in East Franklin Township, **Armstrong County**, affecting 667.4 acres. Receiving streams: unnamed tributaries to Allegheny River, classified for the following use: WWF. The potable water supply intake within 10 miles downstream from the point of discharge: West Penn Water Co./Kittanning Plant. Renewal application received: April 15, 2013.

**63110101 and NPDES Permit No. PA0252069. Neiswonger Construction, Inc.** (17592 Route 322, Strattanville, PA 16258). Transfer of a pending application from PA Coal Reclamation, Inc. for commencement, operation and reclamation of a bituminous surface mine, located in Deemston Borough, **Washington County**, affecting 24.4 acres. Receiving streams: unnamed tributaries to Ten Mile Creek and Ten Mile Creek, classified for the following use: TSF. The potable water supply intake within 10 miles downstream from the point of discharge: Tri-County Joint Municipal Authority. Application received: February 26, 2013.

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

**16110102. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) Revision to an existing bituminous surface mine to add 44.7 acres in Monroe Township, **Clarion County** affecting a total of 189.2 acres. Receiving streams: Unnamed tributaries to Brush Run and unnamed tributaries to Piney Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: April 11, 2013.

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

**54920103R4. Rausch Creek Land, LP**, (978 Gap Street, Valley View, PA 17983), renewal for reclamation activities only of an existing anthracite surface mine operation in Tremont Township, **Schuylkill County** affecting 47.6 acres, receiving stream: none. Application received: April 8, 2013.

#### *Noncoal Applications Returned*

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

**08110306 and NPDES No. PA0257702. Simonds Excavating, Inc.** (301 Shepard Road, Sayre, PA 18840). Commencement, operation and restoration of a large industrial mineral surface mine (shale, bluestone) located in Stevens Township, **Bradford County** affecting 67.6 acres. Receiving streams: Unnamed Tributaries 1, 2 and 4 to Wyalusing Creek classified for Warm Water Fishes. Application received: June 10, 2011. Permit denied April 18, 2013.

#### *Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**Permit No. 40A76SM1 and NPDES Permit No. PA0212521. Keystone Lime Company, Inc.,** P. O. Box 278, Springs, PA 15562, renewal of NPDES Permit, Elk Lick Township, **Somerset County**. Receiving stream(s): unnamed tributary to Laurel Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received April 10, 2013.

**Permit No. 56070301 and NPDES Permit No. PA0262340. Keystone Lime Company, Inc.,** P. O. Box 278, Springs, PA 15562, renewal of NPDES Permit, Elk Lick Township, **Somerset County**. Receiving stream(s): unnamed tributary to Laurel Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received April 10, 2013.

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

**58130301. F.S. Lopke Contracting, Inc.,** (3430 SR 434, Appalachian, NY 13732), commencement, operation and restoration of a sandstone/shale quarry operation in Harford Township, **Susquehanna County** affecting 83.0 acres, receiving streams: Martins Creek and East Branch Martins Creek, classified for the following uses: cold water and migratory fishes. Application received: March 27, 2013.

**MINING ACTIVITY NPDES DRAFT PERMITS**

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

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

*Effluent Limits for Coal Mining Activities*

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

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

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

\*The parameter is applicable at all times.

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

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

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

*Effluent Limits for Noncoal Mining Activities*

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

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

\* The parameter is applicable at all times.

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

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

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

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

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

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

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

*Coal NPDES Draft Permits*

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

**NPDES No. PA0213667 (Mining Permit No. 03871303), Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). A renewal to the NPDES and mining activity permit for the Darmac No. 2 Deep Mine in Plumcreek and Washington Townships, **Armstrong County** and Armstrong Township and Shelocta Borough, **Indiana County**. Surface Acres Affected 1.0, Underground Acres Affected 2,427.3. Receiving stream: Dutch Run, classified for the following use: CWF. Crooked Creek Watershed TMDL. The application was considered administratively complete on June 27, 2012. Application received May 2, 2012.

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

*Outfall 006* discharges to: Dutch Run

The proposed effluent limits for *Outfall 006* (Lat: 40° 41' 28" Long: 79° 18' 27") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	2.0	
Iron (mg/l)		2.3	4.6	5.8
Manganese (mg/l)		1.5	3.0	3.8
Aluminum (mg/l)		0.8	1.6	2.0
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		50	50	50
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Specific Conductance (umho)		-	-	REPORT

**NPDES No. PA0235679 (Mining Permit No. 32061301), Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). A renewal to the NPDES and mining activity permit for the Starford Mine in Green and Cherryhill Townships, **Indiana County**. Surface Acres Affected 111.7, Underground Acres Affected 4,919.2. Receiving stream: Pompey Run, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watersheds TMDL. The application was considered administratively complete on December 18, 2012. Application received May 18, 2012.

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

*Outfall 001* discharges to: Pompey Run

The proposed effluent limits for *Outfall 001* (Lat: 40° 42' 00" Long: 78° 56' 40") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	1.3	-
Iron (mg/l)		2.7	5.4	6.8
Manganese (mg/l)		1.73	3.5	4.3
Aluminum (mg/l)		0.65	1.3	1.6
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		50	100	125
Sulfates (mg/l)		198	395	494
Total Dissolved Solids (mg/l)		335	670	837
Chlorides (mg/l)		-	-	REPORT

*Outfall 002* discharges to: Pompey Run

The proposed effluent limits for *Outfall 002* (Lat: 40° 42' 05" Long: 78° 57' 12") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.38	-
Iron (mg/l)		2.7	5.4	6.8
Manganese (mg/l)		1.73	3.5	4.3
Aluminum (mg/l)		0.4	0.75	0.9
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		50	100	125
Sulfates (mg/l)		198	395	494
Total Dissolved Solids (mg/l)		335	670	837
Chlorides (mg/l)		-	-	REPORT

*Outfall 003* discharges to: Pompey Run

The proposed effluent limits for *Outfall 003* (Lat: 40° 42' 05" Long: 78° 56' 12.1") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.38	-
Iron (mg/l)		1.5	3.0	3.8
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.4	0.75	0.9
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		50	100	125
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT

*Outfall 004* discharges to: Pompey Run

The proposed effluent limits for *Outfall 004* (Lat: 40° 42' 00" Long: 78° 57' 0.8") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.38	-
Iron (mg/l)		1.5	3.0	3.8
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.4	0.75	0.9
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		50	100	125
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT

*Outfall 005* discharges to: Pompey Run

The proposed effluent limits for *Outfall 005* (Lat: 40° 42' 01" Long: 78° 56' 50") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.38	-
Iron (mg/l)		1.5	3.0	3.8
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.4	0.75	0.9
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		50	100	125
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT

**NPDES No. PA0235687 (Mining Permit No. 03061301), Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). A renewal to the NPDES and mining activity permit for the TJS No. 6 Deep Mine in Plumcreek Township, **Armstrong County**. Surface Acres Affected 25.5, Underground Acres Affected 1,544.8. Receiving stream: Plum Creek, classified for the following use: TSF. Crooked Creek Watershed TMDL. The application was considered administratively complete on January 9, 2013. Application received May 29, 2012.

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

*Outfall 001* discharges to: Plum Creek

The proposed effluent limits for *Outfall 001* (Lat: 40° 42' 29.5" Long: 79° 18' 28") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	1.45	
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		-	-	REPORT
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT

*Outfall 002* discharges to: Plum Creek

The proposed effluent limits for *Outfall 002* (Lat: 40° 42' 26.6" Long: 79° 18' 25.2") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	1.08	
Iron (mg/l)		0.8	1.6	1.9
Manganese (mg/l)		0.04	0.1	0.2
Aluminum (mg/l)		0.8	1.6	1.9
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		10	19	24
Sulfates (mg/l)		46	92	115
Total Dissolved Solids (mg/l)		462	924	1155
Chlorides (mg/l)		-	-	REPORT

**NPDES No. PA0236128 (Mining Permit No. 03110701), Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). A new NPDES and mining activity permit for the Logansport Refuse Disposal Area No. 1 in Bethel Township, **Armstrong County**. Surface Acres Affected 106.7. Receiving stream: Allegheny River and Unnamed Tributaries to Allegheny River, both classified for the following use: WWF. The application was considered administratively complete on January 23, 2012. Application received August 3, 2011.

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

*Outfall 001* discharges to: Unnamed Tributary to Allegheny River

The proposed effluent limits for *Outfall 001* (Lat: 40° 44' 39" Long: 79° 35' 05") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	3.7	-
Iron (mg/l)		1.5	3.0	3.8
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.38	0.75	0.94
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	REPORT

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Dissolved Solids	(mg/l)		-	-	REPORT
Osmotic Pressure	(mos/kg)		-	-	REPORT
Specific Conductance	(umho)		-	-	REPORT
Chlorides	(mg/l)		-	-	REPORT

*Outfall 002* discharges to: Unnamed Tributary to Allegheny River

The proposed effluent limits for *Outfall 002* (Lat: 40° 44' 31" Long: 79° 34' 41") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)		-	1.7	-
Iron	(mg/l)		1.5	3.0	3.8
Manganese	(mg/l)		1.0	2.0	2.5
Aluminum	(mg/l)		0.38	0.75	0.94
Total Suspended Solids	(mg/l)		35	70	90
Sulfates	(mg/l)		-	-	REPORT
Total Dissolved Solids	(mg/l)		-	-	REPORT
Osmotic Pressure	(mos/kg)		-	-	REPORT
Specific Conductance	(umho)		-	-	REPORT
Chlorides	(mg/l)		-	-	REPORT

*Outfall 003* discharges to: Allegheny River

The proposed effluent limits for *Outfall 003* (Lat: 40° 44' 44" Long: 79° 34' 55") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)		-	0.6	-
Iron	(mg/l)		1.5	3.0	3.8
Manganese	(mg/l)		1.0	2.0	2.5
Aluminum	(mg/l)		0.38	0.75	0.94
Total Suspended Solids	(mg/l)		35	70	90
Total Dissolved Solids	(mg/l)		-	-	REPORT
Sulfates	(mg/l)		-	-	REPORT
Osmotic Pressure	(mos/kg)		-	-	REPORT
Specific Conductance	(umho)		-	-	REPORT
Chlorides	(mg/l)		-	-	REPORT

*Outfall 004* discharges to: Unnamed Tributary to Allegheny River

The proposed effluent limits for *Outfall 004* (Lat: 40° 44' 48" Long: 79° 34' 36") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)		-	0.6	-
Iron	(mg/l)		1.5	3.0	3.8
Manganese	(mg/l)		1.0	2.0	2.5
Aluminum	(mg/l)		0.38	0.75	0.94
Total Suspended Solids	(mg/l)		35	70	90
Sulfates	(mg/l)		-	-	REPORT
Total Dissolved Solids	(mg/l)		-	-	REPORT
Osmotic Pressure	(mos/kg)		-	-	REPORT
Specific Conductance	(umho)		-	-	REPORT
Chlorides	(mg/l)		-	-	REPORT

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

**NPDES No. PA0262315 (Mining permit no. 31070101), Ferlitch Construction Company, Inc.**, renewal of an NPDES permit for a bituminous surface mine in Wood Township, **Huntingdon County**, affecting 48.1 acres. Receiving stream(s): unnamed tributary to Great Trough Creek, classified for the following use(s): trout stocked fishery. Application received: April 2, 2013.

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

The treated wastewater outfall(s) listed below discharge to unnamed tributary to Great Trough Creek.

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



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

<i>Outfalls: 001 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	1.6	3.2	4.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The stormwater outfall(s) listed below discharge to unnamed tributary to Great Trough Creek.

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

**NPDES No. PA0593931 (Mining permit no. 01870301), Vulcan Construction Materials, LP**, 875 Oxford Avenue, Hanover, PA 17331 renewal of an NPDES permit for noncoal surface mine in Oxford, Conewago and Berwick Townships, **Adams County**, affecting 1,292.7 acres. Receiving stream(s): Slagle Run and North Stream to South Branch Conewago Creek, classified for the following use(s): warm water fishery. This receiving stream is included in the Conewago Creek TMDL. Application received: February 15, 2012.

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

The outfall(s) listed below discharge to Slagle Run and North Stream.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001, 002, 003, 003A, 003B and 004	N

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

<i>Outfalls: 001, 002, 003, 003A, 003B, 004 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The combined discharges from 003, 003A, 003B and 004 shall not exceed 28.8 MGD for monthly average.

The discharge from 002 shall not exceed 0.5 MGD for monthly average.

#### *Noncoal NPDES Draft Permits*

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

**Permit No. 40A76SM1 and NPDES Permit No. PA0212521. Keystone Lime Company, Inc.**, P. O. Box 278, Springs, PA 15562, renewal of NPDES Permit, Elk Lick Township, **Somerset County**. Receiving stream(s): unnamed tributary to Laurel Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received April 10, 2013.

**Permit No. 56070301 and NPDES Permit No. PA0262340. Keystone Lime Company, Inc.**, P. O. Box 278, Springs, PA 15562, renewal of NPDES Permit, Elk Lick Township, **Somerset County**. Receiving stream(s): unnamed tributary to Laurel Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received April 10, 2013.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control

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

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

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

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E09-971. Milford Township**, PO Box 86, Spinnerstown, PA 18968, Milford Township, **Bucks County**, ACOE Philadelphia District.

To maintain an existing dry hydrant with intake structures in and along the Unami Creek (HQ, CWF) and to install and maintain appurtenant riprap protection.

The site is located near the intersection of Trumbauersville and Canary Roads (Milford Square, PA, USGS Quadrangle: N: 2.75 inches; W: 6.75 inches).

**E46-1090. Mark Flanders, Borough of Pottstown**, 100 East High Street, Pottstown, PA 19464, Pottstown Borough, **Montgomery County**, ACOE Philadelphia District.

To perform minor grading activities within the 100-year floodplain of the Manatawny Creek (CWF-MF) to support the redevelopment of a former industrial property into a Borough Park to include a miniature golf course, an entertainment facility and a parking lot.

The site is located between West King Street and West High Street, and along the westerly side of the Manatawny Creek (Pottstown, PA USGS Quadrangle N: 22.15 inches W: 4.38 inches).

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

**E13-175. PA Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106, in Franklin Township, **Carbon County**, U.S. Army Corps of Engineers, Philadelphia District.

To remove the existing four-span structure and to construct and maintain a 93' - 10.5" wide, 400-foot three-span prestressed concrete multi-girder bridge across Pohopoco Creek (CWF, MF) having an underclearance of approximately 25 feet. The project is located on the Pennsylvania Turnpike approximately 0.3 mile from the interchange with State Route 209 (Lehigh, PA Quadrangle, Latitude: 40°50'21"; Longitude: -75°40'2").

**E52-237. Blooming Grove Hunting and Fishing Club**, 123 Old Field Road, Hawley, PA 18428-6092, in Blooming Grove Township, **Pike County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a stream restoration project in a 1,100-foot reach of Shohola Creek (EV) for the purpose of providing stream bank protection and aquatic habitat with work consisting of:

1. The removal of existing in-stream dam remnants, logs, root wads, rock vane structures, mid-channel bars and embankment borrow areas;

2. The placement of in-stream fish enhancement structures including 1 log cross vane with boulder placement, 9 log j-hook arms with floodway sills, 9 rock j-hook vanes, and the backfill and minor re-grading of various channel embankments, and bank full bench areas;

3. Permanently impact 0.002 acre of wetland for the construction of fish enhancement structures.

The project begins approximately 4,000 feet upstream from where Shohola Creek (EV) intersects Interstate 84 and extends upstream from that point for approximately 1,100 linear feet (Pecks Pond, PA Quadrangle, Latitude: 41° 20' 59"; Longitude: -75° 06' 12").

**E35-445. Mr. Xiang Wang**, 8 Phillene Drive, Norwalk, CT 06851, in Clifton Township, **Monroe County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 6-foot by 16-foot floating dock in Big Bass Lake (EV). The project is located along Lake Drive West approximately 1,000 feet north of its intersection with Cardinal Road along the western shore of Big Bass Lake of the Big Bass Lake Community Association (Sterling, PA Quadrangle, Latitude: 41°15'25"; Longitude: -75°29'40").

**E64-297. Mr. Stephen R. Rabel**, 697 Finn Swamp, Lakeville, PA 18438, in Paupack Township, **Wayne County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 10-foot wide wood bridge having a 30-foot span and a 2-foot underclearance, across a UNT to Wallenpaupack Creek (HQ-CWF, MF). The project is located approximately 0.15 mile north of the intersection of Finn Swamp Road and Lake Shore Drive (Lakeville, PA Quadrangle, Latitude: 41°26'15.9"; Longitude: -75°16'0.1").

**E40-743. Shannon Properties, LP**, P. O. Box 803, Bloomsburg, PA 17815, in Conyngham Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To place and maintain fill in the floodway of an Unnamed Tributary to Nescopeck Creek (CWF, MF) including an asphalt parking lot, a stormwater outfall with riprap apron, and two stormwater management impoundment areas for the purpose of constructing a commercial building. General Permit No. GP074010412 was previously issued to construct an access driveway crossing of Nescopeck Creek and adjoining wetlands. The project is located along S.R. 93, approximately 300 feet south of the intersection of S.R. 93 and Brookhill Road (Conyngham, PA Quadrangle, Latitude: 41°59'36.8"; Longitude: -76°04'09").

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

**E06-687: Township of Union**, 1445 East Main Street, Douglassville, PA 19518 in Union Township, **Berks County**, ACOE Philadelphia District

To install and maintain 1) two 42.0-foot long 30.0-inch diameter HDPE slipline pipes inside two existing 36.0-inch diameter corrugated metal pipe culverts in an unnamed tributary to Sixpenny Creek (CWF, MF), 2) 25-linear feet of riprap bank protection along an unnamed tributary to Sixpenny Creek (CWF, MF), and 3) a 10-linear foot cross rock vein in an unnamed tributary to Sixpenny Creek (CWF, MF) all in Union Township, Berks County. The project proposes to permanently impact 80 linear feet of stream, temporarily impact 45 linear feet of stream, and have no wetland impact.

**E06-688: PA Department of Transportation Engineering District 5-0**, 1002 Hamilton Street, Allentown, PA 18101 in Maxatawny Township, **Berks County**, ACOE Philadelphia District

To install and maintain 200 linear feet of permanent underground drainage (U-drain) pipe parallel to S.R. 1024, Segment 0050 permanently impacting 0.01 acre (600 square feet) of Palustrine Emergent exceptional value wetland and temporarily impacting 0.01 acre (1,000 square feet) of PEM exceptional value wetland associated with an unnamed tributary to Mill Creek (TSF, MF) for the purpose of improving roadway safety. The project is located along S.R. 1024, in Maxatawny Township, Berks County (Latitude: N 40° 33' 47.51" and Longitude: W 75° 45' 09.53"). Permanent wetland impacts are considered de minimus and wetland replacement is not required.

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

**E59-518. Tioga County Commissioners**, 118 Main Street, Wellsboro, PA 16901. Knox Road (T-402) bridge replacement over Cowaneque River in Deerfield Township, **Tioga County**, ACOE Baltimore District (Knoxville, PA Quadrangle Lat: 41° 56' 56"; Long: -77° 27' 33").

To construct and maintain a two span continuous composite prestressed concrete bulb-tee beam bridge with two normal spans of 87.26 feet (two clear spans of 90.33 feet), an underclearance of approximately 11.0 feet at the centerline of the upstream bridge face and a skew of 75°, carrying Knox Road (T-402) over Cowanesque River, in Deerfield Township, Tioga County.

The proposed bridge will not increase surface runoff or upstream backwater elevations. This project will not permanently impact wetlands, cultural or archaeological resources, national/state/local parks, forests recreational areas, landmarks wildlife refuge or historical sites. The total estimated permanent stream disturbance for the project is approximately 48 feet and the total estimated temporary stream disturbance of approximately 125 feet. There are no wetlands present. Cowanesque River is listed in 25 Pa. Code Chapter 93 for water quality standards as a WWF (Warm Water Fishery) and as a MF (Migratory Fish).

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

**E04-344. Chippewa Township Sanitary Authority**, 2811 Darlington Road, Beaver Falls, PA 15010, Chippewa Township, **Beaver County**; ACOE Pittsburgh District

The applicant proposes to construct and maintain a 1,650' long gabion basket wall along the left descending bank of Brady Run (TSF) and to excavate and remove streambed material from 450' along the opposite bank of Brady Run, for the purpose of stabilizing the stream bank and protecting portions of an existing 18" RCP sanitary sewer and associated manholes. The project is located at 701 Constitution Blvd., Chippewa Township, PA 15010 (Beaver, PA Quadrangle: N: 22.5 inches; W: 12.5 inches Sub-basin 20B, Chapter 93 Type TSF; Latitude: 40° 44' 56"; Longitude: 80° 20' 25").

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

**E4129-074: Anadarko E&P Onshore LLC**, 33 West Third Street, Suite 200, Williamsport, PA 17701, Pine Township, **Lycoming County**, ACOE Baltimore District. To construct, operate, and maintain:

1) two 6-inch gas pipelines, one 12-inch waterline, two 6-inch waterlines, one fiber optic/electric line and a timber mat bridge impacting 7,984 square feet of

palustrine emergent (PEM) wetland (English Center, PA Quadrangle 41°29'40"N 77°16'25"W).

The project will result in a total of 0.18 acre of temporary wetland impacts all for the purpose of installing a natural gas gathering line, water line, and temporary access roadways for Marcellus well development.

**E0829-016: Talisman Energy USA, Inc.**, 50 Penn-wood Place, Warrendale, PA 15086, Wells Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 12 inch diameter natural gas line, and a 6 inch diameter waterline impacting 833 square feet of a Palustrine Emergent Wetland (Gillett, PA Quadrangle, Latitude: 41°57'04", Longitude: -76°51'14");

2. a 12 inch diameter natural gas line, a 6 inch diameter waterline and a 20 foot wide timber mat impacting 76 linear feet of an unnamed tributary to Beckwith Creek (Gillett, Pa Quadrangle, Latitude: 41°56'57", Longitude:-76°51'19");

3. a 20 foot wide timber mat impacting 116 square feet of a Palustrine Emergent Wetland (Gillett, PA Quadrangle, Latitude: 41°56'51", Longitude: -76°51'23");

4. a 12 inch diameter natural gas line, a 6 inch diameter waterline and a 20 foot wide timber mat impacting 7,868 square feet of a Palustrine Emergent Wetland (Gillett, PA, Latitude: 41°56'51", Longitude: -76°51'32");

5. a 12 inch diameter natural gas line, a 6 inch diameter waterline and a 20 foot wide timber mat impacting 3,275 square feet of a Palustrine Emergent Wetland (Gillett, PA Quadrangle, Latitude: 41°56'47", Longitude: -76°51'57");

6. a 12 inch diameter natural gas line, a 6 inch diameter waterline and a 20 foot wide timber mat impacting 70 linear feet of an unnamed tributary to Beckwith Creek (CWF, MF) and an adjacent Palustrine Emergent Wetland impacting 1,354 square feet (Gillett, PA Quadrangle, Latitude: 41°56'46", Longitude: -76°51'58");

7. a 12 inch diameter natural gas line, a 6 inch diameter waterline and a 20 foot wide timber mat impacting 70 linear feet of an unnamed tributary to Beckwith Creek (CWF, MF) and an adjacent Palustrine Emergent Wetland impacting 923 square feet (Gillett, PA Quadrangle, Latitude: 41°56'33", Longitude: -76°51'56");

8. a 12 inch diameter natural gas line, a 6 inch diameter waterline and a 20 foot wide timber mat impacting 3,718 square feet of a Palustrine Emergent/Scrub-Shrub Wetland (Gillett, PA Quadrangle, Latitude: 41°56'31", Longitude: -76°51'56");

9. a 12 inch diameter natural gas line, a 6 inch diameter waterline and a 20 foot wide timber mat impacting 1,898 square feet of a Palustrine Emergent Wetland (Gillett, PA Quadrangle, Latitude: 41°56'29", Longitude: -76°51'56");

10. a 12 inch diameter natural gas line, a 6 inch diameter waterline and a 20 foot wide timber mat impacting 60 linear feet of an unnamed tributary to Beckwith Creek (CWF,MF) (Gillett, PA, Latitude: 41°56'17", Longitude: -76°51'56");

11. a 12 inch diameter natural gas line, a 6 inch diameter waterline and a 20 foot wide timber mat

impacting 554 square feet of a Palustrine Emergent Wetland (Gillett, PA Quadrangle, Latitude: 41°56'14", Longitude: -76°51'56");

12. a 12 inch diameter natural gas line, a 6 inch diameter waterline and a 20 foot wide timber mat impacting 1,408 square feet of a Palustrine Emergent Wetland (Gillett, PA Quadrangle, Latitude: 41°56'15", Longitude: -76°52'01");

13. a 12 inch diameter natural gas line, and a 6 inch diameter waterline impacting 340 square feet of a Palustrine Emergent Wetland (Gillett, PA Quadrangle, Latitude: 41°56'15", Longitude: -76°52'21");

14. a 12 inch diameter natural gas line, a 6 inch diameter waterline and a 20 foot wide timber mat impacting 104 linear feet of Beckwith Creek (CWF, MF) and an adjacent Palustrine Emergent/Scrub-Shrub Wetland impacting 31,023 square feet (Millerton, PA Quadrangle, Latitude: 41°56'15", Longitude: -76°52'45");

This project is a modification of the original E0829-016 that had an action date of December 17, 2011. The project will result in 380 linear feet and 1,951 square feet of temporary stream impacts and 51,618 square feet (1.18 acres) of temporary PEM and 1,691 square feet (.04 acre) of PSS wetland impacts all for the purpose of installing a natural gas pipeline and a water line with associated access roadways.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA22-019: City of Harrisburg**, 123 Walnut St, Suite 212, Harrisburg, PA 17101 in Harrisburg City, **Dauphin County**, ACOE Baltimore District

To 1.) re-grade and maintain 342.0 feet of Asylum Run (WWF, MF); 2.) remove of 988 cubic yards of fill from the floodway of Asylum Run (WWF, MF); 3.) install and maintain 342.0 feet of rock toe bank revetment along Asylum Run (WWF, MF); 4.) remove two 192.0-foot long, 30.0-inch diameter CMP pipes in an unnamed tributary to Asylum Run (WWF, MF); 5.) install and maintain two 143.0 foot long 30.0 inch diameter HDPE pipes with concrete riser and end wall structures in an unnamed tributary to Asylum Run (WWF, MF); 6.) remove 637 cubic yards of fill from the floodway and floodplain of an unnamed tributary to Asylum Run (WWF, MF); all for the

purposes of restoring the stream and floodplain and reducing the downstream flooding risk. The project is located off of State Farm Drive (Latitude: 40° 17' 29.2"N; Longitude: 76° 51' 36.6"W) in Susquehanna Township, Dauphin County.

**EA67-022: Codorus Creek Watershed Association**, PO Box 2881, York, PA in Springfield and Codorus Townships, **York County**, ACOE Baltimore District

To construct and maintain two (2) rock cross vanes, five (5) log vane deflectors, two (2) J-hook rock vane deflectors, 272 linear feet of rock toe protection, 135 linear feet of toe wood protection, 941 linear feet of stream relocation and bank grading, and one temporary stream crossing, all for the purpose of restoring and stabilizing 755 linear feet of South Branch Codorus Creek (WWF). The project is located on a reach of stream located just upstream of Springfield Road along the border of Springfield and Codorus Townships, York County (York, PA Quadrangle, Latitude: 39° 48' 40", Longitude: -76° 45' 10").

**EA67-021: Codorus Creek Watershed Association**, PO Box 2881 York, PA in Springfield and Codorus Townships, **York County**, ACOE Baltimore District

To construct and maintain three (3) rock cross vanes, seven (7) log vane deflectors, ten (10) J-hook rock vane deflectors, one (1) J-hook log vane deflector, one (1) stone deflector, 200 linear feet of modified mud sill, 430 linear feet of toe wood protection, 2,385 linear feet of bank grading, and three temporary stream crossings, all for the purpose of restoring and stabilizing 2,900 linear feet of South Branch Codorus Creek (WWF). The project is located on a reach of stream located just downstream of Springfield Road along the border of Springfield and Codorus Townships, York County (York, PA Quadrangle, Latitude: 39° 48' 59", Longitude: -76° 45' 20").

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, P. O. Box 8460, Harrisburg, PA 17105-8460*

**D37-004EA. Mr. Brian David**, 372 Eastbrook-Harlensburg Road, New Castle, PA 16105, Hickory Township, **Lawrence County**, USACOE Pittsburgh District.

Project proposes to breach McConnell Dam located across Hottenbaugh Run (TSF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition (New Castle North, PA Quadrangle; Latitude: 41.0440, Longitude: -80.2587).

## ACTIONS

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

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

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

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

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

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

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

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

### I. NPDES Renewal Permit Actions

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

<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>
PA0035611 (Sewage)	PennDOT Safety Rest Area Site #56 WWTP Interstate 81 Southbound Lenox Twp, PA 18446	Susquehanna County Lenox Township	Unnamed Tributary to East Branch Tunkhannock Creek (04F)	Y
PA0061441 (Sewage)	Freeman Mobile Home Park Monroe Township, PA 18612	Wyoming County Monroe Township	Unnamed Tributary to Leonard Creek (4-G)	Y
PA0065145 (Sewage)	The Preserve At Dunn Lake May & Dunn Pond Roads Thompson, PA 18465	Susquehanna County Ararat Township	Unnamed Tributary to East Branch Lackawanna River (05A)	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>
PA0086894 (Sew—Transfer)	Country View Manor Park, LLC PO Box 66 East Berlin, PA 17316-0066	York County Washington Township	UNT to Red Run / 7-F	Y
PA0246891 (IW—Stormwater)	Letterkenny Army Depot Open Burning / Open Detonation Grounds 1 Overcash Ave., AMLD-EN Bldg 14 Chambersburg, PA 17201-4150	Franklin County Letterkenny Township	UNT of Rocky Spring Branch / 13-C	Y
PA0087742 (Sew)	Eagle's Peak Campground 905 16th Place Vero Beach, FL 32960-5526	Lebanon County Millcreek Township	UNT to Furnace Creek / 3-C	Y
PA0080560 (IW—Stormwater)	TA Operating Corp LLC 24601 Center Ridge Road Suite 200 Westlake, OH 44145-5634	Dauphin County West Hanover Township	UNT to Manada Creek / 7-D	Y
PA0035653 (Sew)	PA DOT Bureau of Design PO Box 3060 Harrisburg, PA 17105-3060	Fulton County Brush Creek Township	UNT to Brush Creek / 11-C	Y

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

<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>
PA0209511 (Sewage)	Sullivan Township WWTP P O Box 84 Mainesburg, PA 16932	Tioga County, Sullivan Township	Corey Creek (4-A)	N

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

<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>
PA0097462 Industrial Waste	ICMSA 602 Kolter Dr Indiana, PA 15701	Cambria Cnty Susquehanna Twp	Peg Run	Y
PA0216500 Industrial Waste	N Fayette Cnty Muni Auth 899 Riverside Dr Connellsville, PA 15425	Fayette Cnty Dunbar Twp	Youghiogheny River	Y
PA0216500 Industrial Waste	CBS Corp Nat City Ctr 20 Stanwix St PGH, PA 15222	Beaver Cnty Vanport Twp	Ohio River	Y
PA0092487 Sewage	Ninos Rest 546 Three Mile Hill Rd Mt Pleasant, PA 15666	Fayette Cnty Bullskin Twp	UNT to Jacobs Creek	Y

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

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

**NPDES Permit No. PA0051250**, Sewage, **Bucks County Water and Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge an average annual flow of 0.425 mgd of treated sewage from a facility known as Kings Plaza STP to Neshaminy Creek in Watershed 2F.

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

**NPDES Permit No. PA0070505**, SIC Code 2869, **GEO Specialty Chemicals Inc.**, 2409 N Cedar Crest Boulevard, Allentown, PA 18104-9733.

This existing facility is located in South Whitehall Township, **Lehigh County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated industrial wastewater and non-contact cooling water.

**NPDES Permit No. PA0070505**, SIC Code 2869, **GEO Specialty Chemicals Inc.**, 2409 N Cedar Crest Boulevard, Allentown, PA 18104-9733.

This existing facility is located in South Whitehall Township, **Lehigh County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated industrial wastewater and non-contact cooling water.

**NPDES Permit No. PA0009270 A-1**, Industrial, SIC Code 2047, **Del Monte Corp**, 6670 Low Street, Bloomsburg, PA 17815-8613.

This existing facility is located in South Centre Township, **Columbia County**.

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

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

**NPDES Permit No. PAS326103**, Industrial Waste, **Redev Auth Allegheny Cnty**, 425 Sixth Ave, PGH, PA 15219

This proposed facility is located in Rankin Boro, **Allegheny Cnty**

Description of Proposed Action/Activity: Permit issuance for discharge of untreated storm water runoff.

**NPDES Permit No. PA0026328**, Sewage, **Hopewell Twp**, 1700 Clark Blvd, Aliquippa, PA 15001

This proposed facility is located in Hopewell Twp, **Beaver Cnty**

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

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

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

**WQM Permit No. 1598201**, Industrial Waste, **Herr Foods, Inc.**, 273 Old Baltimore Pike, Nottingham, PA 19362.

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

Description of Action/Activity: Permit renewal for modifications and continued operation of the Herr Foods, Inc. IWTP.

**WQM Permit No. 4613401**, Sewage, **Upper Gwynedd Township**, P. O. Box 1, Parkside Place, West Point, PA 19486.

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

Description of Action/Activity: Enlarging approximately 2000 length feet of the existing Upper Gwynedd Interceptor (East) from 10 or 12 inch to 16 inch pipe.

**WQM Permit No. 1596201**, Industrial Waste, **Renewal, Deluxe Corp.**, 3680 Victoria Street North, Shoreview, MN 55126-2966.

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

Description of Action/Activity: Renewal of continued operation of the existing groundwater remediation system via air stripper with subsurface infiltration gallery.

**WQM Permit No. 1594403**, Sewage, **Renewal, West Vincent Township**, 729 St. Matthews Road, Chester Springs, PA 19425.

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

Description of Action/Activity: Permit renewal of continued operation of the existing sewage treatment plant.

**WQM Permit No. 1594418**, Sewage, **Renewal, Kennett Township**, 1001 E. Baltimore Pike, P. O. Box 230, Kennett Square, PA 19348.

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

Description of Action/Activity: Permit renewal of continued operation of the Ashford Wastewater Treatment Plant.

**WQM Permit No. WQG02231202**, Sewage, **Concord Township**, 43 Thornton Road, Glen Mills, PA 19342-1345.

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

Description of Action/Activity: Construction and operation of a grinder pump connected to a common low pressure sewer system.

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

**WQM Permit No. 3513402**, Sewage, SIC Code 4952, **Lackawanna River Basin Sewer Authority**, P. O. Box 280, Olyphant, PA 18477.

This existing facility is located in Archbald Borough, **Lackawanna County**.

Description of Proposed Action/Activity: Upgrade of existing treatment plant headworks including CSO diversion, flow metering, screening and grit removal equipment.

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

**WQM Permit No. 6796405 Transfer 1**, Sewerage, **Country View Manor Park, LLC**, PO Box 66, East Berlin, PA 17316-0066.

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

Description of Proposed Action/Activity: Transfer approval of sewage facilities consisting of equalization, aeration, clarification, chlorination, dechlorination, flow metering, post aeration, and sludge handling units. The facility was designed to serve 20 existing mobile homes and 30 more anticipated connections.

**WQM Permit No. WQG02061202**, Sewerage, **Lower Heidelberg Township Municipal Authority**, Berks County, 720 Brownsville Road, Sinking Springs, PA 19608-9727.

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

Description of Proposed Action/Activity: General permit approving the construction and operation of a sewer extension and pump station.

**WQM Permit No. 1513250**, CAFO, **Michael Laffey, Glenville Farms**, 2084 Glenville Road, Cochranville, PA 19330.

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

Description of Proposed Action/Activity: Permit approval for the construction / operation of manure storage facilities consisting of: A compacted clay and HDPE lined 90' x 180' x 12' deep manure storage lagoon with a storage capacity of 442,000 gallons at a 2 foot free board. Design will include leak detection and perimeter drain if necessary, concrete access ramp and bottom for solids removal and a push off ramp with a concrete apron leading from the heifer barn. This new lagoon will replace an existing earthen manure storage for a heifer satellite farm at 650 Gum Tree Road Heifer Farm.

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

**WQM Permit No. 6512200**, Industrial Waste, **Royal Window & Door Profiles**, One Contact Place, Delmont, PA 15626-1402

This proposed facility is located in Salem Twp, **Westmoreland Cnty**

Description of proposed Action/Activity: Permit issuance for the construction and operation of a treatment facility.

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

**WQM Permit No. 2503416**, Sewage, **Transfer No. 1, Mark A Chamberlin**, 9205 Footmill Road, Erie, PA 16509.

This existing facility is located in Summit Township, **Erie County**.

Description of Proposed Action/Activity: Transfer of permit for a single residence sewage treatment plant.

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

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

Facility Location

Municipality & County	Permit No.	Applicant Name & Address	Receiving Water / Use	Contact Office & Phone No.
Easttown Township Chester County	PAI130509	Easttown Township Chester County 566 Beaumont Road P O Box 79 Devon, PA 19333-0079	Darby Creek, Julip Run, Unnamed Tributary of Crum Creek, Unnamed Tributary of Darby Creek, Unnamed Tributary to Crum Creek, Unnamed Tributary to Darby Creek and Unnamed Tributary to Trout Creek—3-F and 3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water / Use	DEP Protocol (Y/N)
PAG133604	Newry Borough PO Box 245 Newry, PA 16665	Blair	Newry Borough	Unnamed Tributary to Poplar Run/ CWF	Y

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water / Use	DEP Protocol (Y/N)
PAG136169 Recommended for Waiver	Fallston Boro 158 Beaver St New Brighton, PA 15066	Beaver	Falston Boro	Bradys Run	N
PAG136169 Recommended for Waiver	Fallston Boro 158 Beaver St New Brighton, PA 15066	Beaver	Falston Boro	Bradys Run	N
PAG136255 Recommended for Waiver	Rosslyn Farms Boro 200 Rosslyn Rd Carnegie, PA 15106	Allegheny	Rosslyn Farms Boro	Chartiers Creek	Y

**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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water / Use
PAI01 1508045	The Hankin Group 707 Eagleview Boulevard P. O. Box 561 Exton, PA 19341	Chester	Upper Uwchlan Township	Marsh Creek HQ-TSF-MF

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water / Use
PAI023903037R(3)	Upper Macungie Township 8330 Schantz Road Breinigsville, PA 18031	Lehigh	Upper Macungie Twp.	UNT to Little Lehigh Creek, HQ-CWF, MF



## NOTICES

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023907002	Brookshire Partners, L.P. 1750 Walton Road Blue Bell, PA 19422	Lehigh County and Berks County	Upper Milford Twp. and Hereford Township	Perkiomen Creek, HQ-CWF, MF, EV Wetlands
<i>Southcentral Region: Waterways &amp; Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone 717.705.4802.</i>				
<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030013001	Allied Fiber, LLC 845 Third Ave, 8th Floor New York, NY 10022-6601	Berks	Fleetwood Borough	Willow Creek (CWF, MF)
		Berks	Heidelberg Township	UNT to Tulpehocken Creek (TSF, MF)
		Berks	Longswamp Township	Little Lehigh Creek (HQ-CWF, MF) UNT-Little Lehigh Creek (HQ-CWF, MF) UNT-Toad Creek (HQ-CWF, MF)
		Berks	Maidencreek Township	UNT-Willow Creek (CWF, MF)
		Berks	Maxatawny Township	Sacony Creek (CWF, MF) UNT-Sacony Creek (CWF, MF)
		Berks	Muhlenberg Township	Bernhart Creek (WWF, MF) Laurel Run (WWF, MF)
		Berks	Ontelaunee Township	UNT-Willow Creek (CWF, MF)
		Berks	Reading City	Bernhart Creek (WWF, MF) Schuylkill River (WWF, MF)
		Berks	Richmond Township	UNT-Moselem Creek (CWF, MF) UNT-Willow Creek (CWF, MF)
		Berks	Robesonia Borough	Furnace Creek (CWF, MF)
		Berks	South Heidelberg Township	Hospital Creek (TSF, MF) Little Cacoosing Creek (TSF, MF) Manor Creek (TSF, MF) Spring Creek (CWF, MF) UNT to Cacoosing Creek (CWF, MF) UNT to Manor Creek (TSF, MF)
		Berks	Spring Township	Cacoosing Creek (CWF, MF)
		Berks	Topton Borough	Toad Creek (HQ-CWF, MF)
		Berks	Wyomissing Borough	Wyomissing Creek (HQ-CWF, MF)

## NOTICES

2487

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
		Cumberland	New Cumberland Borough	Susquehanna River (WWF, MF)
		Dauphin	Derry Township	Spring Creek (WWF, MF) UNT to Spring Creek (WWF, MF) UNT to Swatara Creek (WWF, MF)
		Dauphin	Harrisburg City	Paxton Creek (WWF, MF) Susquehanna River (WWF, MF)
		Dauphin	Hummelstown Borough	Swatara Creek (WWF, MF)
		Dauphin	South Hanover Township	Beaver Creek (WWF, MF) Swatara Creek (WWF, MF)
		Dauphin	Swatara Township	Spring Creek (CWF, MF) UNT to Beaver Creek (WWF, MF) UNT to Spring Creek (CWF, MF)
		Lebanon	Annville Township	UNT to Quittapahilla Creek (TSF, MF)
		Lebanon	Jackson Township	UNT to Tulpehocken Creek
		Lebanon	Lebanon City	Brandywine Creek (TSF, MF) UNT to Brandywine Creek (TSF, MF) UNT to Quittapahilla Creek (TSF, MF)
		Lebanon	Millcreek Township	Mill Creek (TSF, MF)
		Lebanon	North Annville Township	Killinger Creek (TSF, MF) Quittapahilla Creek (TSF, MF)
		Lebanon	North Londonderry Township	Killinger Creek (TSF, MF)
		Lehigh	Alburtis Borough	Swabia Creek (HQ-CWF, MF)
		Lehigh	Allentown City	Lehigh Canal (WWF, MF) Lehigh River (WWF, MF) Little Lehigh Creek (HQ-CWF, MF) Trout Creek (HQ-CWF, MF)
		Lehigh	Emmaus Borough	Leibert Creek (HQ-CWF, MF) UNT-Little Lehigh Creek (HQ-CWF, MF)

Permit #	Applicant Name & Address	County	Municipality	Receiving Water/Use
		Lehigh	Lower Macungie Township	Swabia Creek (HQ-CWF, MF) UNT-Little Lehigh Creek (HQ-CWF, MF) UNT-Swabia Creek (HQ-CWF, MF)
		Lehigh	Macungie Borough	Mountain Creek (HQ-CWF, MF) Swabia Creek (HQ-CWF, MF)
		Lehigh	Upper Milford Township	UNT-Little Lehigh Creek (HQ-CWF, MF)

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI041413001	Walker Township 816 Nittany Valley Dr Bellefonte PA 16823	Centre	Walker Township	Little Fishing Creek HQ-CWF
	Bellefonte Youth Football 1151 Valley View Rd Bellefonte PA 16823			

*Clinton County Conservation District: 45 Cooperation Lane, Mill Hall, PA 17751, (570) 726-3798*

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI041812004	SEDA-COG Jt Rail Auth 201 Furnace Rd Lewisburg PA 17837	Clinton	Pine Creek Township	UNT to W.B. Susquehanna River CWF

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

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

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

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)

## PAG-15 General Permit for Discharges From the Application of Pesticides

*General Permit Type—PAG-02**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lower Southampton Township Bucks County	PAG0200 0913003	David M. Twer 1234 Bridgetown Pike, Suite 200 Feasterville, PA 19053	Mill Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Radnor Township Delaware County	PAG0200 2310021-2	Eastern University 1300 Eagle Road Saint Davids, PA 19087	Gulph Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Tinicum Township Delaware County	PAG0200 2312016	Baywood Hotels, Inc. 7871 Belle Point Drive Greenbelt, MD 20770	Long Hook Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Abington Township Montgomery County	PAG0200 4612094	Abington School District Administration Building 970 Highland Avenue Abington, PA 19001	Meadow Brook TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Plymouth Township Montgomery County	PAG0200 4607075-2	ENOAP, LLC 1120 North Bethlehem Pike Spring House, PA 19477	Plymouth Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511119	Wal-Mart Real Estate Business Trust, A Delaware Statutory Trust 2001 Southeast 10th Street Mail Stop 5570 Bentonville, AR 72716-5570	Poquessing Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511224	Philadelphia Industrial Development Corporation 2600 Centre Square West 1500 Market Street Philadelphia, PA 19102	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511304	Bottom Dollar Food Northeast, LLC c/o Soloff Realty & Development, Inc. One Presidential Boulevard, Suite 202 Bala Cynwyd, PA 19004	Tookany-Tacony Frankford WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511306	1118 Front Street, LP 340 North 12th Street Philadelphia, PA 19107	Delaware River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511309	City of Philadelphia Department of Parks and Recreation One Parkway Building 1515 Arch Street, 19th Floor Philadelphia, PA 19102	Delaware River Tacony Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Pine Grove Township, Schuylkill County	PAG02005411007R	Philip E. Riehl 1830 Camp Swatara Rd. Myerstown, PA 17067	Little Swatara Creek, CWF, MF	Schuylkill Co. Cons. Dist. 570-622-3742

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

*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>
West Pennsboro Township	PAG020021120081	Verus Partners Robert McCormick 100 South Wacker, Suite 850 Chicago, IL 60606	Mount Rock Spring Creek/ Conodoguinet/ WWF	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Upper Mifflin Township	PAG02002113008	John Oiler 350 Brandy Run Road Newville, PA 17241	Brandy Run/CWF, MF	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Upper Mifflin Township	PAG02002113011	Paul Weber 101 Brandy Run Road Newville, PA 17241	UNT to Brandy Run/CWF, MF	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Upper Mifflin Township	PAG02002113009	Clinton Beckner 280 Brandy Run Road Newville, PA 17241	Brandy Run/CWF, MF	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Upper Mifflin Township	PAG02002113010	Karis Greene 157 Whiskey Run Road Newville, PA 17241	Conodoguinet Creek/WWF, MF	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Upper Allen Township	PAG02002110024R	Shepherdstown Associates, LLC David D. Nesbit 555 Gettysburg Pike, Suite C-100 Mechanicsburg, PA 17055	Yellow Breeches Creek/CWF	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Hampden Township	PAG02002111007R	Weis Markets Alexander Ororbia 1000 South Second Street Sunbury, PA 17801	Pine Run/WWF-MF	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Silver Spring Township	PAG02002111010R	Triple Crown Corporation Mark Disanto 5351 Jaycee Avenue Harrisburg, PA 17112	Trindle Spring Run/CWF	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Rapho Township	PAG02003610070R	Mount Hope Nazarene Retirement Community 3026 Mount Hope Home Road Manheim, PA 17545	Brubaker Run/TSF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Elizabethtown Borough	PAG02003611037R	Conoy Crossing LLP 777 Newville Road Elizabethtown, PA 17022	Conoy Crossing/TSF, MF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5

**NOTICES**

**2491**

*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>
Rapho Township	PAG02003611078R	Quail Creek LP 1794 Oregon Pike Lancaster, PA 17601	UNT to Chickies Creek/WWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Warwick Township	PAG02003613011	Leon Oberholtzer 352 Royer Road Lititz, PA 17543	UNT to Cocalico Creek/WWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
West Hempfield Township	PAG02003613012	Amerimax Home Products 450 Richardson Drive Lancaster, PA 17603	UNT to West Branch Little Conestoga Creek/TSF, MF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Mount Joy Township	PAG02003613014	Frank Greiner 1650 Steel Way Drive Mount Joy, PA 17552	UNT to Donegal Creek/CWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Manheim Township	PAG02003613022	Farm & Home Center 1383 Arcadia Road Lancaster, PA 17601	Little Conestoga Creek/WWF, MF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Lancaster City	PAG02003613023	Franklin & Marshall College	Conestoga River/WWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Jackson Township	PAG02003813002	Jim Brown 31 East Main Street PO Box 457 Ephrata, PA 17522-2764	UNT to Owl Creek/WWF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4

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

*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>
Canton Township Bradford County	PAG02000813001	John Englebert PA 4 Sector 2 Limited partnership d/b/a Verizon Wireless 175 Calkins Rd Rochester NY 14623	UNT to Towanda Creek CWF	Bradford County Conservation District Stoll Natural Resource Center 200 Lake Rd Ste E Towanda PA 18848 (570) 265-5539 X 120

*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>
Harris Township Centre County	PAG02001407009R(1)	Brad Karch c/o KBB&H Partnership PO Box 4000 State College PA 16801	UNT to Spring Creek CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte PA 16823 (814) 355-6817
Cooper Township Montour County	PAG02004713001	Eric & Amy Ackerman 443 Ridge Dr Danville PA 17821	UNT to Sechler Run CWF	Montour County Conservation District 112 Woodbine Ln Ste 2 Danville PA 17821 (570) 271-1140

*General Permit Type—PAG-03**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>
Downingtown Borough Chester County	PAR120027	Pepperidge Farm, Inc. 421 Boot Road Downingtown, PA 19335	Unnamed Tributary to East Branch Brandywine Creek 3-H	Southeast Region Clean Water Program 484.250.5970
Philadelphia City Philadelphia County	PAR800080	ABF Freight System Inc. P O Box 10048 Fort Smith, AR 72917	Frankford Creek—3-J	Southeast Region Clean Water Program 484.250.5970
Limerick Township Montgomery County	PAR200034	Marine Acquisition (Us) Inc. 640 North Lewis Road Limerick, PA 19468	Unnamed Tributary to Mingo Creek—3-D	Southeast Region Clean Water Program 484.250.5970
Somerset Twp Washington Cnty	PAR706120	Hanson Aggregates BMC, Inc. 2200 Springfield Pike Connellsville, PA 15425	UNT of Center Branch Pigeon Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Freeport Boro Armstrong Cnty	PAR806292	Freeport Terminals, Inc. 700 Riverside Dr. PO Box 72 Freeport, PA 16229	Allegheny River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Charleroi Boro Washington Cnty	PAR316111	Weatherford 495 Winscott Rd. Fort Worth, TX 76126	Pigeon Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Quemahoning Twp Somerset Cnty	PAR606115	Stoystown Auto Wreckers 5079 Lincoln HWY Stoystown, PA 15563	UNT of Stonycreek River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000

NOTICES

2493

<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>
Hempfield Twp Westmoreland Cnty	PAR326110	Hanson Aggregates BMC, Inc. 2200 Springfield Pike Connellsville, PA 15425	UNT of Little Sewickley Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
City of PGH Allegheny Cnty	PAR806285	Transtar, Inc. 1200 Penn Ave Ste 300 PGH, PA 15222	Monongahela River & Turtle Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
City of Duquesne Allegheny Cnty	PAR806280	Transtar, Inc. 1200 Penn Ave Ste 300 PGH, PA 15222	Thompson Run & Monongahela River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Springdale Twp Allegheny Cnty	PAR236107	Watson Standard Co PO Box 11250 PGH, PA 15238	Yutes Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
City of Johnstown Cambria Cnty	PAR606221	Joseph Smith & Sons 2001 Kenilworth Ave Capital HTS, MD 20743	Little Conemaugh River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
City of PGH Allegheny Cnty	PAR806202	Detroit Sand Co LLC 12841 Sanders St Detroit, MI 48217-1407	UNT to Monongahela River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Richland Twp Cambria Cnty	PAR706102	HRI, Inc. 1750 W College Ave ST College, PA 16801	Solomon Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000



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

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAR238334	Port Erie Plastics, Inc. 909 Troupe Road Harborcreek, PA 16421	Unnamed Tributary to Sevenmile Creek 15-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-8*

<i>Facility Name</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Municipality and County</i>	<i>Contact Office &amp; Phone No.</i>
Homer City WWTP	PAG086108	Ctl Indiana Cnty Jt Sani Auth PO Box 735 S Main St Homer City, PA 15748	Center Twp Indiana Cnty	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-10*

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG102282	Williams Field Service Co. LLC Park Place Corporate Center 2 Pittsburg, PA 15275	Unnamed tributary to Martins Creek, Cold Water Fishes, Migratory Fishes; Unnamed tributary to Hop Bottom Creek, Cold Water Fishes, Migratory Fishes; Watershed 4F	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
PAG102281	Transcontinental Gas Pipe Line Company LLC 2800 Post Oak Boulevard Suite 900 Houston, TX 77056	Buckwha Creek— Cold Water Fishes 2-B	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
PAG106161	M3 Appalachia Gathering, LLC 135 Technology Dr Suite 501 Canonsburg, PA 15317	UNT of Pike Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-12*

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG123647	Michael Werner Joe Jurgielewicz & Son, Ltd. PO Box 257 Shartlesville, PA 19554	Mill Creek / 3B / TSF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

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

*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>
Spring Township Snyder County	PAG124830	Dennis Zimmerman 55 Zimmerman Lane Beaver Springs, PA 17812	Middle Creek 6A CWF—MF	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3670

*General Permit Type—PAG-13*

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

*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>
Millbourne Borough Delaware County	PAG130076	Millbourne Borough Delaware County 9 Park Avenue Millbourne, PA 19082	Cobbs Creek—3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970

*General Permit Type—PAG-13 & MS4 Waivers*

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

*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>
Ransom Township Lackawanna County	PAG132257	Ransom Township Lackawanna County 2435 Hickory Lane Clarks Summit, PA 18411	Lindy Creek— CWF, MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Clarks Summit Borough Lackawanna County	PAG132207	Clarks Summit Borough Lackawanna County 304 S State Street Clarks Summit, PA 18411-1543	Ackerly Creek—CWF Leggetts Creek—TSF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Dunmore Borough Lackawanna County	PAG132244	Dunmore Borough Lackawanna County 400 S Blakely Street Dunmore, PA 18512	Meadow Brook— CWF Roaring Brook—CWF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Blakely Borough Lackawanna County	PAG132252	Blakely Borough Lackawanna County 1439 Main Street PO Box 146 Peckville, PA 18452-2076	Hull Creek—CWF Wildcat Creek—CWF Tinklepaugh Creek—CWF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511

*General Permit Type—PAG-13**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>
Harrison Twp Allegheny Cnty	PAG136177	Harrison Twp Muni Dr PO Box 376 Natrona Hts, PA 15065	Allegheny River & Little Bull Creek	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
Crescent Twp Allegheny Cnty	PAG136127	Crescent Twp 225 Spring Run Rd Crescent, PA 15046	Ohio River	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
Monroeville Boro Allegheny Cnty	PAG136176	Monroeville Boro 2700 Monroeville Blvd Monroeville, PA 15146	Thompson Run	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
Homestead Boro Allegheny Cnty	PAG136199	Homestead Boro 221 E 7th Ave Homestead, PA 15120	Monongahela River	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
City of Arnold Westmoreland Cnty	PAG136326	City of Arnold 1829 Fifth Ave Arnold, PA 15068	Allegheny River	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAG138318	Cranberry Township Butler County 2525 Rochester Road Cranberry Township, PA 16066	Butler County	Cranberry Township	Brush Creek, Unnamed Tributary to Brush Creek, Unnamed Tributary to Kaufman Run, Unnamed Tributary to Wolfe Run and Wolfe Run—20-C	Y
PAG138330	Summit Township Erie County 8900 Old French Road, Erie, PA 16509-5461	Erie County	Summit Township	Walnut Creek, an Unnamed Tributary to Walnut Creek, and an Unnamed Tributary to Elk Creek	Y

## PUBLIC WATER SUPPLY PERMITS

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

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

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

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

### SAFE DRINKING WATER

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

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

**Permit No. 1512514, Minor Amendment.** Public Water Supply.

Applicant	<b>Riveredge Rentals</b> 20 Riverside Drive Spring City, PA 19475
Borough	Spring City
County	<b>Chester</b>
Type of Facility	PWS
Consulting Engineer	Carroll Engineering Corporation 350 Butler Avenue New Britain, PA 18901
Permit to Operate Issued	March 6, 2013

**Permit No. 0913510, Minor Amendment.** Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.</b> 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Upper Uwchlan
County	<b>Chester</b>
Type of Facility	PWS

Consulting Engineer	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Permit to Operate Issued	March 29, 2013

**Permit No. 1512522, Minor Amendment.** Public Water Supply.

Applicant	<b>Coventry Manor Nursing Home</b> 3031 Chestnut Hill Road Pottstown, PA 19465
Township	South Coventry
County	<b>Chester</b>
Type of Facility	PWS
Consulting Engineer	Cawley Environmental Services, Inc. 637 Jeffer Circle Exton, PA 19341
Permit to Operate Issued	March 29, 2013

**Permit No. 1512533, Minor Amendment.** Public Water Supply.

Applicant	<b>Maplewood Mobile Home Park</b> P. O. Box 292 Thorndale, PA 19372
Township	West Brandywine
County	<b>Chester</b>
Type of Facility	PWS
Consulting Engineer	Cawley Environmental Services, Inc. 637 Jeffers Circle Exton PA. 19341
Permit to Operate Issued	March 29, 2013

**Permit No. 0913502, Minor Amendment.** Public Water Supply.

Applicant	<b>Forest Park Water Treatment Plant</b> 144 Park Avenue P. O. Box 317 Chalfont, PA 18914-0317
Borough	Chalfont
County	<b>Bucks</b>
Type of Facility	PWS
Consulting Engineer	Gannett Fleming, Inc. P. O. Box 80791 Valley Forge, PA 19494
Permit to Operate Issued	March 29, 2013

**Permit No. 0913503, Minor Amendment.** Public Water Supply.

Applicant	<b>Durham Quarters Apartments</b> The Piper Group, Inc. 103 Randts Mill Road P. O. Box 320 Pipersville, PA 18947
Township	Tinicum

County **Bucks**  
 Type of Facility PWS  
 Consulting Engineer Ebert Engineering, Inc.  
 P. O. Box 540 Skippack Pike  
 Suite 202  
 Skippack, PA 19474  
 Permit to Operate April 10, 2013  
 Issued

**Permit No. 0912525, Minor Amendment.** Public Water Supply.

Applicant **Meadow Farm Apartments**  
 P. O. Box 501  
 Quakertown, PA 18951  
 Township East Rockhill  
 County Bucks  
 Type of Facility PWS  
 Consulting Engineer Mease Engineering, PC  
 516 West Broad Street  
 Quakertown, PA 18951  
 Permit to Operate March 29, 2013  
 Issued

**Permit No. 0912526 Minor Amendment.** Public Water Supply.

Applicant **Red Cliff Mobile Home Park**  
 P. O. Box 130  
 Ferndale, PA 18921  
 Township Tinicum  
 County **Bucks**  
 Type of Facility PWS  
 Consulting Engineer Berks Surveying & Engineering, Inc.  
 311 East Main Street  
 Fleetwood, PA 19522  
 Permit to Operate March 29, 2013  
 Issued

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

**Permit No. 4413501 MA, Minor Amendment,** Public Water Supply.

Applicant **Municipal Authority of the Borough of Lewistown**  
 Municipality Union Township  
 County **Mifflin**  
 Responsible Official Craig Bubb, Superintendent  
 70 Chestnut Street  
 Lewistown, PA 17004-2216  
 Type of Facility Construction of a 97,000 gallon storage tank to replace the existing 65,000 gallon Rockville storage tank.  
 Consulting Engineer Michele A Aukerman, P.E.  
 Uni-Tec Consulting Engineers, Inc.  
 2007 Cato Avenue  
 State College, PA 16801  
 Permit to Construct 3/13/2013  
 Issued:

**Permit No. 0613503, Minor Amendment,** Public Water Supply.

Applicant **Geisinger MHP**  
 Municipality District Township  
 County **Berks**  
 Responsible Official Pmela Geisinger, Water System Operator & Owner's Agent  
 71 Kemp Road  
 Barto, PA 19504  
 Type of Facility Installation of 325' of 8" contact pipe to increase contact time to meet 4-Log Treatment of Viruses for GWR.  
 Consulting Engineer Edward J. Walsh, P.E.  
 McCarthy Engineering Associates  
 1121 Snyder Road  
 West Lawn, PA 19609  
 Permit to Construct 4/8/2013  
 Issued:

**Operations Permit** issued to: **Berkleigh Heights, Inc.**, 3060040, Richmond Township, **Berks County** on 4/10/2013 for the operation of facilities approved under Construction Permit No. 0612528 MA.

**Operations Permit** issued to: **Urban Acres, Inc.**, 3060070, Alsace Township, **Berks County** on 4/10/2013 for the operation of facilities approved under Construction Permit No. 0613505 MA.

**Operations Permit** issued to: **Williams Grove, LLC**, 4070003, Logan Township, **Blair County** on 4/9/2013 for the operation of facilities submitted under Application No. 4070003.

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

**Permit No. MA-GWR—Operation** Public Water Supply.

Applicant **Northern Tier Children's Home**  
 [Township or Borough] Harrison Township  
 County **Potter**  
 Responsible Official Mr. John McLaughlin  
 286 A-Frame Road  
 Coudersport, PA 16915  
 Type of Facility Public Water Supply  
 Consulting Engineer N/A  
 Permit Issued April 17, 2013  
 Description of Action 4-log inactivation of viruses at Entry Point 101 (Artesian Well).

**Danville Municipal Authority** (Public Water Supply), **Montour County**: On April 18, 2013, the Safe Drinking Water Program approved the Source Water Protection (SWP) plan for Danville Municipal Authority. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP plan was funded by the Department of Environmental Protection (John C. Hamilton, P.E., (570 327-3650).

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

**Permit No. 6313501**, Public Water Supply.

Applicant	<b>Authority of the Borough of Charleroi</b> 3 McKean Avenue PO Box 211 Charleroi, PA 15022
[Borough or Township]	Charleroi Borough
County	<b>Washington</b>
Type of Facility	Oakland Avenue Reservoir #1
Consulting Engineer	Chester Engineers 501 McKean Avenue Third Floor Charleroi, PA 15022
Permit to Construct Issued	April 19, 2013

**Permit No. 6313502**, Public Water Supply.

Applicant	<b>Authority of the Borough of Charleroi</b> 3 McKean Avenue PO Box 211 Charleroi, PA 15022
[Borough or Township]	Charleroi Borough
County	<b>Washington</b>
Type of Facility	Oakland Avenue Reservoir #2
Consulting Engineer	Chester Engineers 501 McKean Avenue Third Floor Charleroi, PA 15022
Permit to Construct Issued	April 19, 2013

**Operations Permit** issued to: **Fox Chapel Authority**, 255 Alpha Drive, Pittsburgh, PA 15238, (PWSID #5020040) Harmar Township, **Allegheny County** on April 19, 2013 for the operation of facilities approved under Construction Permit # 0212522MA.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 2

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

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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.*

**Slag Bank 3 Bethlehem Commerce Center**, 530 East Third Street, City of Bethlehem, **Northampton County**, James Koval, HDR Engineering, Inc., has submitted a Cleanup Plan on behalf of his client, Kerry Wrobel, Lehigh Valley Industrial Park, Inc., 1720 Spillman Drive, Bethlehem, PA 18015-2164, concerning the remediation of soil found to have been impacted by volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs) and heavy metals at concentrations exceeding their respective PADEP Medium Specific Concentrations (MSCs) for soil on lot 6. The report was submitted to document attainment of the Site Specific Standard for soil. A public notice regarding the submission of the Cleanup Plan was published in *The Morning Call* on March 30, 2013.

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

**Tremellen's Tire & Auto, Inc.**, 1071 Manheim Pike, Lancaster, PA 17601, City of Lancaster and Manheim Township, **Lancaster County**. Marks Environmental, Inc., 140 Bollinger Road, Elverson, PA 19520, on behalf of Loan Ranger, LLC, 22 East Mifflin Street, Lancaster, PA 17602, submitted a Final Report concerning remediation of site soils and groundwater contaminated with leaded and unleaded gasoline. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Marsh Run Park/former New Cumberland Army Depot Landfill**, Mifflin Avenue and Marsh Run Road, New Cumberland, PA 17070, Fairview Township, **York County**. ARM Group, Inc., 1129 West Governor Road, PO Box 797, Hershey, PA 17033, on behalf of U.S. Army Corps of Engineers, 10 South Howard Street, Baltimore, MD 21201, submitted a Final Report concerning remediation of site soils and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet a combination of Residential Statewide Health and Site-Specific Standards.

**Ontelaunee Orchards**, 5548 Pottsville Pike, Leesport, PA 19533, Borough of Leesport and Ontelaunee Township, **Berks County**. Liberty Environmental, Inc., 50 North 5th Street, 5th Floor, Reading, PA 19601, on behalf of Ontelaunee Orchards, Inc., PO Box 13613, Reading, PA 19612 and Lift, Inc., 3745 Hempland Road, Mountville, PA 17554, submitted a Remedial Investigation Report, Risk Assessment Report, and Cleanup Plan concerning remediation of site soils and groundwater contaminated with arsenic. The reports are intended to document remediation of the site to meet the Site-Specific Standard.

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

**Chelsea Building Products**, 565 Cedar Way, Borough of Oakmont, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of Chelsea Building Products, 565 Cedar Way, Oakmont, PA 15139 has submitted a final report concerning remediation of site soil contaminated with Benzene and groundwater contaminated with Dichloroethene, PCE, TCE and Vinyl Chloride. The report is intended to document remediation of the site to meet the Site-specific and Statewide Health Standards.

## 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.*

**Donald Young Residence**, 288 Bear Creek Road, Wayne Township, **Schuylkill County**, Richard Trimpi, Trimpi Associates, Inc., has submitted a Final Report on behalf of this client, Donald Young, 288 Bear Creek Road, Schuylkill Haven, PA 17972, concerning the remediation of soil and groundwater from kerosene due to a release from a broken fuel line on a 275-gallon aboveground storage tank. The report documented attainment of the Residential Statewide Health Standard for soil and groundwater and was approved on April 12, 2013.

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

**Former Ephrata Manufacturing Company**, 104 West Pine Street, Ephrata, PA 17522, Ephrata Borough, **Lancaster County**. Environmental Standards, Inc., 1140 Valley Forge Road, PO Box 810, Valley Forge, PA 19482, on behalf of Ephrata National Bank, 31 East Main Street, Ephrata, PA 17522 submitted a Final Report concerning remediation of site soils contaminated with arsenic and lead. The Final Report demonstrated attainment of the Non-Residential Statewide Health and Site-Specific standards, and was approved by the Department on April 16, 2013. The site is enrolled in the One Cleanup Program/MOA between DEP and the US EPA.

**Fillings Dry Cleaners**, 3885 Columbia Avenue, Mountville, PA 17554, West Hempfield and Manor Townships, **Lancaster County**. Geological Services, Inc., PO Box 578, Rock Hall, MD 21661, on behalf of Fillings Clothing, 681 Harrisburg Avenue, Lancaster, PA 17603, submitted a Remedial Investigation Report concerning site soils and groundwater contaminated with chlorinated solvents. The site is to be remediated to the site-specific standard. The Remedial Investigation Report was disapproved by the Department on April 17, 2013.

**Kevin Hayes Residence/E.G. Smith, Incorporated**, 105 Telford Avenue, West Lawn, PA 19609, Spring Township, **Berks County**. Liberty Environmental, Inc., 50 North Fifth Street, 5th Floor, Reading, PA 19601, on behalf of Kevin Hayes, 105 Telford Avenue, West Lawn, PA 19601, submitted a Final Report for site soils contaminated with #2 fuel oil. The Final Report did not demonstrate attainment of the Residential Statewide Health standard, and was disapproved by the Department on April 18, 2013.

**Ontelaunee Orchards**, 5548 Pottsville Pike, Leesport, PA 19533, Borough of Leesport and Ontelaunee Township,

**Berks County.** Liberty Environmental, Inc., 50 North 5th Street, 5th Floor, Reading, PA 19601, on behalf of Ontelaunee Orchards, Inc., PO Box 13613, Reading, PA 19612 and Lift, Inc., 3745 Hempland Road, Mountville, PA 17554, submitted a Remedial Investigation Report, Risk Assessment Report, and Cleanup Plan concerning remediation of site soils and groundwater contaminated with arsenic. The reports were administratively incomplete and disapproved by the Department on April 22, 2013.

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

**Honeywell Farmers Valley Wax Plant Main (Main Plant Area Farmers Valley Wax Plant),** Keating Township, **McKean County.** URS Corporation, 12420 Milestone Center Drive, Suite 150, Germantown, MD 20876 on behalf of Pennzoil-Quaker State Company, 700 Milam, Houston, TX 77002 has submitted a Remedial Investigation/Risk Assessment Report concerning the remediation of site soil contaminated by petroleum refining substances including but not limited to 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Benzene, Ethylbenzene, Toluene, Iron, Arsenic and site groundwater contaminated by petroleum refining substances including but not limited to Iron, Manganese, Arsenic, Aluminum, 1,2,4-Trimethylbenzene, Benzene, bis[2-ethylhexyl]phthalate, Cobalt, Lead, Methyl tert-butyl ether, 1,3,5-Trimethylbenzene, Ethylbenzene, Naphthalene, Toluene, Xylenes Total. The Remedial Investigation/Risk Assessment Report was approved by the Department on April 5, 2013.

#### MUNICIPAL WASTE GENERAL PERMITS

**Determination of Applicability for General Permit issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); and Municipal Waste Regulations for a General Permit To Operate Municipal Waste Processing Facilities (25 Pa. Code § 271.811) relating to authorization for general permit).**

*Southcentral Regional Office: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17011.*

**General Permit Application No. WMGM039SC002. York Materials Group LLC,** 950 Smile Way, York, PA 17404

This general permit was originally issued to York Building Products Co., Inc. for the processing and beneficial use of post-consumer and pre-consumer asphalt shingles as an ingredient in hot-mix and cold-mix asphalt paving material, a component of a sub-base material, as dust control on rural roads when applied with a binder, and as a component or ingredient in fuel used in cement or manufacturing or in the generation of steam or electricity, at the Roosevelt Blacktop Plant, 1070 Roosevelt Avenue, York, PA in West Manchester Township, **York County.**

On January 15, 2013, York Building Products Co., Inc. notified the Department of the sale of their assets to York Materials Group LLC and on January 30, 2013 James Gawthrop of York Materials Group LLC notified the Department of the ownership change. Based on the information provided in these notifications, the beneficial use activity performed by these facilities is now under the ownership and management of York Materials Group LLC.

Notice is hereby given of the re-issuance of the General Permit Numbered WMGM039SC002 granting York Mate-

rials Group LLC for the beneficial use of post-consumer and pre-consumer asphalt shingles, generated at the Roosevelt Blacktop Plant, 1070 Roosevelt Avenue, York, PA in West Manchester Township, York County, as specified in the general permit. The Southcentral Regional Office approved the re-issuance of this general permit on April 23, 2013.

Persons interested in reviewing the general permit may contact John Oren, Facilities Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17011, (717) 705-4905. 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*

**GP3-40-001: Mericle Construction, Inc.** (100 Baltimore Drive, Wilkes-Barre, PA 18702) on April 9, 2013, to construct and operate a Portable Crushing Operation with water sprays at Oak Ridge Road in Hazle Township, **Luzerne County.**

**GP9-40-001: Mericle Construction, Inc.** (100 Baltimore Drive, Wilkes-Barre, PA 18702) on April 9, 2013, to install and operate a Diesel I/C engine at Oak Ridge Road in Hazle Township, **Luzerne County.**

**GP5-58-003: Stone Energy Corp** (6000 Hampton Drive, Suites B&E, Morgantown, WV 26505) on April 16, 2013, to construct and operate a Natural Gas Compressor Station at the site in Rush Township, **Susquehanna County.**

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

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

**GP3-67-03168: Liberty Excavators, Inc.** (4402 Gettysburg Road, Camp Hill, PA 17011) on April 15, 2013, for a portable nonmetallic mineral processing plant under GP3 at the First Industrial I-83 Logistics Center in Manchester Township, **York County.**

**GP11-67-03168: Liberty Excavators, Inc.** (4402 Gettysburg Road, Camp Hill, PA 17011) on April 15, 2013, for three nonroad engines under GP11, to power portable nonmetallic mineral processing equipment at the First Industrial I-83 Logistics Center in Manchester Township, **York County.**

**GP3-28-03063: Liberty Excavators, Inc.** (4402 Gettysburg Road, Camp Hill, PA 17011) on April 15, 2013, for a portable nonmetallic mineral processing plant under GP3 at the New Forge Crossing site in Washington Township, **Franklin County.**

**GP11-28-03063: Liberty Excavators, Inc.** (4402 Gettysburg Road, Camp Hill, PA 17011) on April 15, 2013, for three nonroad engines under GP11, to power portable



nonmetallic mineral processing equipment at the New Forge Crossing site in Washington Township, **Franklin County**.

**GP3-36-03191C: Kinsley Construction, Inc.** (PO Box 2886, York, PA 17405) on April 18, 2013, for portable nonmetallic mineral processing equipment under GP3 at the Lancaster Landfill located in Caernarvon Township, **Lancaster County**.

**GP9-36-03191C: Kinsley Construction, Inc.** (PO Box 2886, York, PA 17405) on April 18, 2013, for two diesel/#2 fuel-fired internal combustion engines under GP9, to power portable nonmetallic mineral processing equipment, at the Lancaster Landfill in Caernarvon Township, **Lancaster County**.

**GP3-21-03103: Kinsley Construction, Inc.** (PO Box 2886, York, PA 17405) on April 18, 2013, for portable nonmetallic mineral processing equipment under GP3 at the Cumberland County Landfill in Hopewell and North Newton Townships, **Cumberland County**.

**GP9-21-03103: Kinsley Construction, Inc.** (PO Box 2886, York, PA 17405) on April 18, 2013, for a diesel/#2 fuel-fired internal combustion engine under GP9, to power portable nonmetallic mineral processing equipment, at their Cumberland County Landfill in Hopewell and North Newton Townships, **Cumberland County**.

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

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

**GP5-17-07E: EXCO Resources (PA), LLC** (3000 Ericsson Drive, Suite 200, Warrendale, PA 15086) on April 9, 2013, for the re-authorization to operate a 512 bhp natural gas-fired four-stroke rich-burn Waukesha model 800 F3521G compressor engine with a Miratech model IQ-18-08EC1 catalytic oxidizer, a NATCO triethylene glycol dehydration unit equipped with a 125,000 Btu per hour reheater and condensate tank and various fugitive emissions under the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Kewanee-Deemer Compressor Station located in Brady Township, **Clearfield 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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*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

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

**54-00017A: Lehigh Asphalt Paving & Construction Co.** (PO Box 549, Tamaqua, PA 18252) on April 19, 2013, to install a new crusher at their facility in West Penn Township, **Schuylkill 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*

**32-00424A: Brush Valley Mine Coal Prep Plant—Western Allegheny Energy, LLC** (301 Market Street, Kittanning, PA 16201) on April 16, 2013, to allow con-

struction and operation of a coal prep plant at their facility in Center Township, **Indiana County**.

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

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

**18-00005D: Dominion Transmission, Inc.** (PO Box 2450, Clarksburg, WV 26302-2450) on April 15, 2013, to authorize the construction and operation to construct and operate a 16,000 brake-horsepower (bhp) natural gas-fired turbine/compressor engine (Source ID P110), a 690 bhp natural gas-fired emergency generator (Source ID P202), a 4.2 million Btu per hour boiler and a 2.5 million Btu per hour boiler (Source ID 042) at their Finnefrock Compressor Station in Leidy Township, **Clinton County** to October 21, 2013. The plan approval has been extended.

**08-00010D: Global Tungsten & Powders Corp.** (1 Hawes Street, Towanda, PA 18848) on April 18, 2013, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from May 4, 2013 to October 31, 2013 at their facility in Towanda Borough, **Bradford County**. The plan approval has been extended.

**08-00010C: Global Tungsten & Powders Corp.** (1 Hawes Street, Towanda, PA 18848) on April 18, 2013, to extend authorization to operate the sources pursuant to the plan approval an additional 180 days from May 3, 2013 to October 30, 2013 at their facility in Towanda Borough, **Bradford County**. The plan approval has been extended.

**08-313-042D: Global Tungsten & Powders Corp.** (1 Hawes Street, Towanda, PA 18848) on April 18, 2013, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from May 7, 2013 to November 3, 2013 at their facility in Towanda Borough, **Bradford County**. The plan approval has been extended.

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

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

**25-1021A: Team Hardinger Transportation** (1314 West 18th Street, Erie, PA 16502-1517) on April 16, 2013, effective April 30, 2013, to issue a plan approval extension 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. The plan approval has been extended.

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**Plan Approvals Denied, Terminated, Modified, Suspended or Revoked under the Air Pollution Control Act and the provisions of 25 Pa. Code §§ 127.13b and 127.13c.**

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

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

**36-03189A: Perdue Grain & Oil Seed, LLC** (PO Box 1537, Salisbury, MD 21802-1537) for installation of a grain elevator facility in Conoy Township, **Lancaster County**. The plan approval was revoked on April 17, 2013, at the permittee's request.

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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*

**46-00027: Johnson & Johnson Pharmaceutical Research and Development, LLC—Johnson and Johnson** (Welsh and McKean Roads, P. O. Box 776, Springhouse, PA 19477) on April 17, 2013, for renewal of the facility's Title V Operating Permit originally issued on December 20, 2006 at Welsh and McKean Roads, Springhouse, PA 19477, Lower Gwynedd Township, **Montgomery County**. There have been several amendments of this TVOP since its original issuance. The renewal does not allow any new changes other than updating of source inventory and changes of minor significance. The operation is subjected to federal NSPS regulations. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

**ORIS Number 3161: Exelon Generation Co—Eddystone Generating Station** (1 Industrial Highway, Eddystone, PA 19022) on April 18, 2013, to establish SO<sub>x</sub> and NO<sub>x</sub> allowances for Units Nos. 1, 2, 3, and 4 in Eddystone Borough, **Delaware County**. All monitoring, recordkeeping, and reporting shall be in conformance with 25 Pa. Code § 127.531.

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

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

**67-05007: Adhesives Research, Inc.** (P. O. Box 100, Glen Rock, PA 17327-0100) on April 12, 2013, for a significant modification of the Title V permit for their adhesives manufacturing facility in Springfield Township, **York County**. The modification generally involved the following changes:

- fully incorporate 40 CFR Part 63, Subpart 5H
- fully incorporate 40 CFR Part 63, Subpart 2S
- fully incorporate 40 CFR Part 63, Subpart 4Z
- fully incorporate 40 CFR Part 60, Subpart 4I
- added provision regarding future changes to federal regulations incorporated in the permit
- show the addition of oxidizer control devices to Source 115 (now shown as two sources: 115A and 115B)
- show the removal of one Churn from Source 115 (now shown as two sources: 115A and 115B)
- show the replacement of the emergency generator that was the subject of Source 118, pursuant to an RFD dated 7/22/11
- show the addition of two emergency generators at the facility, pursuant to an RFD dated 7/22/11

- show the removal of three vent condensers (C06, C07 and C08)

- added source 125, diesel fire pump

- show the replacement of a 12.6 MMBtu/hr natural gas-fired boiler with a 8.4 MMBtu/hr natural gas-fired boiler

- changed Source123 (R -Coater) from Group G01 (Subpart RR) to Group G02 (Subpart 4J).

- increase the required minimum temperature of the REECO RTO to 1,545°F, with a provision that this temperature may be modified based on future testing.

- added requirement that the oxidizers in the new Subpart 5H source group be used to control emissions from the Source 115 vessels at all times that those vessels are operating or generating emissions.

- made minor corrections to other items such as nomenclature and responsible official.

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

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

**18-00030: First Quality Tissue, LLC** (904 Woods Avenue, Lock Haven, PA 17745-3348) on April 19, 2013, issued a Title V operating permit for their facility in Castanea Township, **Clinton County**. The Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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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*

**35-00020: Master Halco, Inc.** (1000N South Road, Scranton, PA 18504-1414) on April 15, 2013, to operate a wire fabricating facility in the City of Scranton, **Lackawanna County**. The facility consists of a galvanizing furnace and wire drawing machines with filter fabric controls for particulate emissions. This is a renewal of a State-Only operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**40-00076: Wilkes-Barre Materials, LLC.** (500 Chase Road, Shavertown, PA 18708-9689) on April 15, 2013, to operate a stone crushing and asphalt manufacturing operation in Plains Township, **Luzerne County**. The operation consists of stone crushing and screening with water sprays for particulate emission control and an asphalt batch plant with filter fabric for particulate emission control. This is a renewal of a State-Only operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**66-00007: Airport Sand and Gravel Co. Inc.** (500 Swetland Lane, West Wyoming, PA 18644) on April 15, 2013, for the operation of a stone crushing and screening operation in Nicholson Township, **Wyoming County**. The

operation consists of crushers and screens with water sprays as particulate emission controls. This is a renewal of a State-Only operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**67-03091: AMZ Manufacturing Corp.** (2206 Pennsylvania Avenue, York, PA 17404-1790) on April 15, 2013, for the surface finishing plating process job shop in York City, **York County**. The State-only permit was renewed.

**07-03002: Pittsburgh Glass Works, LLC** (PO Box 307, Tipton, PA 16684-0307) on April 17, 2013, for the glass screen printing, bending and tempering facility in Antis Township, **Blair County**. The State-only permit was renewed.

**22-05003: Orograin Bakeries Manufacturing, Inc.** (3996 Paxton Street, Harrisburg, PA 17111-1423) on April 18, 2013, for their commercial bakery facility in Swatara Township, **Dauphin County**. The State-only permit was renewed.

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

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

**56-00204: Columbia Gas Transmission Corp.** (1700 MacCorkle Ave SE, Charleston, WV 25314-1518) In accordance with 25 Pa. Code § 127.431, the Department of Environmental Protection (DEP) is providing notice that on April 16, 2013, they issued a State Only Operating Permit (SOOP) Renewal to Columbia Gas to authorize the continued operation of the natural gas transmission facility known as the Salisbury Station, located in Greenville Township, **Somerset County**.

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

*Contact: Matthew M. Williams, Environmental Program Manager—Telephone: 814-332-6636*

**10-00047: BASF Corporation—Evans City Plant** (1414 Mars Evans City Road, Evans City, PA 16033-9360) on April 9, 2013, for renewal of the Natural Minor Operating Permit in Forward Township, **Butler County**. The facility is manufacturing industrial inorganic and organic chemicals. The facility's emitting sources include: 1) Bldg. 16 Boiler, 2) Bldg. 72 Boiler, 3) Misc. Natural gas combustion, 4) Bldg. 12 Superoxide process, 5) Bldg. 24, MDEB & TEB process, 6) Hood 1B, 7) Bldg. 31 Batch Borane Chemical synthesis, 8) Bldg. 31 drum cleaning & lab hoods, 9) Bldg. 37 Borane Derivatives, 10) Bldg. 37 Bag filling station, 11) Bldg. 37 Hydrogen production, 12) Heated T-Butanol storage tanks, 13) Bldg. 44 Alkali metals oxide production, 14) Bldg. 44 Dryer/Pack off system, 15) Bldg. 44 Pilot plant, 16) Bldg. 64 Potassium production, 17) Bldg. 86 A & B Vacuum cylinder cleaning, 18) Bldg. 94 Dust loading pack-off, 19) Tank farm and truck loading and, 20) Miscellaneous emergency generators. The actual emissions from the facility are PM-10: 3 TPY (Tons per year), VOC: 8 TPY, NO<sub>x</sub>: 10 TPY, SO<sub>x</sub>: 8 TPY, CO: 20 TPY, Total HAP: 3 TPY. The emergency generators are subject to 40 CFR Part 63, Subpart ZZZZ.

The emissions of pollutants from the facility are less than Title V threshold limits. Thus, the facility is considered a natural minor.

**33-00116: Macdonald and Owen Lumber Co.** (11424 Route 36, Brookville, PA 15825-8656) on April 18, 2013, to renew a Natural Minor Permit to operate a lumber processing plant in Rose Township, **Jefferson County**. The facility's major emitting sources included, 1) Wood burning steam boiler, 2) 200 HP Boiler, 3) Grinder and, 4) Eight wood-drying kilns. The emissions from the facility are less than the Title V emission threshold. Thus, the facility is natural minor. The biomass fueled boilers are subject to area source boiler MACT 40 CFR Part 63, Subpart JJJJJJ. The actual emissions from the facility are PM: 6.57 Tons per year (TPY), CO: 14.15 TPY and, NO<sub>x</sub>: 11.52 TPY.

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

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

**S12-039: Southern Graphics Systems** (2781 Roberts Ave, Philadelphia, PA 19129), for manufacturing of printing plates for the flexographic printing industry in the City of Philadelphia, **Philadelphia County**. The synthetic minor facility's air emission sources include three (3) photo processing units, three (3) plate dryers, and two (2) distillation stills.

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**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

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

**36-05015: Dart Container Corp. of PA** (60 East Main Street, PO Box 546, Leola, PA 17540-1940) on April 17, 2013, for the expandable polystyrene container manufacturing facility in Upper Leacock Township, **Lancaster County**. The Title V permit underwent a minor modification to use Photo-acoustic Infrared Detectors (PIDs) instead of Flame Ionization Detectors (FIDs) for the monitoring of VOC emissions from certain sources.

**36-03138: Opsec Security, Inc.** (1857 Colonial Village Lane, PO Box 1055, Lancaster, PA 17605-0155) on April 19, 2013, for the security printing facility in East Lampeter Township, **Lancaster County**. The State-only permit was administratively amended to incorporate the provisions of Plan Approval No. 36-03138B.

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

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

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

**21-05055: The Frog, Switch & Manufacturing Co.** (600 East High Street, Carlisle, PA 17013). Pursuant to 25 Pa. Code § 127.449(i), this *PA Bulletin* Notice is for the following de minimis emissions increases resulting from the installation of two natural gas-fired low NO<sub>x</sub>

burners having a maximum rated heat input capacity of 2.0 mmBTU/hr (4.0 mmBTU/hr total) to Heat Treat Furnace No. 1 (Source ID 103A) at its steel foundry located in Carlisle Borough, **Cumberland County**: 0.46 TPY NO<sub>x</sub>; 0.28 TPY CO; 0.03 TPY PM<sub>10</sub>; and 0.02 TPY VOC. This is the second de minimis emissions increase at the facility during the term of the current operating permit.

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**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.**

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

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

**46-00036: Morris Road Investors, LP** (2750 Morris Road Lansdale, Pa 19067). On April 9th 2013, the Title V Operating Permit has been revoked and replaced by General Plan Approval/General Operating Permit, GP9-46-0061, for the five (5) Diesel or No. 2 Fuel-fired Internal Combustion Engine(s) which was issued on March 19, 2013.

**46-00149: Heinz North America** (250 Hanson Access Road, King of Prussia, PA 19406) On April 16, 2013, in Upper Merion Township, **Montgomery County**. This action is to revoke a state-only operating permit issued November 2012 for the manufacturing plant that has closed.

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**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).**

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*Coal Permits Actions*

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

**30841316. Consol Pennsylvania Coal Company, LLC**, (PO Box J, 1525 Pleasant Grove Road, Claysville, PA 15323). To revise the permit for the Bailey Mine & Prep Plant in Richhill and Aleppo Townships, **Greene County** to change 165 underground and subsidence control plan area permit acres from development mining to longwall mining for the 19H longwall panel. The application was considered administratively complete on January 10, 2012. Application received December 2, 2011. Permit issued April 15, 2013.

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

**03110102 and NPDES Permit No. PA0252166. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Permit issued for commencement, operation and reclamation of a bituminous surface mine, located in Redbank Township, **Armstrong County**, affecting 47.2 acres. Receiving stream: unnamed tributary to Pine Run. Application received: December 9, 2011. Permit issued: April 16, 2013.

*Noncoal Permits Actions*

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

**29120802. Jason S. Ramsey**, 1010 Buchanan Trail, McConnellsburg, PA 17238, commencement, operation, and restoration of a small noncoal operation in Ayr Township, **Fulton County**, affecting 5.9 acres. The permit includes authorization of a Chapter 105 stream encroachment permit to construct and maintain a temporary road crossing over an unnamed tributary of Spring Run. Receiving stream(s): unnamed tributary to Spring Run. Application received March 30, 2012. Permit issued April 16, 2013.

**SNC No. 29120802-GP104. Jason S. Ramsey**, 1010 Buchanan Trail, McConnellsburg, PA 17238. General NPDES permit for stormwater discharges associated with mining activities on Surface Mining Permit No. SNC 29120802 located in Ayr Township, **Fulton County**. Receiving stream: Unnamed Tributary to Spring Run classified for the following uses: cold water fishery. There are no potable water supplies located within 10 miles downstream. Notice of Intent for Coverage received: September 4, 2012. Coverage approved April 16, 2013.

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

**26070603 and NPDES Permit No. PA0251097. Fayette Coal & Coke, Inc.** (2611 Memorial Boulevard, Connellsville, PA 15425). Revision permit issued for land use change from unmanaged natural habitat to industrial/commercial use to an existing large noncoal surface mine, located in Georges Township, **Fayette County**, affecting 65.8 acres. Receiving streams: unnamed tributaries to York Run Application received: October 12, 2012. Permit issued: April 15, 2013.

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

**08110307. Glenn O. Hawbaker, Inc.** (1952 Waddle Road, State College, PA 16803-1649). Commencement, operation and restoration of a sand and gravel large noncoal industrial mineral mine located in North Towanda Township, **Bradford County** affecting 36.8 acres. Receiving stream Sugar Creek classified for the following use(s) Warm Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: November 17, 2011. Permit issued: April 15, 2013.

**Con-Stone, Inc.**, P. O. Box 23, Bellefonte, PA 16823.

**14920301 and NPDES No. PA0207039** consisting of 97.7 acres in Haines Township, **Centre County** and **14040302 and NPDES No. PA0256111** consisting of 95.1 acres in Haines Township, **Centre County**.

A major permit revision to include the conducting of surface mining activities within 100-feet of Broad Road,

Bypass Road, and Bartges Road. Major permit revision includes operational plan to temporarily abandon and reconfigure the township road system during surface mining, mining through abandoned roadways, and replacing the road system during the course of surface mining operations. Permit revision also includes a revision to add 4.1 acres to the above referenced surface mining permit #14040302 to facilitate the major permit revision. Discharge to groundwater infiltration in Elk Creek Watershed and Pine Creek Watershed both classified EV. Applications received: May 2, 2012. Permit issued April 15, 2013.

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

**58130801. Juan Loja**, (35 Johnston Street, New Milford, PA 18834), commencement, operation and restoration of a bluestone quarry operation in Gibson Township, **Susquehanna County** affecting 5.0 acres, receiving stream: unnamed tributary to Butler Creek. Application received: January 16, 2013. Permit issued: April 19, 2013.

**58130801GP104. Juan Loja**, (35 Johnston Street, New Milford, PA 18834), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58130801 in Gibson Township, **Susquehanna County**, receiving stream: unnamed tributary to Butler Creek. Application received: January 16, 2013. Permit issued: April 19, 2013.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

##### *Blasting Permits Actions*

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

**24134002. Tidelands Geophysical Services, Inc.** (101 East Park Boulevard, Suite 955, Plano, TX 75074) Blasting activity permit for seismic exploration in the City of St. Marys, Ridgway, Fox, Horton, Jay, Benezette, and Snyder Townships, **Elk and Jefferson Counties**. This blasting activity permit will expire on April 14, 2014. Permit Issued: April 16, 2013.

**33134002. Discovery Acquisition Services, Inc.** (4141 Katy Hockley Road, Katy, TX 77493) Blasting activity permit for seismic exploration in Porter, Perry, Young, Bell, Henderson, Gaskill, Brady and Bell Townships, Big Run and Punxsutawney Boroughs, **Jefferson and Clearfield Counties**. This blasting activity permit will expire on May 4, 2013. Permit Issued: April 16, 2013.

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

**08134111. Hayduk Enterprises, Inc.** (257 Riverside Dr, Factoryville, PA 18419). Blasting for construction of pipeline located in Albany Township, **Bradford County**. Permit issued April 16, 2013. Permit expires April 15, 2014.

**08134112. Hayduk Enterprises, Inc.** (257 Riverside Dr, Factoryville, PA 18419). Blasting for construction of pipeline located in Wilmot Township, **Bradford County**. Permit issued April 16, 2013. Permit expires April 30, 2014.

**08134113. Hayduk Enterprises, Inc.** (257 Riverside Dr, Factoryville, PA 18419). Blasting for construction of pipeline located in Wilmot Township, **Bradford County**. Permit issued April 16, 2013. Permit expires April 30, 2014.

**17134002. Tidelands Geophysical Services, Inc.** (101 East Park Blvd, Suite 955, Plano, TX 75074). Blasting for seismic exploration in Sandy, Huston, Union, Pine, and Lawrence Townships, **Clearfield County** also Washington Township, Jefferson County. Permit issued April 12, 2013. Permit expires December 31, 2013.

**57134103. Doug Wathen, LLC** (11934 Fairway Lakes Dr., Suite 1, Fort Myers, FL 33913). Blasting for gas pad construction located in Forksville Borough and Forks Township, **Sullivan County**. Permit issued April 15, 2013. Permit expires April 11, 2014.

**59134001. Brainard Explosives LLC** (3978 SR 2073, Kingsley, PA 18826-0980). Blasting for construction of a new barn located in Sullivan Township, **Tioga County**. Permit issued April 16, 2013. Permit expires August 31, 2013.

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

**15134103. American Infrastructure, Inc.**, (PO Box 98, Worcester, PA 19490), construction blasting for Quarry Ridge in East Whiteland Township, **Chester County** with an expiration date of April 10, 2014. Permit issued: April 15, 2013.

**58134125. Hayduk Enterprises, Inc.**, (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Gregerson Well Line in Auburn Township, **Susquehanna County** with an expiration date of April 30, 2014. Permit issued: April 17, 2013.

**36134114. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting at 241 Coffee Goss Road in East Donegal Township, **Lancaster County** with an expiration date of June 30, 2013. Permit issued: April 18, 2013.

**38134111. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Valley Chase Development in South Lebanon Township, **Lebanon County** with an expiration date of April 30, 2013. Permit issued: April 18, 2013.

**15134104. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Quarry Ridge in East Whiteland Township, **Chester County** with an expiration date of April 15, 2014. Permit issued: April 19, 2013.

**39134102. Brubacher Excavating, Inc.**, (P. O. Box 528, Bowmansville, PA 17507), construction blasting for West Hill Business Center in Weisenberg Township, **Lehigh County** with an expiration date of April 15, 2014. Permit issued: April 19, 2013.

**39134103. American Rock Mechanics, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Trexler Fields in Upper Macungie Township, **Lehigh County** with an expiration date of April 17, 2014. Permit issued: April 19, 2013.

**45134104. Explosive Services, Inc.**, (7 Pine Street, Bethany, PA 18431), construction blasting for a new shopping plaza in Stroud Township, **Monroe County** with an expiration date of April 12, 2014. Permit issued: April 19, 2013.

**36134115. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Amos

Stoltzfus Shed in West Hempfield Township, **Lancaster County** with an expiration date of June 30, 2013. Permit issued: April 22, 2013.

### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301–303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311–1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1–693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-1915, Telephone 570-826-2511.*

**E45-579. RockTenn Converting Company**, P. O. Box 770, Paper Mill Road, Delaware Water Gap, PA 18327. Smithfield Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To remove the existing wastewater treatment tanks and appurtenant structures and to construct and maintain an

approximately 29-foot by 95-foot encroachment, consisting of a new wastewater treatment facility enclosed by reinforced concrete walls, in the floodway of Brodhead Creek (HW-CWF, MF) for the purpose of upgrading the Stroudsburg Mill wastewater treatment system. The project is located at the end of Paper Mill Road approximately 0.7 mile north of its intersection with SR 2028 (Stroudsburg, PA Quadrangle Latitude 40° 59' 58"; Longitude: -75° 08' 55") in Smithfield Township, Monroe County.

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

**E06-665: Joan L. Davis**, 1812 Mt. Laurel Road, Temple, Pennsylvania 19560, in Muhlenberg Township, **Berks County**, ACOE Philadelphia District

To construct and maintain a single 29.0-foot span, 10.0-foot wide steel and timber bridge with an underclearance of 6.0 feet across Laurel Run (CWF, MF). The project proposes to permanently impact 29.0 linear feet of stream and approximately 0.03 acre of floodway for the purpose of creating access to a private residence. The project is located at 1812 Mt. Laurel Road, Temple, Pennsylvania 19560 (Latitude: 40°24'45"N, Longitude: 75°53'50"W) in Muhlenberg Township, Berks County.

**E21-434: South Middleton Township Municipal Authority**, 345 Lear Lane, Boiling Springs, Pennsylvania 17007, in Monroe Township, **Cumberland County**, ACOE Baltimore District

To: 1) remove the existing filter building, chlorine contact tanks, distribution chambers, and headworks, totaling 0.06 acre of structure in the floodplain of Yellow Breaches Creek (HQ-CWF), 2) construct and maintain new equalizations tanks (EQ1 and EQ2), blower pads for EQ1 and EQ2, a distribution chamber, two (2) 57.0-foot diameter clarifiers, a filter/chemical building, a flusher facility, and associated piping and paving totaling 0.33 acre of structure in the floodplain of Yellow Breaches Creek (HQ-CWF), 3) install and maintain 36.0 linear feet of two (2) 4.0-inch HDPE utility pipes under Palustrine Emergent (PEM) wetlands utilizing horizontal boring, 4) construct and maintain two (2) 8.0-inch HDPE and one 4.0-inch PVC utility lines in and along an unnamed tributary to Yellow Breaches Creek (HQ-CWF), including a temporary crossing of 0.01 acre of PEM wetland, and 5) construct and maintain a stormwater outfall in PEM wetlands permanently impacting 0.01 acre. The purpose of the project is to upgrade the existing South Middleton WWTP, located at 345 Criswell Drive, in Monroe Township, Cumberland County (Mechanicsburg, PA Quadrangle; Latitude: 40°08'56", Longitude: -77°05'47"). The amount of wetland impact is considered a de minimus impact of 0.01 acre and wetland mitigation is not required.

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

**E18-480. SEDA COG Joint Rail Authority**, 201 Furnace Road, Lewisburg, PA 17837. Woodward Avenue Extension, in Pine Creek Township, **Clinton County**, ACOE Baltimore District (Jersey Shore, PA Quadrangle N: 41°10'31"; W: -77°19'25").

To construct and maintain: 1) 2,600 linear feet of 18-foot wide cartway and accompanying parallel storm water system that create a net cut of 187 cubic yards of fill in the left 100-year FEMA floodway of the West Branch Susquehanna River; 2) 441 square foot impact to

wetlands as a result of the road construction and associated stormwater outfalls; 3) replace an existing 36-foot long by 36-inch culvert with a 77-foot long by 53-inch by 34-inch elliptical reinforced concrete pipe culvert and all of which is located between the Avis exit of SR 220 and the Village of South Avis. This permit also includes 401 Water Quality Certification.

**E41-639. Pennsylvania Department of Transportation, Engineering District 3-0**, PO Box 218 Montoursville, PA 17754-0218. S.R. 0864 Section 007 Mill Creek Slope Failure Repair, Upper Fairfield Township, **Lycoming County**, ACOE Baltimore District (Montours-ville North, PA Quadrangle N: 41° 17' 25"; W: -76° 52' 35").

PA DOT Engineering District 3-0 proposes to repair the roadway side slope adjacent to Mill Creek. The repair will consist of 1.5:1 Rip Rap slope protection for approximately 655 Ft. Approximately 736 Linear Feet of Mill Creek will be relocated to accommodate the Rip Rap slope. Project mitigation will include upstream log deflectors and riparian plantings. The log deflectors will help to create some fish habitat as well as streambank stabilization. The project will not impact any jurisdictional wetlands and does not require mitigation. Mill Creek is classified as Trout Stream Fishery by Title 25, Chapter 93 Water Quality Standards. The project will require mitigation. This permit also includes 401 Water Quality Certification.

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

**E04-342. FirstEnergy Nuclear Operating Company** (FENOC), 76 S. Main Street, Akron, OH 44308-1809, Shippingport Borough, **Beaver County** ACOE Pittsburgh District

Applicant has been given consent to place and maintain fill in approximately 0.065 acre of wetlands (PEM) on the left bank of the Ohio River (WWF, N) for the purpose of constructing an Independent Spent Fuel Storage Installation Facility. The project is located approximately 2,300.0 feet downstream from the intersection of SR 168 and the Conrail Tracks (Hookstown, PA Quadrangle N: 21.94 inches; W: 8.48 inches; Longitude: 40° 37' 15"; Latitude: 80° 26' 10") in Shippingport Borough, Beaver County. The permittee shall construct 0.07 acre of replacement wetlands.

*Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335*

**E61-08-001, Laurel Mountain Midstream Operating, LLC**, Westpointe Corporate Center Three, 1605 Coraopolis Heights Road, Moon Township, Pa 15108. Nickleville Pipeline Project, in Richland and Rockland Townships, **Venango County**, Army Corps of Engineers Pittsburgh District (Cranberry and Kossuth, PA Quadrangle N: 41° 16' 52.40"; W: -79° 37' 53.45").

The applicant proposes to construct and maintain approximately 24,310 feet of natural gas pipeline located in Richland and Rockland Townships, Venango County. The proposed pipeline will connect an existing well to an existing National Fuel Gas pipeline just north of US Route 322. The water obstructions and encroachments for the purpose of installing the natural gas pipeline are described below:

To construct and maintain:

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
1	An 8" diameter steel natural gas pipeline with associated right-of-way and a temporary equipment crossing of a palustrine emergent (PEM) wetland having 0.01 acre of temporary wetland impact.	41° 17' 59.14" N -79° 37' 38.49"W
2	An 8" diameter steel natural gas pipeline with associated right-of-way and temporary equipment crossing of a palustrine emergent (PEM) wetland having 0.04 acre of temporary wetland impact.	41° 17' 9.42" N -79° 37' 41.55"W
3	An 8" diameter steel natural gas pipeline with associated right-of-way and a temporary equipment crossing of Tributary 51470 to Pine Run (CWF) having 51 linear feet of temporary stream impact.	41° 17' 6.77" N -79° 37' 41.56"W
4	An 8" diameter steel natural gas pipeline with associated right-of-way and a temporary equipment crossing of a palustrine scrub/shrub (PSS); palustrine forested (PFO) EV wetland having 0.041 acre of temporary PSS wetland impact and 0.012 acre of temporary PFO wetland impact.	41° 16' 38.59" N -79° 37' 57.64"W

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
5	An 8" diameter steel natural gas pipeline with associated right-of-way and a temporary equipment crossing of a UNT to Pine Run having 50 linear feet of temporary stream impact.	41° 16' 37.31"N -79° 37' 58.38"W
6	An 8" diameter steel natural gas pipeline with associated right-of-way and temporary equipment crossing of a palustrine emergent (PEM) EV wetland and Pine Run (CWF) having 0.018 acre of temporary wetland impact and 50 linear feet of temporary stream impact.	41° 16' 36.95"N -79° 37' 58.55"W
7	An 8" diameter steel natural gas pipeline with associated right-of-way to and temporary equipment crossing of Tributary 51468 to Pine Run (CWF) having 50 linear feet of temporary stream impact.	41° 16' 33.95"N -79° 38' 8.51"W
8	An 8" diameter steel natural gas pipeline with associated right-of-way and temporary equipment crossing of Tributary 51468 to Pine Run (CWF) having 72 linear feet of temporary stream impact	41° 16' 26.82"N -79° 38' 17.93"W
9	An 8" diameter steel natural gas pipeline with associated right-of-way and temporary equipment crossing of Bear Run (CWF) having 52 linear feet of temporary stream impact	41° 15' 49.31"N -79° 39' 9.39"W

The project will result in a total of 325 linear feet of temporary stream impacts and 0.118 acre of temporary wetland impacts from utility line and road crossings. (0.071 acre of temporary wetland impacts are to exceptional value wetlands)

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

**E4129-058: EXCO Resources (PA), LLC**, 3000 Ericsson Drive, Suite 200, Warrendale, PA 15086, Penn Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) two 6-inch waterlines, a timber mat bridge, and a temporary culvert extension impacting 101 linear feet of an unnamed tributary to Beaver Run (CWF, MF) (Sonestown PA Quadrangle 41°16'32"N, 76°39'20"W);

2) two 6-inch waterlines impacting 35 linear feet of an unnamed tributary to Beaver Run (CWF, MF) (Sonestown PA Quadrangle 41°16'54"N, 76°35'57"W);

3) two 6-inch waterlines impacting 39 linear feet of Beaver Run (CWF, MF) and 4418 square feet of adjacent EV palustrine scrub-shrub (PSS) wetland (Sonestown PA Quadrangle 41°16'55"N, 77°35'50"W).

The project will result in a total of 175 linear feet of stream impacts and 0.10 acre of wetland impacts all for the purpose of installing water pipeline and associated access roadways for Marcellus well development.

**Updated—E0829-066: Angelina Gathering Company, LLC**, 2350 N. Sam Houston Parkway Houston, TX 77032, Orwell and Herrick Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 9,870 square feet of a Palustrine Emergent Wetland (PEM) (Rome, PA Quadrangle, Latitude: 41°49'17", Longitude: -76°18'14");

2. a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 4,657 square feet of a Palustrine Emergent Wetland (PEM) (Rome, PA Quadrangle, Latitude: 41°49'24", Longitude: -76°18'05");

3. a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 2,045 square feet of a Palustrine Emergent Wetland (PEM) (Rome, PA Quadrangle, Latitude: 41°49'18", Longitude: -76°18'00");

4. a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 23,323 square feet of a Palustrine Forested Wetland (PFO) (Rome, PA Quadrangle, Latitude: 41°49'16", Longitude: -76°17'56");

The project will result in 16,572 square feet (0.38 acre) of temporary PEM wetland impacts and 23,323 (0.54 acre) of conversion impacts to a PFO wetland all for the purpose of installing a natural gas pipelines and a water line with associated access roadways for Marcellus shale development in Orwell and Herrick Township, Bradford County. The permittee will provide 0.75 acre of enhancement mitigation to a PEM wetland along Benet Creek in Stevens Township, Bradford County (Le Raysville, PA Quadrangle 41°45'06"N 76°10'30"W).



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

**[Permit #E26-07-004] Caiman Penn Midstream, LLC**, 5949 Sherry Lane, Suite 1300, Dallas, Texas 75225-8008. This project starts at the Fike Facility Pad on the Friendsville, PA Quadrangle at N 20 1/2 inches and W 3 1/4 inches (39° 43' 36.14", -79° 29' 35.99") and ends on the Brandonville, PA Quadrangle at N 25 inches and W 15 7/8 inches at the Polk Facility Pad (39° 44' 45.66", -79° 31' 42.93"). The pipeline passes through Henry Clay and Wharton Townships in **Fayette County**, PA, Pittsburgh ACOE District, State Water Plan Basin 19G, Upper Monongahela River Watershed. The Polk to Fike Pipeline Project includes the construction of approximately 21,000 feet of 12" gas gathering line with a 60 foot Right of Way

(ROW), two surface sites, and five access roads. The Project has 10 stream and 3 wetland crossings of Fike Run (HQ-CWF) and unnamed tributaries to Fike Run (HQ-CWF). The 10 stream crossings consist of 270 linear feet and 1,213 square feet of temporary disturbance. The crossings will be a combination of flume pipe diversions for the utility line crossings and temporary mobile bridges for the temporary access roads. The wetland crossings consist of 1,853 square feet of temporary disturbance. Two (2) wetlands crossings will be HDD bores and one crossing will utilize an open trench with timber mats. The total disturbance for this project is 35.1 acres. This pipeline crosses from PA into WV at latitude 39° 43' 16.21" and longitude -79° 30' 53.66".

<i>Stream Name</i>	<i>Coordinates</i>	<i>Linear Impact</i>
Crossing 1—UNT to Fike Run	39°44'26.37", -79°30'51.98"	32 ft.
Crossing 2—UNT to Fike Run	39°44'24.64", -79°30'50.14"	33 ft.
Crossing 3—UNT to Fike Run	39°44'23.53", -79°30'49.29"	33 ft.
Crossing 4—UNT to Fike Run	39°44'22.55", -79°30'48.55"	31 ft.
Crossing 5—UNT to Fike Run	39°44'22.17", -79°30'48.27"	37 ft.
Crossing 6—UNT to Fike Run	39°43'58.95", -79°30'38.11"	11 ft.
Crossing 7—UNT to Fike Run	39°43'47.17", -79°29'59.14"	31 ft.
Crossing 8—UNT to Fike Run	39°43'36.67", -79°30'27.35"	30 ft.
Crossing 9—UNT to Fike Run	39°43'36.43", -79°30'35.24"	32 ft.
Crossing 10—Fike Run	39°43'21.43", -79°30'44.63"	8 ft.
<i>Wetland Name</i>	<i>Coordinates</i>	<i>Linear Impact</i>
Wetland 1	39°44'25.83", -79°30'51.04"	33 ft.
Wetland 2	39°44'00.16", -79°30'39.62"	650 ft.
Wetland 4	39°43'23.32", -79°30'45.15"	922 ft.

### ENVIRONMENTAL ASSESSMENTS

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

**WL3713601. Pezzuolo Investments**, 326 Pezzuolo Drive, Edinburg PA 16116. Abandoned Mine Reclamation Project in Mahoning Township, **Lawrence County**, ACOE Pittsburgh District.

To reclaim a portion of an abandoned mine cut by placing fill material. There are no wetlands in the project area, and the mine cut has no outlet to any waters of the Commonwealth. The project purpose is to reduce public health and safety risks associated with this abandoned mine. The information submitted appears to meet the environmental parameters indicated in the Environmental Assessment published in the *Pennsylvania Bulletin* on December 14, 1996, for abandoned mine reclamation activities. (Edinburg, PA Quadrangle N: 41°00'29.36"; W: 80°27'55.74").

### DAM SAFETY

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

**D30-055A. Consol PA Coal Company, LLC**, P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323. Permit issued to modify, operate, and maintain Bailey Mine Area No. 3 Slurry Dam and four (4) associated saddle dams across a tributary to Enlow Fork (WWF) for

the purpose of impounding mine waste slurry. The proposed work will raise the existing embankment by approximately seven feet to provide additional slurry storage.

(Wind Ridge, PA Quadrangle, Latitude: 39.959N; Longitude: -80.382W) Richhill Township, **Greene 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 # ESX13-117-0015  
Applicant Name SWEPI LP  
Contact Person H. James Sewell  
Address 190 Thorn Hill Road  
City, State, Zip Warrendale, PA 15086  
County Tioga County  
Township(s) Sullivan Township  
Receiving Stream(s) and Classification(s) Corey Creek,  
Tribes to Corey Creek (All CWF/MF);  
Secondary: Tioga River (CWF/MF)

ESCGP-1 # ESX13-115-0035  
Applicant Name Carrizo (Marcellus), LLC  
Contact Person Gary Byron  
Address 251 Drain Lick Road  
City, State, Zip Drifting, PA 16834  
County Susquehanna County  
Township(s) Jessup Township  
Receiving Stream(s) and Classification(s) East Branch  
Wyalusing Creek (CWF/MF)

ESCGP-1 # ESX13-131-0011  
Applicant Name Chief Oil & Gas LLC  
Contact Person Jeffrey Deegan  
Address 6051 Wallace Road Ext., Suite 300  
City, State, Zip Wexford, PA 15090  
County Wyoming County  
Township(s) Lemon Township  
Receiving Stream(s) and Classification(s) Meade Brook  
(CWF/MF)

ESCGP-1 # ESX11-081-0155 (01)  
Applicant Name Anadarko Marcellus Midstream, LLC  
Contact Person Nathan Bennett  
Address 33 West Third Street, Suite 200  
City, State, Zip Williamsport, PA 17701  
County Lycoming County  
Township(s) Cogan House Township  
Receiving Stream(s) and Classification(s) Larry's Creek,  
Steam Valley Run, Wolf Run (All HQ);  
Secondary: West Branch Susquehanna River

ESCGP-1 # ESX13-131-0010  
Applicant Name Chesapeake Appalachia, LLC  
Contact Person Eric Haskins  
Address 101 North Main Street  
City, State, Zip Athens, PA 18810  
County Wyoming County  
Township(s) Windham Township  
Receiving Stream(s) and Classification(s) UNT to Sugar  
Creek (CWF), Little Mehoopany Creek (CWF);  
Secondary: Sugar Run Creek (CWF), Susquehanna  
River (WWF)

ESCGP-1 # ESG13-081-0018  
Applicant Name Pennsylvania General Energy Company,  
LLC  
Contact Person Douglas Kuntz  
Address 120 Market Street  
City, State, Zip Warren, PA 16365  
County Lycoming County  
Township(s) Cummings & McHenry Townships

Receiving Stream(s) and Classification(s) Callahan Run  
(HQ), Love Run, Hackett Fork, UNT to Little Pine  
Creek (EV);  
Secondary: Pine Creek, Little Pine Creek

*Northwest Region: Oil and Gas Program Manager, 230  
Chestnut St., Meadville, PA 16335*

ESCGP-1 #ESX11-083-0053—West Branch Clarion River  
Surface Water Withdrawal and Waterline  
Applicant Seneca Resources Corporation  
Contact Doug Kepler  
Address 51 Zents Boulevard  
City Brookville State PA Zip Code 15825  
County McKean Township(s) Wetmore and Sergeant(s)  
Receiving Stream(s) and Classification(s) UNT to Long  
Run—CWF, Long Run—CWF, UNT to West Branch  
Clarion River—CWF, West Branch Clarion River—  
CWF, Clarion River

*Southwest Region: Oil & Gas Program Mgr. 400 Water-  
front Dr. Pittsburgh PA*

11/13/12  
ESCGP-1 No: ESX12-063-0013  
Applicant Name: CNX Gas Company LLC  
Contact Person Mr Jonathan Madill  
Address: 280 Indian Springs Road Suite 333  
City: Indiana State: PA Zip Code: 15701  
County: Indiana Township: North Mahoning  
Receiving Stream (s) And Classifications: UNT to Mudlick  
Run / Mudlick Run Watershed; HQ

1/25/13  
ESCGP-1 No.: ESX13-007-0003  
Applicant Name: PennEnergy Resources LLC  
Contact Person: Mr Greg Muse  
Address: 1000 Commerce Drive Park Place One Suite 100  
City: Pittsburgh State: PA Zip Code: 15275  
County: Beaver Township(s): New Sewickley  
Receiving Stream(s) and Classifications: Brush Creek  
(WWF); UNT to Brush Creek (WWF) Slippery Rock  
Creek Watershed; Other

10/16/12  
ESCGP-1 No.: ESX12-129-0023  
Applicant Name: CNX Gas Company LLC  
Contact Person: Mr Daniel Bitz  
Address: 1000 Consol Energy Drive  
City: Canonsburg State: PA Zip Code: 15317  
County: Westmoreland Township(s): Washington  
Receiving Stream(s) and Classifications: UNT S-10 and  
S-13 to Beaver Run Reservoir; HQ; Exceptional Value

1/28/13  
ESCGP-1 No.: ESX13-125-0014  
Applicant Name: MarkWest Liberty Midstream &  
Resources LLC  
Contact Person: Mr Rick Lowry  
Address: 601 Technology Drive Suite 130  
City: Canonsburg State: PA Zip Code: 15317  
County: Washington Township(s): Donegal  
Receiving Stream(s) and Classifications: UNT to Dutch  
Fork (HQ-WWF)/Wheeling-Buffalo Creeks Watershed;  
HQ

3/25/13  
ESCGP-1 No.: ESX10-125-0031 MAJOR REVISION  
Applicant Name: Range Resources Appalachia LLC  
Contact Person: Mr Glenn D Truzzi  
Address: 3000 Town Center Boulevard  
City: Canonsburg State: PA Zip Code: 15317  
COUNTY Washington Township(s): Cecil  
Receiving Stream(s) and Classifications: Brush Run  
(WWF) / Brush Run Watershed; Other

1/22/13  
 ESCGP-1 No.: ESX13-125-0007  
 Applicant Name: Rice Drilling B LLC  
 Contact Person: Ms Tonya Z Winkler  
 Address: 171 Hillpointe Drive Suite 301  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Somerset and North Bethlehem  
 Receiving Stream(s) and Classifications: UNT S-07, 08, 10, 14, 15, 17 to Pigeon Creek and UNT S-01 and S-03 to Daniels Run; Other

1/28/13  
 ESCGP-1 No.: ESX13-125-0017  
 Applicant Name: EQT Production Co  
 Contact Person: Mr Todd Klaner  
 Address: 455 Racetrack Road  
 City: Washington State: PA Zip Code 15301  
 County: Washington Township(s): Amwell  
 Receiving Stream(s) and Classifications: UNTs to Tenmile Creek—TSF Tenmile Creek Watershed; Other

1/25/13  
 ESCGP-1 No.: ESX13-007-0004  
 Applicant Name: PennEnergy Resources LLC  
 Contact Person: Mr Greg Muse  
 Address: 1000 Commerce Drive Park Place One Suite 100  
 City: Pittsburgh State: PA Zip Code: 15275  
 County: Beaver Township(s): New Sewickley  
 Receiving Stream(s) and Classifications: Brush Creek (WWF) UNT to Brush Creek (WWF) Slippery Rock Creek Watershed; Other

1/28/13  
 ESCGP-1 No.: ESX13-005-0006  
 Applicant Name: PennEnergy Resources LLC  
 Contact Person: Mr Greg Muse  
 Address: 1000 Commerce Drive Park Place One Suite 100  
 City: Pittsburgh State: PA Zip Code: 15275  
 County: Armstrong Township(s): West Franklin  
 Receiving Stream(s) and Classifications: UNT to Buffalo Creek; HQ; Other

1/28/13  
 ESCGP-1 NO.: ESX13-125-0020  
 Applicant Name: CNX Gas Company LLC  
 CONTACT PERSON: Ms Tara Meek  
 ADDRESS: 200 Evergreene Drive  
 City: Waynesburg State: PA Zip Code: 15370  
 County: Washington Township(s): West Finley  
 Receiving Stream(s) and Classifications: UNT to Robinson Fork (WWF), Robinson Fork (WWF); Other

1/28/13  
 ESCGP-1 NO.: ESX13-051-0001  
 Applicant Name: Laurel Mountain Midstream LLC  
 CONTACT: Ms Kristy Flavin  
 ADDRESS: 1605 Coraopolis Heights Road  
 City: Moon Township State: PA Zip Code: 15108  
 County: Fayette Township(s): Springhill  
 Receiving Stream(s) and Classifications: UNT Georges Creek WWF, UNT Grassy Run WWF; Other

#### OIL AND GAS MANAGEMENT

The following Well Permits have been issued with a waiver under 58 Pa.C.S. § 3215(b)(4) (relating to well location restrictions).

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under 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 which 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.

*Northwest Region District Oil and Gas Operations, Program Manager, 230 Chestnut St., Meadville, PA 16335*

Well Permit #: 015-22616-00-00  
 Well Farm Name Robbins BRA 2H  
 Applicant Name: Chesapeake Appalachia, LLC.  
 Contact Person: Eric Haskins  
 Address: 101 North Main Street, Athens, PA 18810  
 County: Bradford

Municipality Ulster Township:  
 Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Sayre, Cash Creek.

Well Permit #: 115-21236-00-00  
 Well Farm Name Seamans 2H  
 Applicant Name: Southwestern Energy Prod Co.  
 Contact Person: John R. Nicholas  
 Address: 2350 N Sam Houston PKWY E, Suite 100, Houston, TX 77032

County: Susquehanna  
 Municipality Harford Township:  
 Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Montrose East, Unnamed Tributary to the East Branch of Martins Creek.

Well Permit #: 115-21237-00-00  
 Well Farm Name Seamans 4H  
 Applicant Name: Southwestern Energy Prod Co.  
 Contact Person: John R. Nicholas  
 Address: 2350 N. Sam Houston PKWY E, Suite 100, Houston, TX 77032

County: Susquehanna  
 Municipality Harford Township:  
 Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Montrose East, Unnamed Tributary to the East Branch of Martins Creek.

Well Permit #: 115-21238-00-00  
 Well Farm Name Seamans 5H  
 Applicant Name: Southwestern Energy Prod Co.  
 Contact Person: John R. Nicholas  
 Address: 2350 N. Sam Houston PKWY E, Suite 100, Houston, TX 77032

County: Susquehanna  
 Municipality Harford Township:  
 Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Montrose East, Unnamed Tributary to the East Branch of Martins Creek.

Well Permit #: 115-21239-00-00  
 Well Farm Name Seamans 6H  
 Applicant Name: Southwestern Energy Prod Co.  
 Contact Person: John R. Nicholas  
 Address: 2350 N. Sam Houston PKWY E, Suite 100, Houston, TX 77032  
 County: Susquehanna  
 Municipality Harford Township:  
 Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Montrose East, Unnamed Tributary to the East Branch of Martins Creek.

Well Permit #: 115-21212-00-00  
 Well Farm Name Oliver Unit 1H  
 Applicant Name: Chief Oil & Gas LLC.  
 Contact Person: Jennifer Curry  
 Address: 6051 Wallace Road Ext., Suite 300, Wexford, PA 15090  
 County: Susquehanna  
 Municipality Springville Township:  
 Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Springville

Well Permit #: 115-21213-00-00  
 Well Farm Name Oliver Unit 2H  
 Applicant Name: Chief Oil & Gas LLC.  
 Contact Person: Jennifer Curry  
 Address: 6051 Wallace Road Ext., Suite 300, Wexford, PA 15090  
 County: Susquehanna  
 Municipality Springville Township:  
 Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Springville

Well Permit #: 115-21214-00-00  
 Well Farm Name Oliver Unit 3H  
 Applicant Name: Chief Oil & Gas LLC.  
 Contact Person: Jennifer Curry  
 Address: 6051 Wallace Road Ext., Suite 300, Wexford, PA 15090  
 County: Susquehanna  
 Municipality Springville Township:  
 Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Springville

Well Permit #: 115-21215-00-00  
 Well Farm Name Oliver Unit 4H  
 Applicant Name: Chief Oil & Gas LLC.  
 Contact Person: Jennifer Curry  
 Address: 6051 Wallace Road Ext., Suite 300, Wexford, PA 15090  
 County: Susquehanna  
 Municipality Springville Township:

Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Springville

[Pa.B. Doc. No. 13-821. Filed for public inspection May 3, 2013, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at <http://www.e-library.dep.state.pa.us>. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Draft Technical Guidance, Substantive Revision*

*DEP ID: 275-2101-001. Title: Air Quality Operating Permit Protocol. Description:* The Department believes that timely and consistent permit application determinations are necessary to ensure that the air quality needs of the Commonwealth are fully met. The Department-wide policy known as Money Back Guarantee (MBG) has been replaced by Permit Decision Guarantee Program (PDGP), which sets forth enhanced permitting procedures intended to enhance timeliness of the permitting process and has already been implemented. This existing February 23, 1996, guidance document which provides guidance for regional personnel in reviewing plan approval applications and conducting permit inspections references MBG, necessitating amendment to reference the new PDGP. In addition, minor changes are included to reflect current program procedures that have evolved since 1996 that also enhance the timeliness of the permit processing. Although this policy is being updated to reflect the current plan approval fees specified in 25 Pa. Code § 127.702 (relating to plan approval fees), there are no fee increases established by this policy. The scope of the policy is limited to operation of the permitting program.

*Written Comments:* Interested persons may submit written comments on this draft technical guidance document by June 3, 2013. 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 Ronald G. Gray, Chief, Division of Compliance and Enforcement, Department of Environmental Protection, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468 or rongray@pa.gov.

*Contact:* Questions regarding the draft technical guidance document should be directed to Ronald G. Gray, (717) 772-3369 or rongray@pa.gov.

*Effective Date:* The proposed guidance document will be effective upon publication as final in the *Pennsylvania Bulletin*.

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-822. Filed for public inspection May 3, 2013, 9:00 a.m.]

### **Pennsylvania's 2014 Ambient Air Monitoring Network Plan; Availability for Public Comment**

On October 17, 2006, the United States Environmental Protection Agency (EPA) promulgated final amendments to the national ambient air monitoring requirements for criteria pollutants in 40 CFR Parts 53 and 58 (relating to ambient air monitoring reference and equivalent methods; and ambient air quality surveillance). See 71 FR 61236 (October 17, 2006). The EPA's final rule requires state and local agencies to enhance air monitoring to "improve public health protection and better inform the public about air quality in their communities." Under 40 CFR 58.10 (relating to annual monitoring network plan and periodic network assessment), air quality state and local monitoring agencies must adopt an annual air-monitoring network plan and make the plan available for public inspection for at least 30 days prior to final submission to the EPA Regional Administrator. The plan, which is due July 1, 2013, must include a statement of purpose for each monitor and evidence that siting and operation of each monitor meets Federal requirements. The EPA may also provide an opportunity for review and comment prior to approving or disapproving a state's Monitoring Network Plan.

On May 4, 2013, the 2014 Annual Air Monitoring Network Plan was made available for public comment on the Department of Environmental Protection's (Department) web site at [www.dep.state.pa.us/dep/deputate/airwaste/air/default.htm](http://www.dep.state.pa.us/dep/deputate/airwaste/air/default.htm). The plan has been updated to address changes that have been made in the Commonwealth's ambient air monitoring network and to identify changes that are anticipated to occur in 2014.

The public is invited to submit comments on this network plan. Comments must be received by the Department on or before June 4, 2013. Written comments should be sent to the attention of Nicholas Lazor, Chief, Division of Air Quality Monitoring, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468 or nlazor@state.pa.us. Use "Annual Monitoring Network Plan" as the subject line.

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-823. Filed for public inspection May 3, 2013, 9:00 a.m.]

### **Proposed Annual Monitoring Network Plan for Philadelphia**

Part 58 of 40 CFR (relating to ambient air quality surveillance) requires state and local air pollution control agencies to adopt and submit to the United States Environmental Protection Agency (EPA) Regional Administrator an Annual Monitoring Network Plan (AMNP) by July 1, 2013. The AMNP provides for the establishment and maintenance of an air quality surveillance system that consists of a network of monitoring stations. A proposed AMNP must be made available for public inspection for at least 30 days prior to submission to the EPA.

Air Management Services is the local air pollution control agency for the City of Philadelphia under the Department of Public Health. Philadelphia has an air monitoring network of ten air monitoring stations that house instruments that measure ambient levels of air pollutants.

The proposed AMNP is available for public inspection on the City's web site at <http://www.phila.gov/health/AirManagement/index.html> and at the office of Air Management Services, 321 University Avenue, 2nd Floor, Philadelphia, PA 19104, during normal business hours. For further information, contact Henry Kim, Chief of Program Services at (215) 685-9439.

Written comments on the proposed AMNP should be sent to Henry Kim, Chief of Program Services, Air Management Services, 321 University Avenue, 2nd Floor, Philadelphia, PA 19104. Only written comments will be accepted. Comments received by facsimile will not be accepted. Persons wishing to file comments on the proposed AMNP must submit comments by June 5, 2013.

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-824. Filed for public inspection May 3, 2013, 9:00 a.m.]

## **DEPARTMENT OF HEALTH**

### **Long-Term Care Nursing Facilities; Request for Exception**

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.25(a) (relating to kitchen):

Fairmount Homes  
333 Wheat Ridge Drive  
Ephrata, PA 17522-8558  
FAC ID 060202

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, [ra-paexcept@pa.gov](mailto:ra-paexcept@pa.gov).

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or

phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-825. Filed for public inspection May 3, 2013, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Income Limits and Co-payments for the Subsidized Child Care Program

This notice increases the income limits codified at 55 Pa. Code Chapter 3041, Appendix B (relating to co-payment chart family co-payment scale effective May 6, 2013 (based on the 2013 Federal Poverty Income Guidelines)) under 55 Pa. Code § 3041.107(b) (relating to availability and use of the Federal Poverty Income Guidelines). This increase is effective May 6, 2013.

Section 3041.107(b) of 55 Pa. Code requires the Department of Public Welfare to update the co-payment schedule in 55 Pa. Code Chapter 3041, Appendix B to reflect changes in the Federal Poverty Income Guidelines (FPIG). Effective May 6, 2013, the income guidelines for the subsidized child care program are increased due to increases in the FPIG. Under section 408.3 of the Public Welfare Code (62 P. S. § 408.3), the co-payment schedule is adjusted to reflect the increases. Chapter 3041, Appendix B of 55 Pa. Code also establishes the family co-payment levels according to the family's computed annual income and lists the weekly family co-payment based on the annual family income.

BEVERLY D. MACKERETH,  
*Acting Secretary*

**Fiscal Note:** 14-NOT-815. No fiscal impact; (8) recommends adoption.

#### CO-PAYMENT CHART FAMILY CO-PAYMENT SCALE EFFECTIVE MAY 6, 2013 (BASED ON THE 2013 FEDERAL POVERTY INCOME GUIDELINES)

Weekly Co-pay	Family Size: 1 Annual Income		Weekly Co-pay	Family Size: 2 Annual Income		Weekly Co-pay	Family Size: 3 Annual Income	
\$5.00	Less than:	\$9,490	\$5.00	Less than:	\$8,660	\$5.00	Less than:	\$8,660
\$10.00	\$9,490.01	\$11,490	\$10.00	\$8,660.01	\$13,000	\$10.00	\$8,660.01	\$13,900
\$15.00	\$11,490.01	\$13,490	\$16.00	\$13,000.01	\$13,250	\$17.00	\$13,900.01	\$15,570
\$20.00	\$13,490.01	\$15,490	\$20.00	\$13,250.01	\$15,510	\$22.00	\$15,570.01	\$17,570
\$25.00	\$15,490.01	\$17,490	\$24.00	\$15,510.01	\$17,510	\$27.00	\$17,570.01	\$19,530
\$30.00	\$17,490.01	\$19,490	\$28.00	\$17,510.01	\$19,510	\$31.00	\$19,530.01	\$21,530
\$35.00	\$19,490.01	\$21,490	\$32.00	\$19,510.01	\$21,510	\$35.00	\$21,530.01	\$23,530
\$40.00	\$21,490.01	\$23,490	\$36.00	\$21,510.01	\$23,510	\$39.00	\$23,530.01	\$25,530
\$45.00	\$23,490.01	\$25,490	\$41.00	\$23,510.01	\$25,510	\$43.00	\$25,530.01	\$27,530
\$50.00	\$25,490.01	\$27,002	\$46.00	\$25,510.01	\$27,510	\$48.00	\$27,530.01	\$29,530
			\$51.00	\$27,510.01	\$29,510	\$53.00	\$29,530.01	\$31,530
			\$57.00	\$29,510.01	\$31,510	\$58.00	\$31,530.01	\$33,530
			\$63.00	\$31,510.01	\$33,510	\$63.00	\$33,530.01	\$35,530
			\$69.00	\$33,510.01	\$35,510	\$68.00	\$35,530.01	\$37,530
			\$74.00	\$35,510.01	\$36,449	\$73.00	\$37,530.01	\$39,530
						\$79.00	\$39,530.01	\$41,530
						\$85.00	\$41,530.01	\$43,530
						\$90.00	\$43,530.01	\$45,530
						\$95.00	\$45,530.01	\$45,896
	200% FPIG	\$22,980		200% FPIG	\$31,020		200% FPIG	\$39,060

<i>Weekly Co-pay</i>	<i>Family Size: 4 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 5 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 6 Annual Income</i>	
\$5.00	Less than:	\$8,660	\$5.00	Less than:	\$8,660	\$5.00	Less than:	\$8,660
\$10.00	\$8,660.01	\$15,000	\$10.00	\$8,660.01	\$15,600	\$10.00	\$8,660.01	\$17,000
\$18.00	\$15,000.01	\$17,250	\$18.00	\$15,600.01	\$17,500	\$20.00	\$17,000.01	\$19,000
\$23.00	\$17,250.01	\$19,550	\$21.00	\$17,500.01	\$19,570	\$23.00	\$19,000.01	\$21,590
\$28.00	\$19,550.01	\$21,550	\$27.00	\$19,570.01	\$21,570	\$28.00	\$21,590.01	\$23,590
\$33.00	\$21,550.01	\$23,550	\$31.00	\$21,570.01	\$23,570	\$32.00	\$23,590.01	\$25,590
\$37.00	\$23,550.01	\$25,550	\$35.00	\$23,570.01	\$25,570	\$36.00	\$25,590.01	\$27,590
\$41.00	\$25,550.01	\$27,550	\$39.00	\$25,570.01	\$27,570	\$40.00	\$27,590.01	\$29,590
\$45.00	\$27,550.01	\$29,550	\$43.00	\$27,570.01	\$29,570	\$45.00	\$29,590.01	\$31,590
\$49.00	\$29,550.01	\$31,550	\$47.00	\$29,570.01	\$31,570	\$49.00	\$31,590.01	\$33,590
\$53.00	\$31,550.01	\$33,550	\$51.00	\$31,570.01	\$33,570	\$53.00	\$33,590.01	\$35,590
\$58.00	\$33,550.01	\$35,550	\$55.00	\$33,570.01	\$35,570	\$57.00	\$35,590.01	\$37,590
\$63.00	\$35,550.01	\$37,550	\$59.00	\$35,570.01	\$37,570	\$61.00	\$37,590.01	\$39,590
\$68.00	\$37,550.01	\$39,550	\$63.00	\$37,570.01	\$39,570	\$65.00	\$39,590.01	\$41,590
\$73.00	\$39,550.01	\$41,550	\$68.00	\$39,570.01	\$41,570	\$69.00	\$41,590.01	\$43,590
\$78.00	\$41,550.01	\$43,550	\$73.00	\$41,570.01	\$43,570	\$73.00	\$43,590.01	\$45,590
\$83.00	\$43,550.01	\$45,550	\$78.00	\$43,570.01	\$45,570	\$78.00	\$45,590.01	\$47,590
\$89.00	\$45,550.01	\$47,550	\$83.00	\$45,570.01	\$47,570	\$83.00	\$47,590.01	\$49,590
\$95.00	\$47,550.01	\$49,550	\$88.00	\$47,570.01	\$49,570	\$88.00	\$49,590.01	\$51,590
\$101.00	\$49,550.01	\$51,550	\$93.00	\$49,570.01	\$51,570	\$93.00	\$51,590.01	\$53,590
\$107.00	\$51,550.01	\$53,550	\$98.00	\$51,570.01	\$53,570	\$98.00	\$53,590.01	\$55,590
\$112.00	\$53,550.01	\$55,343	\$103.00	\$53,570.01	\$55,570	\$103.00	\$55,590.01	\$57,590
			\$109.00	\$55,570.01	\$57,570	\$108.00	\$57,590.01	\$59,590
			\$115.00	\$57,570.01	\$59,570	\$113.00	\$59,590.01	\$61,590
			\$121.00	\$59,570.01	\$61,570	\$119.00	\$61,590.01	\$63,590
			\$127.00	\$61,570.01	\$63,570	\$125.00	\$63,590.01	\$65,590
			\$133.00	\$63,570.01	\$64,790	\$131.00	\$65,590.01	\$67,590
						\$137.00	\$67,590.01	\$69,590
						\$143.00	\$69,590.01	\$71,590
						\$149.00	\$71,590.01	\$73,590
						\$154.00	\$73,590.01	\$74,237
	200% FPIG	\$47,100		200% FPIG	\$55,140		200% FPIG	\$63,180

<i>Weekly Co-pay</i>	<i>Family Size: 7 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 8 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 9 Annual Income</i>	
\$5.00	Less than:	\$8,660	\$5.00	Less than:	\$8,660	\$5.00	Less than:	\$8,660
\$10.00	\$8,660.01	\$17,600	\$10.00	\$8,660.01	\$18,800	\$10.00	\$8,660.01	\$19,700
\$21.00	\$17,600.01	\$20,600	\$22.00	\$18,800.01	\$22,000	\$23.00	\$19,700.01	\$23,700
\$25.00	\$20,600.01	\$23,610	\$26.00	\$22,000.01	\$25,630	\$28.00	\$23,700.01	\$27,650
\$30.00	\$23,610.01	\$25,610	\$32.00	\$25,630.01	\$27,630	\$34.00	\$27,650.01	\$29,650
\$34.00	\$25,610.01	\$27,610	\$36.00	\$27,630.01	\$29,630	\$38.00	\$29,650.01	\$31,650
\$38.00	\$27,610.01	\$29,610	\$40.00	\$29,630.01	\$31,630	\$42.00	\$31,650.01	\$33,650
\$42.00	\$29,610.01	\$31,610	\$44.00	\$31,630.01	\$33,630	\$46.00	\$33,650.01	\$35,650
\$46.00	\$31,610.01	\$33,610	\$48.00	\$33,630.01	\$35,630	\$50.00	\$35,650.01	\$37,650
\$51.00	\$33,610.01	\$35,610	\$52.00	\$35,630.01	\$37,630	\$54.00	\$37,650.01	\$39,650
\$55.00	\$35,610.01	\$37,610	\$57.00	\$37,630.01	\$39,630	\$59.00	\$39,650.01	\$41,650
\$59.00	\$37,610.01	\$39,610	\$61.00	\$39,630.01	\$41,630	\$64.00	\$41,650.01	\$43,650

<i>Weekly Co-pay</i>	<i>Family Size: 7</i>		<i>Weekly Co-pay</i>	<i>Family Size: 8</i>		<i>Weekly Co-pay</i>	<i>Family Size: 9</i>	
	<i>Annual Income</i>			<i>Annual Income</i>			<i>Annual Income</i>	
\$63.00	\$39,610.01	\$41,610	\$65.00	\$41,630.01	\$43,630	\$68.00	\$43,650.01	\$45,650
\$67.00	\$41,610.01	\$43,610	\$69.00	\$43,630.01	\$45,630	\$72.00	\$45,650.01	\$47,650
\$71.00	\$43,610.01	\$45,610	\$73.00	\$45,630.01	\$47,630	\$76.00	\$47,650.01	\$49,650
\$75.00	\$45,610.01	\$47,610	\$77.00	\$47,630.01	\$49,630	\$80.00	\$49,650.01	\$51,650
\$79.00	\$47,610.01	\$49,610	\$81.00	\$49,630.01	\$51,630	\$84.00	\$51,650.01	\$53,650
\$84.00	\$49,610.01	\$51,610	\$85.00	\$51,630.01	\$53,630	\$88.00	\$53,650.01	\$55,650
\$89.00	\$51,610.01	\$53,610	\$89.00	\$53,630.01	\$55,630	\$92.00	\$55,650.01	\$57,650
\$94.00	\$53,610.01	\$55,610	\$94.00	\$55,630.01	\$57,630	\$96.00	\$57,650.01	\$59,650
\$99.00	\$55,610.01	\$57,610	\$99.00	\$57,630.01	\$59,630	\$101.00	\$59,650.01	\$61,650
\$104.00	\$57,610.01	\$59,610	\$104.00	\$59,630.01	\$61,630	\$106.00	\$61,650.01	\$63,650
\$109.00	\$59,610.01	\$61,610	\$109.00	\$61,630.01	\$63,630	\$111.00	\$63,650.01	\$65,650
\$114.00	\$61,610.01	\$63,610	\$114.00	\$63,630.01	\$65,630	\$116.00	\$65,650.01	\$67,650
\$119.00	\$63,610.01	\$65,610	\$119.00	\$65,630.01	\$67,630	\$121.00	\$67,650.01	\$69,650
\$124.00	\$65,610.01	\$67,610	\$124.00	\$67,630.01	\$69,630	\$126.00	\$69,650.01	\$71,650
\$129.00	\$67,610.01	\$69,610	\$129.00	\$69,630.01	\$71,630	\$131.00	\$71,650.01	\$73,650
\$135.00	\$69,610.01	\$71,610	\$134.00	\$71,630.01	\$73,630	\$136.00	\$73,650.01	\$75,650
\$141.00	\$71,610.01	\$73,610	\$139.00	\$73,630.01	\$75,630	\$141.00	\$75,650.01	\$77,650
\$147.00	\$73,610.01	\$75,610	\$144.00	\$75,630.01	\$77,630	\$146.00	\$77,650.01	\$79,650
\$153.00	\$75,610.01	\$77,610	\$150.00	\$77,630.01	\$79,630	\$151.00	\$79,650.01	\$81,650
\$159.00	\$77,610.01	\$79,610	\$156.00	\$79,630.01	\$81,630	\$156.00	\$81,650.01	\$83,650
\$165.00	\$79,610.01	\$81,610	\$162.00	\$81,630.01	\$83,630	\$161.00	\$83,650.01	\$85,650
\$171.00	\$81,610.01	\$83,684	\$168.00	\$83,630.01	\$85,630	\$167.00	\$85,650.01	\$87,650
			\$174.00	\$85,630.01	\$87,630	\$173.00	\$87,650.01	\$89,650
			\$180.00	\$87,630.01	\$89,630	\$179.00	\$89,650.01	\$91,650
			\$186.00	\$89,630.01	\$91,630	\$185.00	\$91,650.01	\$93,650
			\$192.00	\$91,630.01	\$93,131	\$191.00	\$93,650.01	\$95,650
						\$197.00	\$95,650.01	\$97,650
						\$203.00	\$97,650.01	\$99,650
						\$208.00	\$99,650.01	\$101,650
						\$213.00	\$101,650.01	\$102,578
	200% FPIG	\$71,220		200% FPIG	\$79,260		200% FPIG	\$87,300

<i>Weekly Co-pay</i>	<i>Family Size: 10</i>		<i>Weekly Co-pay</i>	<i>Family Size: 11</i>		<i>Weekly Co-pay</i>	<i>Family Size: 12</i>	
	<i>Annual Income</i>			<i>Annual Income</i>			<i>Annual Income</i>	
\$5.00	Less than:	\$8,660	\$5.00	Less than:	\$8,660	\$5.00	Less than:	\$8,660
\$10.00	\$8,660.01	\$20,500	\$10.00	\$8,660.01	\$21,500	\$10.00	\$8,660.01	\$22,500
\$24.00	\$20,500.01	\$25,000	\$25.00	\$21,500.01	\$26,500	\$26.00	\$22,500.01	\$28,000
\$30.00	\$25,000.01	\$29,670	\$32.00	\$26,500.01	\$31,690	\$33.00	\$28,000.01	\$33,710
\$37.00	\$29,670.01	\$31,670	\$39.00	\$31,690.01	\$33,690	\$41.00	\$33,710.01	\$35,710
\$41.00	\$31,670.01	\$33,670	\$43.00	\$33,690.01	\$35,690	\$45.00	\$35,710.01	\$37,710
\$45.00	\$33,670.01	\$35,670	\$47.00	\$35,690.01	\$37,690	\$49.00	\$37,710.01	\$39,710
\$49.00	\$35,670.01	\$37,670	\$51.00	\$37,690.01	\$39,690	\$53.00	\$39,710.01	\$41,710
\$53.00	\$37,670.01	\$39,670	\$55.00	\$39,690.01	\$41,690	\$57.00	\$41,710.01	\$43,710
\$57.00	\$39,670.01	\$41,670	\$59.00	\$41,690.01	\$43,690	\$61.00	\$43,710.01	\$45,710
\$61.00	\$41,670.01	\$43,670	\$63.00	\$43,690.01	\$45,690	\$65.00	\$45,710.01	\$47,710
\$65.00	\$43,670.01	\$45,670	\$67.00	\$45,690.01	\$47,690	\$69.00	\$47,710.01	\$49,710
\$70.00	\$45,670.01	\$47,670	\$71.00	\$47,690.01	\$49,690	\$73.00	\$49,710.01	\$51,710



NOTICES

<i>Weekly Co-pay</i>	<i>Family Size: 10 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 11 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 12 Annual Income</i>	
\$74.00	\$47,670.01	\$49,670	\$76.00	\$49,690.01	\$51,690	\$77.00	\$51,710.01	\$53,710
\$78.00	\$49,670.01	\$51,670	\$80.00	\$51,690.01	\$53,690	\$82.00	\$53,710.01	\$55,710
\$82.00	\$51,670.01	\$53,670	\$84.00	\$53,690.01	\$55,690	\$86.00	\$55,710.01	\$57,710
\$86.00	\$53,670.01	\$55,670	\$88.00	\$55,690.01	\$57,690	\$90.00	\$57,710.01	\$59,710
\$90.00	\$55,670.01	\$57,670	\$92.00	\$57,690.01	\$59,690	\$94.00	\$59,710.01	\$61,710
\$94.00	\$57,670.01	\$59,670	\$96.00	\$59,690.01	\$61,690	\$98.00	\$61,710.01	\$63,710
\$98.00	\$59,670.01	\$61,670	\$100.00	\$61,690.01	\$63,690	\$102.00	\$63,710.01	\$65,710
\$102.00	\$61,670.01	\$63,670	\$104.00	\$63,690.01	\$65,690	\$106.00	\$65,710.01	\$67,710
\$106.00	\$63,670.01	\$65,670	\$108.00	\$65,690.01	\$67,690	\$110.00	\$67,710.01	\$69,710
\$111.00	\$65,670.01	\$67,670	\$112.00	\$67,690.01	\$69,690	\$114.00	\$69,710.01	\$71,710
\$116.00	\$67,670.01	\$69,670	\$116.00	\$69,690.01	\$71,690	\$118.00	\$71,710.01	\$73,710
\$121.00	\$69,670.01	\$71,670	\$121.00	\$71,690.01	\$73,690	\$122.00	\$73,710.01	\$75,710
\$126.00	\$71,670.01	\$73,670	\$126.00	\$73,690.01	\$75,690	\$126.00	\$75,710.01	\$77,710
\$131.00	\$73,670.01	\$75,670	\$131.00	\$75,690.01	\$77,690	\$131.00	\$77,710.01	\$79,710
\$136.00	\$75,670.01	\$77,670	\$136.00	\$77,690.01	\$79,690	\$136.00	\$79,710.01	\$81,710
\$141.00	\$77,670.01	\$79,670	\$141.00	\$79,690.01	\$81,690	\$141.00	\$81,710.01	\$83,710
\$146.00	\$79,670.01	\$81,670	\$146.00	\$81,690.01	\$83,690	\$146.00	\$83,710.01	\$85,710
\$151.00	\$81,670.01	\$83,670	\$151.00	\$83,690.01	\$85,690	\$151.00	\$85,710.01	\$87,710
\$156.00	\$83,670.01	\$85,670	\$156.00	\$85,690.01	\$87,690	\$156.00	\$87,710.01	\$89,710
\$161.00	\$85,670.01	\$87,670	\$161.00	\$87,690.01	\$89,690	\$161.00	\$89,710.01	\$91,710
\$166.00	\$87,670.01	\$89,670	\$166.00	\$89,690.01	\$91,690	\$166.00	\$91,710.01	\$93,710
\$171.00	\$89,670.01	\$91,670	\$171.00	\$91,690.01	\$93,690	\$171.00	\$93,710.01	\$95,710
\$177.00	\$91,670.01	\$93,670	\$176.00	\$93,690.01	\$95,690	\$176.00	\$95,710.01	\$97,710
\$183.00	\$93,670.01	\$95,670	\$181.00	\$95,690.01	\$97,690	\$181.00	\$97,710.01	\$99,710
\$189.00	\$95,670.01	\$97,670	\$186.00	\$97,690.01	\$99,690	\$186.00	\$99,710.01	\$101,710
\$195.00	\$97,670.01	\$99,670	\$192.00	\$99,690.01	\$101,690	\$191.00	\$101,710.01	\$103,710
\$201.00	\$99,670.01	\$101,670	\$198.00	\$101,690.01	\$103,690	\$196.00	\$103,710.01	\$105,710
\$207.00	\$101,670.01	\$103,670	\$204.00	\$103,690.01	\$105,690	\$201.00	\$105,710.01	\$107,710
\$213.00	\$103,670.01	\$105,670	\$210.00	\$105,690.01	\$107,690	\$206.00	\$107,710.01	\$109,710
\$219.00	\$105,670.01	\$107,670	\$216.00	\$107,690.01	\$109,690	\$212.00	\$109,710.01	\$111,710
\$225.00	\$107,670.01	\$109,670	\$222.00	\$109,690.01	\$111,690	\$218.00	\$111,710.01	\$113,710
\$230.00	\$109,670.01	\$112,025	\$228.00	\$111,690.01	\$113,690	\$224.00	\$113,710.01	\$115,710
			\$234.00	\$113,690.01	\$115,690	\$230.00	\$115,710.01	\$117,710
			\$240.00	\$115,690.01	\$117,690	\$236.00	\$117,710.01	\$119,710
			\$246.00	\$117,690.01	\$119,690	\$242.00	\$119,710.01	\$121,710
			\$251.00	\$119,690.01	\$121,472	\$248.00	\$121,710.01	\$123,710
						\$254.00	\$123,710.01	\$125,710
						\$260.00	\$125,710.01	\$127,710
						\$266.00	\$127,710.01	\$129,710
						\$272.00	\$129,710.01	\$130,919
	200% FPIG	\$95,340		200% FPIG	\$103,380		200% FPIG	\$111,420

<i>Weekly Co-pay</i>	<i>Family Size: 13 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 14 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 15 Annual Income</i>	
\$5.00	Less than:	\$8,660	\$5.00	Less than:	\$8,660	\$5.00	Less than:	\$8,660
\$10.00	\$8,660.01	\$23,400	\$10.00	\$8,660.01	\$24,250	\$10.00	\$8,660.01	\$26,000
\$27.00	\$23,400.01	\$29,500	\$28.00	\$24,250.01	\$30,300	\$30.00	\$26,000.01	\$33,030

<i>Weekly Co-pay</i>	<i>Family Size: 13 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 14 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 15 Annual Income</i>	
\$35.00	\$29,500.01	\$35,730	\$36.00	\$30,300.01	\$37,750	\$39.00	\$33,030.01	\$39,770
\$44.00	\$35,730.01	\$37,730	\$46.00	\$37,750.01	\$39,750	\$48.00	\$39,770.01	\$41,770
\$47.00	\$37,730.01	\$39,730	\$49.00	\$39,750.01	\$41,750	\$51.00	\$41,770.01	\$43,770
\$51.00	\$39,730.01	\$41,730	\$53.00	\$41,750.01	\$43,750	\$55.00	\$43,770.01	\$45,770
\$55.00	\$41,730.01	\$43,730	\$57.00	\$43,750.01	\$45,750	\$59.00	\$45,770.01	\$47,770
\$59.00	\$43,730.01	\$45,730	\$61.00	\$45,750.01	\$47,750	\$63.00	\$47,770.01	\$49,770
\$63.00	\$45,730.01	\$47,730	\$65.00	\$47,750.01	\$49,750	\$67.00	\$49,770.01	\$51,770
\$67.00	\$47,730.01	\$49,730	\$69.00	\$49,750.01	\$51,750	\$71.00	\$51,770.01	\$53,770
\$71.00	\$49,730.01	\$51,730	\$73.00	\$51,750.01	\$53,750	\$75.00	\$53,770.01	\$55,770
\$75.00	\$51,730.01	\$53,730	\$77.00	\$53,750.01	\$55,750	\$79.00	\$55,770.01	\$57,770
\$79.00	\$53,730.01	\$55,730	\$81.00	\$55,750.01	\$57,750	\$83.00	\$57,770.01	\$59,770
\$83.00	\$55,730.01	\$57,730	\$85.00	\$57,750.01	\$59,750	\$87.00	\$59,770.01	\$61,770
\$88.00	\$57,730.01	\$59,730	\$90.00	\$59,750.01	\$61,750	\$91.00	\$61,770.01	\$63,770
\$92.00	\$59,730.01	\$61,730	\$95.00	\$61,750.01	\$63,750	\$96.00	\$63,770.01	\$65,770
\$96.00	\$61,730.01	\$63,730	\$99.00	\$63,750.01	\$65,750	\$101.00	\$65,770.01	\$67,770
\$100.00	\$63,730.01	\$65,730	\$103.00	\$65,750.01	\$67,750	\$105.00	\$67,770.01	\$69,770
\$104.00	\$65,730.01	\$67,730	\$107.00	\$67,750.01	\$69,750	\$109.00	\$69,770.01	\$71,770
\$108.00	\$67,730.01	\$69,730	\$111.00	\$69,750.01	\$71,750	\$113.00	\$71,770.01	\$73,770
\$112.00	\$69,730.01	\$71,730	\$115.00	\$71,750.01	\$73,750	\$117.00	\$73,770.01	\$75,770
\$116.00	\$71,730.01	\$73,730	\$119.00	\$73,750.01	\$75,750	\$121.00	\$75,770.01	\$77,770
\$120.00	\$73,730.01	\$75,730	\$123.00	\$75,750.01	\$77,750	\$125.00	\$77,770.01	\$79,770
\$124.00	\$75,730.01	\$77,730	\$127.00	\$77,750.01	\$79,750	\$129.00	\$79,770.01	\$81,770
\$128.00	\$77,730.01	\$79,730	\$131.00	\$79,750.01	\$81,750	\$133.00	\$81,770.01	\$83,770
\$132.00	\$79,730.01	\$81,730	\$135.00	\$81,750.01	\$83,750	\$137.00	\$83,770.01	\$85,770
\$136.00	\$81,730.01	\$83,730	\$139.00	\$83,750.01	\$85,750	\$141.00	\$85,770.01	\$87,770
\$141.00	\$83,730.01	\$85,730	\$144.00	\$85,750.01	\$87,750	\$145.00	\$87,770.01	\$89,770
\$146.00	\$85,730.01	\$87,730	\$149.00	\$87,750.01	\$89,750	\$149.00	\$89,770.01	\$91,770
\$151.00	\$87,730.01	\$89,730	\$154.00	\$89,750.01	\$91,750	\$154.00	\$91,770.01	\$93,770
\$156.00	\$89,730.01	\$91,730	\$159.00	\$91,750.01	\$93,750	\$159.00	\$93,770.01	\$95,770
\$161.00	\$91,730.01	\$93,730	\$164.00	\$93,750.01	\$95,750	\$164.00	\$95,770.01	\$97,770
\$166.00	\$93,730.01	\$95,730	\$169.00	\$95,750.01	\$97,750	\$169.00	\$97,770.01	\$99,770
\$171.00	\$95,730.01	\$97,730	\$174.00	\$97,750.01	\$99,750	\$174.00	\$99,770.01	\$101,770
\$176.00	\$97,730.01	\$99,730	\$179.00	\$99,750.01	\$101,750	\$179.00	\$101,770.01	\$103,770
\$181.00	\$99,730.01	\$101,730	\$184.00	\$101,750.01	\$103,750	\$184.00	\$103,770.01	\$105,770
\$186.00	\$101,730.01	\$103,730	\$189.00	\$103,750.01	\$105,750	\$189.00	\$105,770.01	\$107,770
\$191.00	\$103,730.01	\$105,730	\$194.00	\$105,750.01	\$107,750	\$194.00	\$107,770.01	\$109,770
\$196.00	\$105,730.01	\$107,730	\$199.00	\$107,750.01	\$109,750	\$199.00	\$109,770.01	\$111,770
\$201.00	\$107,730.01	\$109,730	\$204.00	\$109,750.01	\$111,750	\$204.00	\$111,770.01	\$113,770
\$206.00	\$109,730.01	\$111,730	\$209.00	\$111,750.01	\$113,750	\$209.00	\$113,770.01	\$115,770
\$211.00	\$111,730.01	\$113,730	\$214.00	\$113,750.01	\$115,750	\$214.00	\$115,770.01	\$117,770
\$216.00	\$113,730.01	\$115,730	\$219.00	\$115,750.01	\$117,750	\$219.00	\$117,770.01	\$119,770
\$221.00	\$115,730.01	\$117,730	\$224.00	\$117,750.01	\$119,750	\$224.00	\$119,770.01	\$121,770
\$227.00	\$117,730.01	\$119,730	\$229.00	\$119,750.01	\$121,750	\$229.00	\$121,770.01	\$123,770
\$233.00	\$119,730.01	\$121,730	\$235.00	\$121,750.01	\$123,750	\$234.00	\$123,770.01	\$125,770
\$239.00	\$121,730.01	\$123,730	\$241.00	\$123,750.01	\$125,750	\$239.00	\$125,770.01	\$127,770
\$245.00	\$123,730.01	\$125,730	\$247.00	\$125,750.01	\$127,750	\$244.00	\$127,770.01	\$129,770
\$251.00	\$125,730.01	\$127,730	\$253.00	\$127,750.01	\$129,750	\$250.00	\$129,770.01	\$131,770

Weekly Co-pay	Family Size: 13		Weekly Co-pay	Family Size: 14		Weekly Co-pay	Family Size: 15	
	Annual Income			Annual Income			Annual Income	
\$257.00	\$127,730.01	\$129,730	\$259.00	\$129,750.01	\$131,750	\$256.00	\$131,770.01	\$133,770
\$263.00	\$129,730.01	\$131,730	\$265.00	\$131,750.01	\$133,750	\$262.00	\$133,770.01	\$135,770
\$269.00	\$131,730.01	\$133,730	\$271.00	\$133,750.01	\$135,750	\$268.00	\$135,770.01	\$137,770
\$275.00	\$133,730.01	\$135,730	\$277.00	\$135,750.01	\$137,750	\$274.00	\$137,770.01	\$139,770
\$281.00	\$135,730.01	\$137,730	\$283.00	\$137,750.01	\$139,750	\$280.00	\$139,770.01	\$141,770
\$287.00	\$137,730.01	\$139,730	\$289.00	\$139,750.01	\$141,750	\$286.00	\$141,770.01	\$143,770
\$293.00	\$139,730.01	\$140,366	\$295.00	\$141,750.01	\$143,750	\$292.00	\$143,770.01	\$145,770
			\$301.00	\$143,750.01	\$145,750	\$298.00	\$145,770.01	\$147,770
			\$306.00	\$145,750.01	\$147,750	\$304.00	\$147,770.01	\$149,770
			\$311.00	\$147,750.01	\$149,813	\$310.00	\$149,770.01	\$151,770
						\$316.00	\$151,770.01	\$153,770
						\$322.00	\$153,770.01	\$155,770
						\$327.00	\$155,770.01	\$157,770
						\$332.00	\$157,770.01	\$159,260
	200% FPIG	\$119,460		200% FPIG	\$127,500		200% FPIG	\$135,540

Weekly Co-pay	Family Size: 16		Weekly Co-pay	Family Size: 17		Weekly Co-pay	Family Size: 18	
	Annual Income			Annual Income			Annual Income	
\$5.00	Less than:	\$8,660	\$5.00	Less than:	\$8,660	\$5.00	Less than:	\$8,660
\$10.00	\$8,660.01	\$27,700	\$10.00	\$8,660.01	\$28,600	\$10.00	\$8,660.01	\$29,500
\$32.00	\$27,700.01	\$35,750	\$33.00	\$28,600.01	\$36,800	\$35.00	\$29,500.01	\$38,500
\$42.00	\$35,750.01	\$43,790	\$43.00	\$36,800.01	\$45,810	\$46.00	\$38,500.01	\$47,830
\$52.00	\$43,790.01	\$45,790	\$55.00	\$45,810.01	\$47,810	\$58.00	\$47,830.01	\$49,830
\$56.00	\$45,790.01	\$47,790	\$59.00	\$47,810.01	\$49,810	\$61.00	\$49,830.01	\$51,830
\$60.00	\$47,790.01	\$49,790	\$63.00	\$49,810.01	\$51,810	\$65.00	\$51,830.01	\$53,830
\$64.00	\$49,790.01	\$51,790	\$67.00	\$51,810.01	\$53,810	\$69.00	\$53,830.01	\$55,830
\$68.00	\$51,790.01	\$53,790	\$71.00	\$53,810.01	\$55,810	\$73.00	\$55,830.01	\$57,830
\$72.00	\$53,790.01	\$55,790	\$75.00	\$55,810.01	\$57,810	\$77.00	\$57,830.01	\$59,830
\$76.00	\$55,790.01	\$57,790	\$79.00	\$57,810.01	\$59,810	\$81.00	\$59,830.01	\$61,830
\$80.00	\$57,790.01	\$59,790	\$83.00	\$59,810.01	\$61,810	\$85.00	\$61,830.01	\$63,830
\$84.00	\$59,790.01	\$61,790	\$87.00	\$61,810.01	\$63,810	\$89.00	\$63,830.01	\$65,830
\$88.00	\$61,790.01	\$63,790	\$91.00	\$63,810.01	\$65,810	\$93.00	\$65,830.01	\$67,830
\$92.00	\$63,790.01	\$65,790	\$95.00	\$65,810.01	\$67,810	\$97.00	\$67,830.01	\$69,830
\$97.00	\$65,790.01	\$67,790	\$99.00	\$67,810.01	\$69,810	\$101.00	\$69,830.01	\$71,830
\$102.00	\$67,790.01	\$69,790	\$103.00	\$69,810.01	\$71,810	\$105.00	\$71,830.01	\$73,830
\$107.00	\$69,790.01	\$71,790	\$108.00	\$71,810.01	\$73,810	\$109.00	\$73,830.01	\$75,830
\$111.00	\$71,790.01	\$73,790	\$113.00	\$73,810.01	\$75,810	\$114.00	\$75,830.01	\$77,830
\$115.00	\$73,790.01	\$75,790	\$117.00	\$75,810.01	\$77,810	\$119.00	\$77,830.01	\$79,830
\$119.00	\$75,790.01	\$77,790	\$121.00	\$77,810.01	\$79,810	\$123.00	\$79,830.01	\$81,830
\$123.00	\$77,790.01	\$79,790	\$125.00	\$79,810.01	\$81,810	\$127.00	\$81,830.01	\$83,830
\$127.00	\$79,790.01	\$81,790	\$129.00	\$81,810.01	\$83,810	\$131.00	\$83,830.01	\$85,830
\$131.00	\$81,790.01	\$83,790	\$133.00	\$83,810.01	\$85,810	\$135.00	\$85,830.01	\$87,830
\$135.00	\$83,790.01	\$85,790	\$137.00	\$85,810.01	\$87,810	\$139.00	\$87,830.01	\$89,830
\$139.00	\$85,790.01	\$87,790	\$141.00	\$87,810.01	\$89,810	\$143.00	\$89,830.01	\$91,830
\$143.00	\$87,790.01	\$89,790	\$145.00	\$89,810.01	\$91,810	\$147.00	\$91,830.01	\$93,830
\$147.00	\$89,790.01	\$91,790	\$149.00	\$91,810.01	\$93,810	\$151.00	\$93,830.01	\$95,830
\$151.00	\$91,790.01	\$93,790	\$153.00	\$93,810.01	\$95,810	\$155.00	\$95,830.01	\$97,830

NOTICES

2521

<i>Weekly Co-pay</i>	<i>Family Size: 16 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 17 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 18 Annual Income</i>	
\$155.00	\$93,790.01	\$95,790	\$157.00	\$95,810.01	\$97,810	\$159.00	\$97,830.01	\$99,830
\$159.00	\$95,790.01	\$97,790	\$161.00	\$97,810.01	\$99,810	\$163.00	\$99,830.01	\$101,830
\$164.00	\$97,790.01	\$99,790	\$165.00	\$99,810.01	\$101,810	\$167.00	\$101,830.01	\$103,830
\$169.00	\$99,790.01	\$101,790	\$169.00	\$101,810.01	\$103,810	\$171.00	\$103,830.01	\$105,830
\$174.00	\$101,790.01	\$103,790	\$174.00	\$103,810.01	\$105,810	\$175.00	\$105,830.01	\$107,830
\$179.00	\$103,790.01	\$105,790	\$179.00	\$105,810.01	\$107,810	\$179.00	\$107,830.01	\$109,830
\$184.00	\$105,790.01	\$107,790	\$184.00	\$107,810.01	\$109,810	\$184.00	\$109,830.01	\$111,830
\$189.00	\$107,790.01	\$109,790	\$189.00	\$109,810.01	\$111,810	\$189.00	\$111,830.01	\$113,830
\$194.00	\$109,790.01	\$111,790	\$194.00	\$111,810.01	\$113,810	\$194.00	\$113,830.01	\$115,830
\$199.00	\$111,790.01	\$113,790	\$199.00	\$113,810.01	\$115,810	\$199.00	\$115,830.01	\$117,830
\$204.00	\$113,790.01	\$115,790	\$204.00	\$115,810.01	\$117,810	\$204.00	\$117,830.01	\$119,830
\$209.00	\$115,790.01	\$117,790	\$209.00	\$117,810.01	\$119,810	\$209.00	\$119,830.01	\$121,830
\$214.00	\$117,790.01	\$119,790	\$214.00	\$119,810.01	\$121,810	\$214.00	\$121,830.01	\$123,830
\$219.00	\$119,790.01	\$121,790	\$219.00	\$121,810.01	\$123,810	\$219.00	\$123,830.01	\$125,830
\$224.00	\$121,790.01	\$123,790	\$224.00	\$123,810.01	\$125,810	\$224.00	\$125,830.01	\$127,830
\$229.00	\$123,790.01	\$125,790	\$229.00	\$125,810.01	\$127,810	\$229.00	\$127,830.01	\$129,830
\$234.00	\$125,790.01	\$127,790	\$234.00	\$127,810.01	\$129,810	\$234.00	\$129,830.01	\$131,830
\$239.00	\$127,790.01	\$129,790	\$239.00	\$129,810.01	\$131,810	\$239.00	\$131,830.01	\$133,830
\$244.00	\$129,790.01	\$131,790	\$244.00	\$131,810.01	\$133,810	\$244.00	\$133,830.01	\$135,830
\$249.00	\$131,790.01	\$133,790	\$249.00	\$133,810.01	\$135,810	\$249.00	\$135,830.01	\$137,830
\$254.00	\$133,790.01	\$135,790	\$254.00	\$135,810.01	\$137,810	\$254.00	\$137,830.01	\$139,830
\$259.00	\$135,790.01	\$137,790	\$259.00	\$137,810.01	\$139,810	\$259.00	\$139,830.01	\$141,830
\$264.00	\$137,790.01	\$139,790	\$264.00	\$139,810.01	\$141,810	\$264.00	\$141,830.01	\$143,830
\$270.00	\$139,790.01	\$141,790	\$269.00	\$141,810.01	\$143,810	\$269.00	\$143,830.01	\$145,830
\$276.00	\$141,790.01	\$143,790	\$274.00	\$143,810.01	\$145,810	\$274.00	\$145,830.01	\$147,830
\$282.00	\$143,790.01	\$145,790	\$280.00	\$145,810.01	\$147,810	\$279.00	\$147,830.01	\$149,830
\$288.00	\$145,790.01	\$147,790	\$286.00	\$147,810.01	\$149,810	\$284.00	\$149,830.01	\$151,830
\$294.00	\$147,790.01	\$149,790	\$292.00	\$149,810.01	\$151,810	\$289.00	\$151,830.01	\$153,830
\$300.00	\$149,790.01	\$151,790	\$298.00	\$151,810.01	\$153,810	\$295.00	\$153,830.01	\$155,830
\$306.00	\$151,790.01	\$153,790	\$304.00	\$153,810.01	\$155,810	\$301.00	\$155,830.01	\$157,830
\$312.00	\$153,790.01	\$155,790	\$310.00	\$155,810.01	\$157,810	\$307.00	\$157,830.01	\$159,830
\$318.00	\$155,790.01	\$157,790	\$316.00	\$157,810.01	\$159,810	\$313.00	\$159,830.01	\$161,830
\$324.00	\$157,790.01	\$159,790	\$322.00	\$159,810.01	\$161,810	\$319.00	\$161,830.01	\$163,830
\$330.00	\$159,790.01	\$161,790	\$328.00	\$161,810.01	\$163,810	\$325.00	\$163,830.01	\$165,830
\$336.00	\$161,790.01	\$163,790	\$334.00	\$163,810.01	\$165,810	\$331.00	\$165,830.01	\$167,830
\$342.00	\$163,790.01	\$165,790	\$340.00	\$165,810.01	\$167,810	\$337.00	\$167,830.01	\$169,830
\$348.00	\$165,790.01	\$167,790	\$346.00	\$167,810.01	\$169,810	\$343.00	\$169,830.01	\$171,830
\$353.00	\$167,790.01	\$168,707	\$352.00	\$169,810.01	\$171,810	\$349.00	\$171,830.01	\$173,830
			\$358.00	\$171,810.01	\$173,810	\$355.00	\$173,830.01	\$175,830
			\$364.00	\$173,810.01	\$175,810	\$361.00	\$175,830.01	\$177,830
			\$369.00	\$175,810.01	\$178,154	\$367.00	\$177,830.01	\$179,830
						\$373.00	\$179,830.01	\$181,830
						\$379.00	\$181,830.01	\$183,830
						\$385.00	\$183,830.01	\$185,830
						\$390.00	\$185,830.01	\$187,601
	200% FPIG	\$143,580		200% FPIG	\$151,620		200% FPIG	\$159,660

NOTICES

<i>Weekly Co-pay</i>	<i>Family Size: 19 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 20 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 21 Annual Income</i>	
\$5.00	Less than:	\$8,660	\$5.00	Less than:	\$8,660	\$5.00	Less than:	\$8,660
\$10.00	\$8,660.01	\$30,300	\$10.00	\$8,660.01	\$31,230	\$10.00	\$8,660.01	\$33,070
\$35.00	\$30,300.01	\$40,300	\$37.00	\$31,230.01	\$41,330	\$39.00	\$33,070.01	\$43,400
\$48.00	\$40,300.01	\$49,850	\$49.00	\$41,330.01	\$51,870	\$52.00	\$43,400.01	\$53,890
\$60.00	\$49,850.01	\$51,850	\$62.00	\$51,870.01	\$53,870	\$65.00	\$53,890.01	\$55,890
\$63.00	\$51,850.01	\$53,850	\$65.00	\$53,870.01	\$55,870	\$68.00	\$55,890.01	\$57,890
\$67.00	\$53,850.01	\$55,850	\$69.00	\$55,870.01	\$57,870	\$71.00	\$57,890.01	\$59,890
\$71.00	\$55,850.01	\$57,850	\$73.00	\$57,870.01	\$59,870	\$75.00	\$59,890.01	\$61,890
\$75.00	\$57,850.01	\$59,850	\$77.00	\$59,870.01	\$61,870	\$79.00	\$61,890.01	\$63,890
\$79.00	\$59,850.01	\$61,850	\$81.00	\$61,870.01	\$63,870	\$83.00	\$63,890.01	\$65,890
\$83.00	\$61,850.01	\$63,850	\$85.00	\$63,870.01	\$65,870	\$87.00	\$65,890.01	\$67,890
\$87.00	\$63,850.01	\$65,850	\$89.00	\$65,870.01	\$67,870	\$91.00	\$67,890.01	\$69,890
\$91.00	\$65,850.01	\$67,850	\$93.00	\$67,870.01	\$69,870	\$95.00	\$69,890.01	\$71,890
\$95.00	\$67,850.01	\$69,850	\$97.00	\$69,870.01	\$71,870	\$99.00	\$71,890.01	\$73,890
\$99.00	\$69,850.01	\$71,850	\$101.00	\$71,870.01	\$73,870	\$103.00	\$73,890.01	\$75,890
\$103.00	\$71,850.01	\$73,850	\$105.00	\$73,870.01	\$75,870	\$107.00	\$75,890.01	\$77,890
\$107.00	\$73,850.01	\$75,850	\$109.00	\$75,870.01	\$77,870	\$111.00	\$77,890.01	\$79,890
\$111.00	\$75,850.01	\$77,850	\$113.00	\$77,870.01	\$79,870	\$115.00	\$79,890.01	\$81,890
\$115.00	\$77,850.01	\$79,850	\$117.00	\$79,870.01	\$81,870	\$119.00	\$81,890.01	\$83,890
\$120.00	\$79,850.01	\$81,850	\$122.00	\$81,870.01	\$83,870	\$123.00	\$83,890.01	\$85,890
\$125.00	\$81,850.01	\$83,850	\$127.00	\$83,870.01	\$85,870	\$128.00	\$85,890.01	\$87,890
\$129.00	\$83,850.01	\$85,850	\$132.00	\$85,870.01	\$87,870	\$133.00	\$87,890.01	\$89,890
\$133.00	\$85,850.01	\$87,850	\$136.00	\$87,870.01	\$89,870	\$138.00	\$89,890.01	\$91,890
\$137.00	\$87,850.01	\$89,850	\$140.00	\$89,870.01	\$91,870	\$142.00	\$91,890.01	\$93,890
\$141.00	\$89,850.01	\$91,850	\$144.00	\$91,870.01	\$93,870	\$146.00	\$93,890.01	\$95,890
\$145.00	\$91,850.01	\$93,850	\$148.00	\$93,870.01	\$95,870	\$150.00	\$95,890.01	\$97,890
\$149.00	\$93,850.01	\$95,850	\$152.00	\$95,870.01	\$97,870	\$154.00	\$97,890.01	\$99,890
\$153.00	\$95,850.01	\$97,850	\$156.00	\$97,870.01	\$99,870	\$158.00	\$99,890.01	\$101,890
\$157.00	\$97,850.01	\$99,850	\$160.00	\$99,870.01	\$101,870	\$162.00	\$101,890.01	\$103,890
\$161.00	\$99,850.01	\$101,850	\$164.00	\$101,870.01	\$103,870	\$166.00	\$103,890.01	\$105,890
\$165.00	\$101,850.01	\$103,850	\$168.00	\$103,870.01	\$105,870	\$170.00	\$105,890.01	\$107,890
\$169.00	\$103,850.01	\$105,850	\$172.00	\$105,870.01	\$107,870	\$174.00	\$107,890.01	\$109,890
\$173.00	\$105,850.01	\$107,850	\$176.00	\$107,870.01	\$109,870	\$178.00	\$109,890.01	\$111,890
\$177.00	\$107,850.01	\$109,850	\$180.00	\$109,870.01	\$111,870	\$182.00	\$111,890.01	\$113,890
\$181.00	\$109,850.01	\$111,850	\$184.00	\$111,870.01	\$113,870	\$186.00	\$113,890.01	\$115,890
\$185.00	\$111,850.01	\$113,850	\$188.00	\$113,870.01	\$115,870	\$190.00	\$115,890.01	\$117,890
\$189.00	\$113,850.01	\$115,850	\$192.00	\$115,870.01	\$117,870	\$194.00	\$117,890.01	\$119,890
\$194.00	\$115,850.01	\$117,850	\$196.00	\$117,870.01	\$119,870	\$198.00	\$119,890.01	\$121,890
\$199.00	\$117,850.01	\$119,850	\$201.00	\$119,870.01	\$121,870	\$202.00	\$121,890.01	\$123,890
\$204.00	\$119,850.01	\$121,850	\$206.00	\$121,870.01	\$123,870	\$207.00	\$123,890.01	\$125,890
\$209.00	\$121,850.01	\$123,850	\$211.00	\$123,870.01	\$125,870	\$212.00	\$125,890.01	\$127,890
\$214.00	\$123,850.01	\$125,850	\$216.00	\$125,870.01	\$127,870	\$217.00	\$127,890.01	\$129,890
\$219.00	\$125,850.01	\$127,850	\$221.00	\$127,870.01	\$129,870	\$222.00	\$129,890.01	\$131,890
\$224.00	\$127,850.01	\$129,850	\$226.00	\$129,870.01	\$131,870	\$227.00	\$131,890.01	\$133,890
\$229.00	\$129,850.01	\$131,850	\$231.00	\$131,870.01	\$133,870	\$232.00	\$133,890.01	\$135,890

NOTICES

2523

<i>Weekly Co-pay</i>	<i>Family Size: 19 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 20 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 21 Annual Income</i>	
\$234.00	\$131,850.01	\$133,850	\$236.00	\$133,870.01	\$135,870	\$237.00	\$135,890.01	\$137,890
\$239.00	\$133,850.01	\$135,850	\$241.00	\$135,870.01	\$137,870	\$242.00	\$137,890.01	\$139,890
\$244.00	\$135,850.01	\$137,850	\$246.00	\$137,870.01	\$139,870	\$247.00	\$139,890.01	\$141,890
\$249.00	\$137,850.01	\$139,850	\$251.00	\$139,870.01	\$141,870	\$252.00	\$141,890.01	\$143,890
\$254.00	\$139,850.01	\$141,850	\$256.00	\$141,870.01	\$143,870	\$257.00	\$143,890.01	\$145,890
\$259.00	\$141,850.01	\$143,850	\$261.00	\$143,870.01	\$145,870	\$262.00	\$145,890.01	\$147,890
\$264.00	\$143,850.01	\$145,850	\$266.00	\$145,870.01	\$147,870	\$267.00	\$147,890.01	\$149,890
\$269.00	\$145,850.01	\$147,850	\$271.00	\$147,870.01	\$149,870	\$272.00	\$149,890.01	\$151,890
\$274.00	\$147,850.01	\$149,850	\$276.00	\$149,870.01	\$151,870	\$277.00	\$151,890.01	\$153,890
\$279.00	\$149,850.01	\$151,850	\$281.00	\$151,870.01	\$153,870	\$282.00	\$153,890.01	\$155,890
\$284.00	\$151,850.01	\$153,850	\$286.00	\$153,870.01	\$155,870	\$287.00	\$155,890.01	\$157,890
\$289.00	\$153,850.01	\$155,850	\$291.00	\$155,870.01	\$157,870	\$292.00	\$157,890.01	\$159,890
\$294.00	\$155,850.01	\$157,850	\$296.00	\$157,870.01	\$159,870	\$297.00	\$159,890.01	\$161,890
\$299.00	\$157,850.01	\$159,850	\$301.00	\$159,870.01	\$161,870	\$302.00	\$161,890.01	\$163,890
\$304.00	\$159,850.01	\$161,850	\$306.00	\$161,870.01	\$163,870	\$307.00	\$163,890.01	\$165,890
\$309.00	\$161,850.01	\$163,850	\$311.00	\$163,870.01	\$165,870	\$312.00	\$165,890.01	\$167,890
\$315.00	\$163,850.01	\$165,850	\$316.00	\$165,870.01	\$167,870	\$317.00	\$167,890.01	\$169,890
\$321.00	\$165,850.01	\$167,850	\$321.00	\$167,870.01	\$169,870	\$322.00	\$169,890.01	\$171,890
\$327.00	\$167,850.01	\$169,850	\$327.00	\$169,870.01	\$171,870	\$327.00	\$171,890.01	\$173,890
\$333.00	\$169,850.01	\$171,850	\$333.00	\$171,870.01	\$173,870	\$332.00	\$173,890.01	\$175,890
\$339.00	\$171,850.01	\$173,850	\$339.00	\$173,870.01	\$175,870	\$338.00	\$175,890.01	\$177,890
\$345.00	\$173,850.01	\$175,850	\$345.00	\$175,870.01	\$177,870	\$344.00	\$177,890.01	\$179,890
\$351.00	\$175,850.01	\$177,850	\$351.00	\$177,870.01	\$179,870	\$350.00	\$179,890.01	\$181,890
\$357.00	\$177,850.01	\$179,850	\$357.00	\$179,870.01	\$181,870	\$356.00	\$181,890.01	\$183,890
\$363.00	\$179,850.01	\$181,850	\$363.00	\$181,870.01	\$183,870	\$362.00	\$183,890.01	\$185,890
\$369.00	\$181,850.01	\$183,850	\$369.00	\$183,870.01	\$185,870	\$368.00	\$185,890.01	\$187,890
\$375.00	\$183,850.01	\$185,850	\$375.00	\$185,870.01	\$187,870	\$374.00	\$187,890.01	\$189,890
\$381.00	\$185,850.01	\$187,850	\$381.00	\$187,870.01	\$189,870	\$380.00	\$189,890.01	\$191,890
\$387.00	\$187,850.01	\$189,850	\$387.00	\$189,870.01	\$191,870	\$386.00	\$191,890.01	\$193,890
\$393.00	\$189,850.01	\$191,850	\$393.00	\$191,870.01	\$193,870	\$392.00	\$193,890.01	\$195,890
\$399.00	\$191,850.01	\$193,850	\$399.00	\$193,870.01	\$195,870	\$398.00	\$195,890.01	\$197,890
\$405.00	\$193,850.01	\$195,850	\$405.00	\$195,870.01	\$197,870	\$404.00	\$197,890.01	\$199,890
\$411.00	\$195,850.01	\$197,048	\$411.00	\$197,870.01	\$199,870	\$410.00	\$199,890.01	\$201,890
			\$417.00	\$199,870.01	\$201,870	\$416.00	\$201,890.01	\$203,890
			\$423.00	\$201,870.01	\$203,870	\$422.00	\$203,890.01	\$205,890
			\$428.00	\$203,870.01	\$205,870	\$428.00	\$205,890.01	\$207,890
			\$433.00	\$205,870.01	\$206,495	\$434.00	\$207,890.01	\$209,890
						\$439.00	\$209,890.01	\$211,890
						\$444.00	\$211,890.01	\$213,890
						\$449.00	\$213,890.01	\$215,942
	<b>200% FPIG</b>	<b>\$167,700</b>		<b>200% FPIG</b>	<b>\$175,740</b>		<b>200% FPIG</b>	<b>\$183,780</b>

[Pa.B. Doc. No. 13-826. Filed for public inspection May 3, 2013, 9:00 a.m.]

## Payment Methodology for Services in the School-Based Access Program

The Department of Public Welfare (Department) intends to revise the payment methodology in the School-Based Access Program (Program) in accordance with recommendations made by the Centers for Medicare and Medicaid Services.

### *Background*

The Medical Assistance (MA) Program covers a broad range of health-related services through the Program, including assistive technology devices, nursing, nurse practitioner, occupational therapy, orientation, mobility and vision, personal care, physical therapy, physician, psychology, counseling, social work, special transportation and speech, language and hearing services. Services provided in the Program must be health-related, not educational, in nature and must be provided by a qualified MA provider. To be eligible for MA payment, services must be medically necessary and must be listed on the child's Individualized Education Program (IEP).

### *Payment Methodology*

School-based services are paid on a cost-related basis. Beginning with the 2012-2013 academic year, a cost reconciliation and cost settlement specific to each local education agency (agency) will be processed annually, to assure that each agency does not receive more in interim payments than the costs incurred for delivering Program services during the school year.

The direct and indirect costs of providing Program services, less any Federal payments for these costs, will be collected utilizing cost reports received from each agency that reflect the cost of providing services during the previous State fiscal year (July 1 through June 30). Allowable costs will be calculated using the data from the cost reports, the agency's Unrestricted Indirect Cost Rate (UICR) established by the United States Department of Education, the agency's Random Moment Time Study (RMTS) Activity and the agency's ratio of students who are MA beneficiaries to the entire school population. Allowable costs include direct health-related costs such as salaries, benefits and health-related purchased services, supplies and transportation costs, as well as indirect costs using the agency-specific UICR.

The direct health-related RMTS is used to determine the percentage of time that personnel spend on direct health-related services, general and administrative time and all other activities to account for 100% of agency staff time to assure that there is no duplicate claiming. The product of allowable costs multiplied by the agency's direct health-related RMTS percentage is then multiplied by the Medicaid Eligibility Rate. The Medicaid Eligibility Rate is calculated for each agency by dividing the total number of students who are MA beneficiaries and have an IEP by the total number of students who have an IEP; this agency-specific IEP ratio reduces the direct health-related cost pool by the percentage of students who are MA beneficiaries and have an IEP.

Each agency will be required to certify the accuracy of the total actual costs and expenditures incurred in delivering Program services. All annual cost reports will be subject to review by the Department or its designee.

The cost reconciliation process will be completed after the close of the reporting period covered by the annual cost report. The total allowable costs will be compared to the agency's interim MA payments for Program services

provided during the reporting period. If an agency's interim payments amounts exceed the actual certified costs incurred in delivering Program services, the agency will return an amount equal to the overpayment to the Department. If the actual certified costs incurred in delivering Program services exceed the interim MA payments, the agency will receive the Federal share of the difference from the Department. The Department will notify the agency of the amount due from or to the agency within 90 days of receiving the cost report.

### *Fiscal Impact*

It is anticipated that implementation of revised payment methodology used for services delivered under the Program will have no State fiscal impact for the Department because the non-Federal match is covered by the Agencies.

### *Public Comment*

Interested persons are invited to submit written comments regarding the revised payment methodology to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments will be reviewed and considered.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

BEVERLY D. MACKERETH,  
*Acting Secretary*

**Fiscal Note:** 14-NOT-816. No fiscal impact; (8) recommendations adoption.

[Pa.B. Doc. No. 13-827. Filed for public inspection May 3, 2013, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania \$500 Frenzy Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$500 Frenzy.

2. *Price:* The price of a Pennsylvania \$500 Frenzy instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania \$500 Frenzy instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVEN), 12 (TWELVE), 13 (THIRTEEN), 14 (FOURTEEN), 15 (FIFTEEN), 16 (SIXTEEN), 17 (SEVENTEEN), 18 (EIGHTEEN), 19 (NINETEEN), 20 (TWENTY), 21 (TWENTYONE), 22 (TWENTYTWO), 23 (TWENTYTHREE), 24 (TWENTYFOUR), 25 (TWENTYFIVE), 26 (TWENTYSIX), 27 (TWENTYSEVEN), 28 (TWENTYEIGHT), 29 (TWENTYNINE) and 30 (THIRTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3

(THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY) and a \$500 Burst (WIN500) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$15.<sup>00</sup> (FIFTN), \$20.<sup>00</sup> (TWENTY), \$40.<sup>00</sup> (FORTY), \$50.<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$5,000 (FIV THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$40, \$50, \$100, \$250, \$500, \$5,000 and \$100,000. A player can win up to 12 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 15,000,000 tickets will be printed for the Pennsylvania \$500 Frenzy instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5,000 (FIV THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$500 Burst (WIN500) symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$250 (TWOHUNFTY) appears in the “prize” area under

the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$250.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40.<sup>00</sup> (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$15.<sup>00</sup> (FIFTN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

*When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:*

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 15,000,000 Tickets:</i>
\$5	8.57	1,750,000
\$5 × 2	30	500,000
\$10	60	250,000
\$5 × 3	150	100,000
\$10 + \$5	300	50,000
\$15	300	50,000
\$5 × 4	300	50,000
\$10 × 2	300	50,000
\$15 + \$5	200	75,000
\$20	300	50,000
\$5 × 8	600	25,000
\$10 × 4	600	25,000



When Any Of Your Numbers Match  
Any Winning Number, Win Prize  
Shown Under The Matching  
Number. Win With:

Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 15,000,000 Tickets:
\$20 × 2	40	25,000
\$40	300	50,000
\$10 × 5	600	25,000
\$5 × 10	600	25,000
(\$20 × 2) + \$10	600	25,000
\$50	600	25,000
\$10 × 10	6,000	2,500
\$20 × 5	6,000	2,500
\$50 × 2	6,000	2,500
(\$10 × 8) + (\$5 × 4)	6,000	2,500
\$100	6,000	2,500
\$100 × 5	2,182	6,875
\$250 × 2	2,143	7,000
(\$50 × 2) + (\$40 × 10)	2,182	6,875
\$500 w/ \$500 BURST	2,000	7,500
\$500	2,000	7,500
(\$500 w/ \$500 BURST) × 10	750,000	20
\$5,000	750,000	20
\$100,000	1,500,000	10

Reveal a “\$500 BURST” (WIN500) symbol, win \$500 automatically.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania \$500 Frenzy instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$500 Frenzy, prize money from winning Pennsylvania \$500 Frenzy instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania \$500 Frenzy instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania \$500 Frenzy or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 13-828. Filed for public inspection May 3, 2013, 9:00 a.m.]

### Pennsylvania Neon 9s '13 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of

instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Neon 9s '13.

2. *Price:* The price of a Pennsylvania Neon 9s '13 instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania Neon 9s '13 instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 30 (THIRTY), 9 (NINE) symbol, \$90 BURST (WIN90) symbol and a Neon (NEON) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the play area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$90<sup>00</sup> (NINTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$30,000 (TRY THO) and \$300,000 (THRHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$40, \$50, \$90, \$100, \$200, \$500, \$1,000, \$10,000, \$30,000 and \$300,000.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for the Pennsylvania Neon 9s '13 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with a 9 (NINE) symbol in the play area and a prize symbol of \$300,000 (THRHUNTHO) in the “Prize” area to the right of that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$300,000.

(b) Holders of tickets with a 9 (NINE) symbol in the play area and a prize symbol of \$30,000 (TRY THO) in the “Prize” area to the right of that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$30,000.

(c) Holders of tickets with a 9 (NINE) symbol in the play area and a prize symbol of \$10,000 (TEN THO) in the "Prize" area to the right of that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets with a 9 (NINE) symbol in the play area and a prize symbol of \$1,000 (ONE THO) in the "Prize" area to the right of that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets with a Neon (NEON) symbol in the play area and a prize symbol of \$100 (ONE HUN) appears in five of the "Prize" areas and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets with a 9 (NINE) symbol in the play area and a prize symbol of \$500 (FIV HUN) in the "Prize" area to the right of that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets with a Neon (NEON) symbol in the play area and a prize symbol of \$40<sup>00</sup> (FORTY) appears in ten of the "Prize" areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets with a 9 (NINE) symbol in the play area and a prize symbol of \$200 (TWO HUN) in the "Prize" area to the right of that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$200.

(i) Holders of tickets with a Neon (NEON) symbol in the play area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the "Prize" areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(j) Holders of tickets with a 9 (NINE) symbol in the play area and a prize symbol of \$100 (ONE HUN) in the "Prize" area to the right of that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets with a Neon (NEON) symbol in the play area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in five of the "Prize" areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets with \$90 BURST (WIN90) symbol in the play area, on a single ticket, shall be entitled to a prize of \$90.

(m) Holders of tickets with a 9 (NINE) symbol in the play area and a prize symbol of \$50<sup>00</sup> (FIFTY) in the "Prize" area to the right of that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$50.

(n) Holders of tickets with a 9 (NINE) symbol in the play area and a prize symbol of \$40<sup>00</sup> (FORTY) in the "Prize" area to the right of that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$40.

(o) Holders of tickets with a 9 (NINE) symbol in the play area and a prize symbol of \$20<sup>00</sup> (TWENTY) in the "Prize" area to the right of that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$20.

(p) Holders of tickets with a 9 (NINE) symbol in the play area and a prize symbol of \$10<sup>00</sup> (TEN DOL) in the "Prize" area to the right of that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$10.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Reveal A "9" (NINE) Symbol, Win Prize Shown To The Right Of It.</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
\$10	\$10	6	1,800,000
\$10 x 2	\$20	20	540,000
\$20	\$20	40	270,000
\$10 x 4	\$40	150	72,000
\$20 x 2	\$40	150	72,000
(\$10 x 2) + \$20	\$40	150	72,000
\$40	\$40	200	54,000
\$10 x 5	\$50	200	54,000
(\$20 x 2) + \$10	\$50	200	54,000
\$50	\$50	300	36,000
NEON w/ (\$10 x 5) + (\$5 x 10)	\$100	600	18,000
\$20 x 5	\$100	600	18,000
(\$90 w/ \$90 BURST) + \$10	\$100	300	36,000
\$100	\$100	600	18,000
NEON w/ (\$20 x 5) + (\$10 x 10)	\$200	1,500	7,200
\$40 x 5	\$200	8,000	1,350
\$50 x 4	\$200	8,000	1,350
\$100 x 2	\$200	8,000	1,350
(((\$90 w/ \$90 BURST) x 2) + \$20	\$200	2,000	5,400
\$200	\$200	8,000	1,350
NEON w/ (\$40 x 10) + (\$20 x 5)	\$500	4,000	2,700
\$50 x 10	\$500	12,000	900
\$100 x 5	\$500	12,000	900
(((\$90 w/ \$90 BURST) x 5) + \$50	\$500	6,000	1,800
\$500	\$500	12,000	900
NEON w/ (\$100 x 5) + (\$50 x 10)	\$1,000	12,000	900
\$200 x 5	\$1,000	24,000	450
(((\$90 w/ \$90 BURST) x 5) + \$500 + \$50	\$1,000	12,000	900

Reveal A "9" (NINE) Symbol, Win Prize Shown To The Right Of It. Win With:

(((\$90 w/ \$90 BURST) × 10) + \$100  
 \$1,000  
 \$1,000 × 10  
 \$10,000  
 \$30,000  
 \$300,000

Win:  
 \$1,000  
 \$1,000  
 \$10,000  
 \$10,000  
 \$30,000  
 \$300,000

Approximate Odds  
 Are 1 In:  
 12,000  
 24,000  
 360,000  
 360,000  
 360,000  
 720,000

Approximate No.  
 Of Winners Per  
 10,800,000  
 Tickets:  
 900  
 450  
 30  
 30  
 30  
 15

Reveal a "\$90 BURST" (WIN90) symbol, win \$90 instantly.  
 Reveal a "NEON" (NEON) symbol, win all 15 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Neon 9s '13 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Neon 9s '13, prize money from winning Pennsylvania Neon 9s '13 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Neon 9s '13 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Neon 9s '13 or through normal communications methods.

DANIEL MEUSER,  
 Secretary

[Pa.B. Doc. No. 13-829. Filed for public inspection May 3, 2013, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Committee Meetings

The Pedalcycle and Pedestrian Advisory Committee will hold a meeting on Tuesday, May 7, 2013, from 1 p.m. to 3 p.m. in Conference Room 8N1, Commonwealth Keystone Building, Harrisburg, PA. For more information, contact Brian Sanders at (717) 783-6193 or bsanders@pa.gov.

The Motor Carrier and Safety Advisory Committee will hold a meeting on Tuesday, May 14, 2013, from 12:30 p.m. to 3 p.m. at the Turnpike Commission Building,

Middletown, PA. For more information, contact Ryan McNary at (717) 787-3656 or rymcnary@pa.gov.

The State Transportation Commission will hold a meeting on Thursday, May 23, 2014, from 10 a.m. to 12 p.m. in Ballroom 1, Radisson Lackawanna Station Hotel, Scranton, PA. For more information, contact Julie Harmantzi at (717) 787-2913 or jharmantzi@pa.gov.

BARRY J. SCHOCH, P.E.,  
 Secretary

[Pa.B. Doc. No. 13-830. Filed for public inspection May 3, 2013, 9:00 a.m.]

### Findings

Under section 2002(b) of The Administrative Code of 1929 (71 P.S. § 512(b)), the Director of the Bureau of Project Delivery as delegated by the Secretary of Transportation makes the following written finding:

The Department of Transportation (Department) is planning the projects listed as follows. Environmental and Section 4(f) Documentation have been developed for the projects identified as follows to evaluate the potential environmental impacts caused by these projects. The Section 4(f) documents also serve as the Section 2002 Evaluation. The approved documents are available in the CE/EA Expert System, <http://www.dotdom2.state.pa.us/ceea/ceeamain.nsf>. The environmental, economic, social and other effects of the proposed projects have been considered. Based upon studies, there is no feasible and prudent alternative to the use of the Section 2002 resources for the proposed projects identified as follows and all reasonable steps have been taken to minimize such effects.

- *SR 0117, Section 007, Mount Gretna Road Bridge Replacement, South Londonderry Township, Lebanon County*

*Project Description:* This project is the replacement of a structurally deficient bridge on PA Route 117 (Mount Gretna Road) over a tributary to Conewago Creek.

*Environmental Documents:* Environmental Document Bridge and Roadway Programmatic Agreement (BRPA) and a Determination of Section 4(f) De Minimus Use Section 2002 No Adverse Use, Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land, and State Game Land (approved March 14, 2013).

*Proposed Use of Section 4(f) 2002 Resources:* This bridge replacement will require the use (acquisition) of 0.174 acre of land and the temporary use (temporary construction easement) of 0.155 acre of land from State

Game Land Number 145. The use of State Game Land will be mitigated by debiting 0.174 acre from the Shuey Property State Game Land Bank.

- *T-347 Keefer Mill Covered Bridge over Chillisquaque Creek in Liberty Township, Montour County*

*Project Description:* Rehabilitation of a historic bridge.

*Environmental Documents:* BRPA (approved December 20, 2012) and a Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges (approved December 19, 2012).

*Proposed Use of Section 4(f)/2002 Resources:* Rehabilitation of the National Register of Historic Places listed Keefer Mill Covered Bridge.

- *T-816 Oldman Bridge over Clear Shade Creek in Ogle Township, Somerset County*

*Project Description:* Replace the structurally deficient structure.

*Environmental Documents:* Level-2 Environmental Document (approved March 6, 2013) and a Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges document (approved January 28, 2013).

*Proposed Use of Section 4(f)/2002 Resources:* Replacement of County Bridge No. 46 (Oldman Bridge), National Register of Historic Places eligible structure.

- *SR 1028, Section A10, the Culmerville Bridge in West Deer Township, Allegheny County*

*Project Description:* Replace the existing deteriorated truss bridge to provide a safe and efficient crossing over the CN Railroad.

*Environmental Documents:* Level-1b Categorical Exclusion, approved December 12, 2012, as well as two Determination of Section 4(f) De Minimus Use, Section 2002 No Adverse Use Historic Properties documents, both approved on November 5, 2012.

*Proposed Use of Section 4(f)/Section 2002 Resources:* Replacement of the Culmerville Bridge, a contributing element of the National Register of Historic Places eligible Bessemer and Lake Erie Railroad, necessitating the use of 0.189 acre.

GEORGE W. MCAULEY, P.E.,  
Acting Director  
Bureau of Project Delivery

[Pa.B. Doc. No. 13-831. Filed for public inspection May 3, 2013, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

**Rosebud Mining Company v. DEP; EHB Doc. No. 2013-046-B**

Rosebud Mining Company has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Rosebud Mining Company for the Stonycreek Mine in Quemahoning Township, Somerset County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
Chairperson

[Pa.B. Doc. No. 13-832. Filed for public inspection May 3, 2013, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Meeting Cancellation

The May 22, 2013, meeting of the Environmental Quality Board (Board) is cancelled. The next regularly scheduled meeting of the Board will occur on Tuesday, June 18, 2013, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. An agenda and meeting materials for the June 18, 2013, meeting will be available on the Department of Environmental Protection's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (Select "Public Participation"; "Public Participation Center").

Questions concerning the Board's next scheduled meeting may be directed to Michele Tate at (717) 783-8727 or [mtate@pa.gov](mailto:mtate@pa.gov).

E. CHRISTOPHER ABRUZZO,  
Acting Chairperson

[Pa.B. Doc. No. 13-833. Filed for public inspection May 3, 2013, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Additions to List of Class A Wild Trout Waters

The Fish and Boat Commission (Commission) has approved the addition of five stream sections to its list of Class A Wild Trout Streams as set forth at 43 Pa.B. 1059 (February 16, 2013). These streams are Beaver Run, Section 01, Carbon County, from the headwaters downstream to remnant dam located 0.22 km downstream from the SR 3006 (Packerton Drive) Bridge; Beaver Run, Section 02, Carbon County, from the remnant dam located 0.22 km downstream from the SR 3006 (Packerton Drive) Bridge to mouth; Fireline Creek, Section 01, Carbon County, from the headwaters to the mouth; Sawmill Run, Section 01, Carbon County, from the headwaters to the mouth; and Slab Cabin Run, Section 01, Centre County,

from the headwaters to the mouth. The Commission did not act on the designation of Logan Branch, Section 01, Centre County.

Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource and to conserve that resource and the angling that it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries. The Commission manages these stream sections for wild trout with no stocking.

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 13-834. Filed for public inspection May 3, 2013, 9:00 a.m.]

### Classification of Wild Trout Streams; Additions to the List

The Fish and Boat Commission (Commission) has approved the addition of 42 new waters to its list of wild trout streams as published at 43 Pa.B. 1058 (February 16, 2013). Under 58 Pa. Code § 57.11 (relating to listing of wild trout streams), it is the policy of the Commission to accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The listing of a stream section as a wild trout stream is a biological designation that does not determine how it is managed. The Commission relies upon many factors in determining the appropriate management of streams. The Commission's Fisheries Management Division maintains the complete list of wild trout streams. It is available on the Commission's web site at [http://www.fish.state.pa.us/trout\\_repro.htm](http://www.fish.state.pa.us/trout_repro.htm).

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 13-835. Filed for public inspection May 3, 2013, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, April 18, 2013, and announced the following:

*Regulations Deemed Approved Pursuant to Section 5(g) of the Regulatory Review Act—Effective November 14, 2012*

Insurance Department #11-250: Requirements for Funds Held as Security for the Payment of Obligations of Unlicensed, Unqualified Reinsurers (amends 31 Pa. Code, Chapter 163, § 163.1)

*Action Taken—Regulations Approved:*

State Board of Education #6-328: Higher Education—General Provisions (amends 22 Pa. Code Section 31.21)

Insurance Department #11-249: Requirements for Qualified and Certified Reinsurers (amends 31 Pa. Code (§§ 161.1—161.9))

Department of Labor and Industry #12-96: Unemployment Compensation; Active Search for Work (amends 34 Pa. Code § 65.11)

### Approval Order

Public Meeting Held  
April 18, 2013

*Commissioners Voting:* Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Dennis A. Watson, Esq.

*State Board of Education—  
Higher Education—General Provisions;  
Regulation No. 6-328 (#2990)*

On March 5, 2013, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Education (Board). This rulemaking amends 22 Pa. Code Section 31.21. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This one-word amendment changes the specialized associate degree curricula requirement to either 60 semester credit hours or 1,500 clock hours.

We have determined this regulation is consistent with the statutory authority of the Board (24 P. S. § 26-2603-B(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

### Approval Order

Public Meeting Held  
April 18, 2013

*Commissioners Voting:* Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Dennis A. Watson, Esq.

*Insurance Department—  
Requirements for Qualified and Certified Reinsurers;  
Regulation No. 11-249 (#2970)*

On August 22, 2012, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Insurance Department (Department). This rulemaking amends 31 Pa. Code (§§ 161.1—161.9). The proposed regulation was published in the September 1, 2012 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on March 18, 2013.

This final-form rulemaking updates existing regulations relating to certifying reinsurers to be consistent with amendments to the Insurance Company Law, as well as the model law and regulation developed by the National Association of Insurance Commissioners.

We have determined this regulation is consistent with the statutory authority of the Department (40 P. S. § 442.1) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

—————  
**Approval Order**

Public Meeting Held  
April 18, 2013

*Commissioners Voting:* Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Dennis A. Watson, Esq.

*Department of Labor and Industry—  
Unemployment Compensation;  
Active Search for Work;  
Regulation No. 12-96 (#2939)*

On April 19, 2012, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Labor and Industry (Department). This rulemaking amends 34 Pa. Code § 65.11. The proposed regulation was published in the May 5, 2012 *Pennsylvania Bulletin* with a 30-day public comment period. A final-form regulation was submitted to the Commission on November 5, 2012. At its December 13, 2012 public meeting, the Commission voted to disapprove the final-form regulation. On March 26, 2013, the revised final-form regulation was submitted to the Commission.

This revised final-form regulation establishes the criteria necessary for unemployment compensation claimants to conduct an active search for suitable employment.

We have determined this regulation is consistent with the statutory authority of the Department (43 P.S. § 761(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 13-836. Filed for public inspection May 3, 2013, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Medical Care Availability and Reduction of Error (MCARE) Fund Relocation; Notice 2013-04

The Medical Care Availability and Reduction of Error (MCARE) Fund has announced the relocation of its office effective Monday, May 20, 2013. MCARE requests that all visitors, inquiries, correspondence and claim reports be directed to the new address.

*Street Address:*

MCARE Fund  
1010 North 7th Street  
Suite 201  
Harrisburg, PA 17102-1410

*P. O. Box Address:*

MCARE Fund  
P. O. Box 12030  
Harrisburg, PA 17108-2030

*Telephone and facsimile numbers remain the same:*

Telephone—(717) 783-3770  
Fax—Claims (717) 787-0651/(610) 230-9292  
Fax—Executive Office (717) 705-7341  
Fax—Fiscal/Legal (717) 783-7659  
Fax—Policy (717) 705-7342

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-837. Filed for public inspection May 3, 2013, 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 20, 2013. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Application of the following for approval of the *additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.***

**A-2011-2243389. (Revised) Air Star Transportation and Limousine Service, Inc.** (Sheraton Hotel/Northwest, 910 Sheraton Drive, Mars, Butler County, PA 16046)—a corporation of the Commonwealth of Pennsylvania—in Group and Party service, in vehicles seating 11 to 15 passengers, including the driver, between points in the Counties of Allegheny, Beaver, Butler, Fayette, Lawrence, Washington, Westmoreland and Armstrong, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* William A. Gray, 310 Grant Street, Suite 2310, Grant Building, Pittsburgh, PA 15219-2383.

**Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.***

**A-2012-2334103. 610 Hauling, LLC, t/a College Hunks Hauling Junk** (701 South Franklin Street, West Chester, Chester County, PA 19382)—household goods in use, from points in the Counties of Chester, Delaware, Montgomery, Philadelphia and Bucks, to points in Pennsylvania.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-838. Filed for public inspection May 3, 2013, 9:00 a.m.]

## Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due May 20, 2013, and must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Sorantino Enterprises, Inc.; Doc. No. C-2012-2330205*

### COMPLAINT

Now Comes the Pennsylvania Public Utility Commission's ("Commission"), Bureau of Investigation and Enforcement ("I&E"), by its counsel, and files this Complaint against Sorantino Enterprises, Inc. ("Respondent"), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

#### Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P. O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer  
Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.772.8839  
stwimer@pa.gov

Wayne T. Scott  
First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.783.6150  
wascott@pa.gov

4. Respondent is Sorantino Enterprises, Inc. and maintains its principal place of business at 5 Reese Road, Millville, NJ 08332, Attention: Douglas Sorantino, President.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as it is engaged in transporting property in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about June 4, 1998, at A-00114864, for trucking authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission, inter alia, to hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting property as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

#### Factual Background

##### 2009-2010 Fiscal Year

12. On or about February 15, 2009, the Commission mailed to Respondent an assessment report form for Respondent to report its 2008 calendar year revenues.

13. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2009.

14. Respondent failed to file an assessment report to show its 2008 calendar year revenues.

15. On or about September 17, 2009, the Commission sent Respondent, through certified mail, an assessment invoice for the July 1, 2009 to June 30, 2010 Fiscal Year that was based, in part, on Respondent's estimated revenues for the 2008 calendar year. Respondent's assessment was \$477.

16. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

17. The Commission received no objections from Respondent to the 2009-2010 Fiscal Year Assessment.

18. Respondent failed to pay the total amount set forth in its 2009-2010 Fiscal Year Assessment.

##### 2010-2011 Fiscal Year

19. On or about February 15, 2010, the Commission mailed to Respondent an assessment report form for Respondent to report its 2009 calendar year revenues.

20. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2010.

21. Respondent failed to file an assessment report to show its 2009 calendar year revenues.

22. On or about September 9, 2010, the Commission sent Respondent, through certified mail, an assessment invoice for the July 1, 2010 to June 30, 2011 Fiscal Year that was based, in part, on Respondent's estimated revenues for the 2009 calendar year. Respondent's assessment was \$762.

23. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

24. The Commission received no objections from Respondent to the 2010-2011 Fiscal Year Assessment.

25. Respondent failed to pay the total amount set forth in its 2010-2011 Fiscal Year Assessment.

2011-2012 Fiscal Year

26. On or about February 15, 2011, the Commission mailed to Respondent an assessment report form for Respondent to report its 2010 calendar year revenues.

27. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2011.

28. Respondent failed to file an assessment report to show its 2010 calendar year revenues.

29. On or about September 14, 2011, the Commission sent Respondent, through certified mail, an assessment invoice for the July 1, 2011 to June 30, 2012 Fiscal Year that was based, in part, on Respondent's estimated revenues for the 2010 calendar year. Respondent's assessment was \$704.

30. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

31. The Commission received no objections from Respondent to the 2011-2012 Fiscal Year Assessment.

32. Respondent failed to pay the total amount set forth in its 2011-2012 Fiscal Year Assessment.

33. The total outstanding assessment balance for Respondent is \$1,943.

Violations

COUNT 1

34. That Respondent, by failing to file assessment reports to demonstrate its gross intrastate operating revenues for the 2008, 2009, and 2010 calendar years violated Section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b).

The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$3,000.

COUNT 2

35. That Respondent, by failing to pay the Commission's assessments for three (3) fiscal years, violated Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c).

Pursuant to Section 3301(a) and (b) of the Public Utility Code, 66 Pa.C.S. § 3301(a)—(b), the Bureau of Investigation and Enforcement submits that each day the assessment is late may be considered a separate violation and that, pursuant to Section 3301(a) and (b) of the Public Utility Code, 66 Pa.C.S. § 3301(a)—(b), a maximum civil penalty of \$1,000 per day for each day that the assessment is late could be levied against Respondent. Such a civil penalty, in this instance, would exceed the assessment amount that Respondent owes. Therefore, the Bureau of Investigation and Enforcement recommends that the Commission impose a civil penalty in the amount of \$290 or 15% of the outstanding amount due. The Bureau submits that this amount is both equitable and sufficiently large enough to deter future violations.

Wherefore, for all the foregoing reasons, the Bureau of Investigation and Enforcement of Pennsylvania Public Utility Commission respectfully requests that:

(a) Respondent be ordered to pay a total of \$5,233, which consists of its outstanding assessment balance, which totals \$1,943 and a civil penalty of \$3,290 for the above-described violations.

(b) If payment of the civil penalty and assessments is not made, the Bureau of Investigation and Enforcement requests that:

(1) the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent;

(2) the Commission certify automobile registrations to the Department of Transportation for suspension or revocation; and

(3) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action.

Date: October 19, 2012

Respectfully submitted,

Stephanie M. Wimer  
Prosecutor  
Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, Susan A. Daub, Accountant, Bureau of Administrative Services, Assessment Section, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: October 19, 2012

Susan A. Daub, Accountant  
Assessment Section  
Bureau of Administrative Services  
PA. Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense and must include the docket number of this Complaint. Your Answer must be verified and the original and three copies sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Additionally, you must serve a copy on:

Wayne T. Scott  
First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty set forth in the Complaint.



C. You may elect not to contest this Complaint by paying the civil penalty and your outstanding assessment within 20 days. Your check or money order for the civil penalty and assessment should be payable to the Commonwealth of Pennsylvania and should be mailed to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. See 52 Pa. Code §§ 1.21—1.22.

Alternative formats of this material are available for persons with disabilities by contacting the Pennsylvania Public Utility Commission at 717-787-5620.

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*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Brian J. Palmer t/a Palmer Trucking; Doc. No. C-2012-2339663*

### COMPLAINT

Now Comes the Pennsylvania Public Utility Commission's ("Commission"), Bureau of Investigation and Enforcement ("I&E"), by its counsel, and files this Complaint against Brian J. Palmer t/a Palmer Trucking ("Respondent"), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

#### Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P. O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer  
 Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265  
 717.772.8839  
 stwimer@pa.gov

Wayne T. Scott  
 First Deputy Chief Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265  
 717.783.6150  
 wascott@pa.gov

4. Respondent is Brian J. Palmer t/a Palmer Trucking and maintains its principal place of business at 15 Cobblestone Drive, Indiana, PA 15701, Attention: Brian J. Palmer, President.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as it is engaged in transporting property in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about October 29, 2010, at A-2009-2200469, for trucking authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission, inter alia, to hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting property as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

#### Factual Background

12. On or about September 14, 2011, the Commission sent Respondent, through certified mail, an assessment invoice for the July 1, 2011 to June 30, 2012 Fiscal Year. Respondent's assessment was \$148.

13. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

14. The Commission received no objections from Respondent to the 2011-2012 Fiscal Year Assessment.

15. Respondent failed to pay this assessment and has an outstanding balance of \$148.

#### Violation

16. That Respondent, by failing to pay the Commission's assessment, violated Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c).

Pursuant to Section 3301(a) and (b) of the Public Utility Code, 66 Pa.C.S. § 3301(a)—(b), the Bureau of Investigation and Enforcement submits that each day the

assessment is late may be considered a separate violation and that, pursuant to Section 3301(a) and (b) of the Public Utility Code, 66 Pa.C.S. § 3301(a)—(b), a maximum civil penalty of \$1,000 per day for each day that the assessment is late could be levied against Respondent. Such a civil penalty, in this instance, would exceed the assessment amount that Respondent owes. Therefore, the Bureau of Investigation and Enforcement recommends that the Commission impose a civil penalty in the amount of \$20 or 15% of the outstanding amount due. The Bureau submits that this amount is both equitable and sufficiently large enough to deter future violations.

Wherefore, for all the foregoing reasons, the Bureau of Investigation and Enforcement of Pennsylvania Public Utility Commission respectfully requests that:

(a) Respondent be ordered to pay a total of \$168, which consists of its outstanding assessment balance, which totals \$148 and a civil penalty of \$20 for the above-described violation.

(b) If payment of the civil penalty and assessment is not made, the Bureau of Investigation and Enforcement requests that:

(1) the Commission issue an Order that cancels the Certificate of Public Convenience issued to Respondent;

(2) the Commission certify automobile registrations to the Department of Transportation for suspension or revocation; and

(3) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action.

Respectfully submitted,

Stephanie M. Wimer  
Prosecutor  
Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Date: December 19, 2012

#### VERIFICATION

I, Susan A. Daub, Accountant, Bureau of Administrative Services, Assessment Section, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: December 19, 2012

\_\_\_\_\_  
Susan A. Daub, Accountant  
Assessment Section  
Bureau of Administrative Services  
PA. Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense and must include the docket number of this Complaint. Your Answer must be verified and the original and three copies sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Additionally, you must serve a copy on:

Wayne T. Scott  
First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty set forth in the Complaint.

C. You may elect not to contest this Complaint by paying the civil penalty and your outstanding assessment within 20 days. Your check or money order for the civil penalty and assessment should be payable to the Commonwealth of Pennsylvania and should be mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. See 52 Pa. Code §§ 1.21—1.22.

G. Alternative formats of this material are available for persons with disabilities by contacting the Pennsylvania Public Utility Commission at 717-787-5620.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
Investigation and Enforcement v. Paul E Rosensteel;  
Doc. No. C-2013-2315802*

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Paul E. Rosensteel, Delivery Express, Respondent, maintains its principal place of business at 413 Ruxton Street, Pittsburgh, PA 15211-2123.

2. That, on the date of the violation alleged in this Complaint, Respondent did not hold a Certificate of Public Convenience issued by this Commission.

3. That Information before this Commission indicates that you and your driver Kenneth J. Victorelli, have been holding out to provide Household Goods Transportation service for compensation between points in the Commonwealth of Pennsylvania. That Respondent, on September 4, 2012, was contacted by Enforcement Office Ryan Balestra, a duly authorized officer of this Commission, via telephone, at phone number 412-773-3744. Officer Balestra, questioned Respondent if he has PA PUC Authority to move household goods. Respondent claimed that he does not have a moving company anymore, and was in the process of putting together the paperwork for PA PUC Authority.

4. That Respondent, in performing the act described in Paragraph 3 of this Complaint, violated 66 Pa.C.S. § 1101, in that Respondent transported property for compensation between points in the Commonwealth of Pennsylvania while not then holding a Certificate of Public Convenience issued by this Commission. The Bureau of Investigation and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$1,000.00. Future violations may result in possible criminal prosecution with penalties up to \$10,000.00 and one year in prison.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission fine Paul E. Rosensteel, Delivery Xpress the sum of one thousand dollars (\$1,000.00) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 3/12/2013

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor  
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, Pennsylvania 17105-3265

B. If you fail to answer this Complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the Complaint proceeding shall be closed. In such case, to prevent the suspension of your vehicle registration(s), you must file an affidavit stating that you understand the rules and regulations of the Commission and that you will no longer provide transportation between points in the Commonwealth of Pennsylvania without first obtaining a Certificate of Public Convenience issued by this Commission. If no affidavit is received within the twenty (20) day time period, the Bureau of Transportation will proceed with the request for suspension of your vehicle registration(s). Your response should be directed to:

Pennsylvania Public Utility Commission  
Bureau of Technical Utility Services  
Compliance Office  
P. O. Box 3265  
Harrisburg, PA 17105-3265

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. If you have questions regarding this Complaint or if you would like an alternative format of this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 13-839. Filed for public inspection May 3, 2013, 9:00 a.m.]

## Telecommunications

**A-2013-2359391. The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Comcast Business Communications, LLC.** Joint petition of The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Comcast Business Communications, LLC for approval of an ICC VOIP amendment to the master interconnection and collocation agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Comcast Business Communications, LLC, by its counsel, filed on April 23, 2013, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an ICC VOIP amendment to the Master Interconnection and Collocation Agreement

under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Comcast Business Communications, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA  
*Secretary,*

[Pa.B. Doc. No. 13-840. Filed for public inspection May 3, 2013, 9:00 a.m.]

# PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

## Actuarial Tables

The act of December 20, 1995 (P.L. 689, No. 77) (Act 77) amended 24 Pa.C.S. § 8502(h) and (j) (relating to administrative duties of board) to require the Public School Employees' Retirement Board (Board) to publish in the *Pennsylvania Bulletin* the actuarial tables used by the Public School Employees' Retirement System (PSERS) in calculating annuities and other benefits. The Board adopted the following actuarial tables at its March 11, 2011, meeting. The actuarial tables are effective July 1, 2013. Accordingly, these actuarial tables are being published as required under Act 77.

JEFFREY B. CLAY,  
*Executive Director*

The following material provides general information and actuarial tables for computing an estimated regular (nondisability) retirement benefit from PSERS. Also included is the Present Value of \$1 Annuity Using Disability Mortality table.

## General Information

A vestee or any other eligible member upon termination of school service who has not withdrawn his accumulated deductions may apply for and elect to receive either a maximum single life annuity (MSLA) or a reduced annuity (Reduced MSLA) certified by the actuary to be actuarially equivalent to the maximum single life annuity and in accordance with one of the options under the Optional Forms of an Annuity section of this document. Optional forms of an annuity are considered to be "actuarially equivalent" if they have the same present value (PV) as the present value of the maximum single life annuity. A Class T-E or Class T-F member may not receive an annual benefit, calculated as of the effective date of retirement, greater than the member's final average salary.

A vestee who retires on or after attaining superannuation age is entitled to a "normal" annuity, also known as a superannuation or full annuity, where no age or service-related penalties (for retiring early) are applied to the MSLA.

### Superannuation or normal retirement age is defined by Membership Class as:

<i>Membership Class</i>	<i>Age</i>
T-A	62 or any age upon accrual of 35 eligibility points (service credits)
T-B	62
T-C and T-D	62 or age 60 provided the member has at least 30 eligibility points (service credits), or any age upon accrual of 35 eligibility points
T-E and T-F	65 with accrual of at least three eligibility points or a combination of age and eligibility points totaling 92, provided the member has accrued at least 35 eligibility points

A vestee who retires prior to attaining superannuation age is entitled to an "early" or "withdrawal" annuity, where the MSLA is reduced due to retiring early. This early retirement reduction is based on how far away from superannuation age the member is on the effective date of retirement.

A key component in the computation of a PSERS' retirement benefit is the final average salary (FAS). PSERS' retirement code defines final average salary as the highest compensation received as an active member for any three nonoverlapping periods of 12 consecutive months. Compensation for part-time service is annualized on the basis of the fractional portion of the school year for which credit is received. This period is frequently the most recent 3 fiscal year period.

**Calculating the MSLA**

Calculating all forms of a (nondisability) retirement benefit begins with calculating the MSLA.

For Class T-C members, the MSLA is calculated as:

$$\text{MSLA} = 2.0\% \times \text{Total Class T-C Service Credits} \times \text{FAS} \times \text{Early Retirement Factor}^*$$

For Class T-D members, the MSLA is calculated as:

$$\begin{aligned} \text{MSLA} &= 2.0\% \times \text{Total Class T-C Service Credits} \times \text{FAS} \times \text{Early Retirement Factor}^* \\ &+ 2.5\% \times \text{Total Class T-D Service Credits} \times \text{FAS} \times \text{Early Retirement Factor}^* \end{aligned}$$

For Class T-E members, the MSLA is calculated as:

$$\text{MSLA} = 2.0\% \times \text{Total Class T-E Service Credits} \times \text{FAS} \times \text{Early Retirement Factor}^*$$

MSLA is limited to 100% of FAS.

For Class T-F members, the MSLA is calculated as:

$$\text{MSLA} = 2.5\% \times \text{Total Class T-F Service Credits} \times \text{FAS} \times \text{Early Retirement Factor}^*$$

MSLA is limited to 100% of FAS.

\*Except for superannuated members and members who have attained 55 years of age and have 25 or more service credits, the Early Retirement Factor can be found in Table 3 Early Retirement Factors—Unisex. The Early Retirement Factor for members who have attained superannuation age is 1.0, which results in no reduction. The reduction for those members who have attained 55 years of age and have 25 or more service credits is equal to 1/4% multiplied by the number of months, including a fraction of a month as a full month, by which the effective date of retirement precedes superannuation age.

**Calculating the Present Value of the MSLA**

As previously noted in the general information section, optional forms of an annuity are considered to be “actuarially equivalent” to the MSLA if they have the same PV as the present value of the MSLA. The PV of the MSLA is calculated as:

$$\text{PV of the MSLA} = \text{MSLA} \times \text{PV of \$1 Annuity on the Effective Date of Retirement}^*$$

\*See Table 1 Present Value of \$1 Annuity—Unisex

**Optional Forms of an Annuity**

Acceptable optional forms of an annuity are:

*Option 1.*—A life annuity to the member with a guaranteed total payment equal to the PV of the MSLA on the effective date of retirement with the provision that, if, at his death, he has received less than such present value, the unpaid balance shall be payable to his beneficiary. The Option 1 Annuity is made to be actuarially equivalent to the MSLA by applying an Option 1 Reducing Factor, which is based on the age of the member as of the effective date of retirement, to the MSLA.

The reduced Option 1 annuity is calculated as:

$$\text{Reduced Option 1 Annuity} = \text{MSLA} \times \text{Option 1 Reducing Factor}^*$$

\*See Table 2 Service Option 1 Reducing Factors—Unisex

*Option 2.*—A joint and survivor annuity payable during the lifetime of the member with the full amount of such annuity payable thereafter to his survivor annuitant, if living at his death. The Option 2 Annuity is made to be actuarially equivalent to the MSLA by applying an Option 2 Reducing Factor, which is based on the age of the member and the age of the survivor as of the effective date of retirement, to the MSLA.

An Option 2 annuity is calculated as:

$$\text{Reduced Option 2 Annuity} = \text{MSLA} \times \text{Option 2 Reducing Factor}^*$$

\*See Table 4 Factors for Obtaining Annuities and Pensions Under Option 2—Unisex

*Option 3.*—A joint and 50% survivor annuity payable during the lifetime of the member with one-half of such annuity payable thereafter to his survivor annuitant, if living at his death. The Option 3 Annuity is made to be actuarially equivalent to the MSLA by applying an Option 3 Reducing Factor, which is based on the age of the member and the age of the survivor as of the effective date of retirement, to the MSLA.

An Option 3 annuity is calculated as:

$$\text{Reduced Option 3 Annuity} = \text{MSLA} \times \text{Option 3 Reducing Factor}^*$$

\*See Table 5 Factors for Obtaining Annuities and Pensions Under Option 3—Unisex

*Option 4.*—Some other benefit certified by the actuary to be actuarially equivalent to the MSLA, subject to the following restrictions:

- (i) Any annuity shall be payable without reduction during the lifetime of the member.
- (ii) The sum of all annuities payable to the designated survivor annuitants shall not be greater than one and one-half times the annuity payable to the member.
- (iii) A portion of the benefit may be payable as a lump sum, except that such lump sum payment shall not exceed an amount equal to the accumulated deductions standing to the credit of the member. The balance of the present value of the maximum single life annuity shall be paid in the form of an annuity with a guaranteed total payment, a single life annuity or a joint and survivor annuity or any combination thereof but subject to the restrictions of subparagraphs (i) and (ii) of this paragraph. This subparagraph shall not apply to a Class T-E or Class T-F member. This option is often referred to as Special Option 4 Partial Lump Sum Withdrawal.

The most common form of Option 4 is that described in subparagraph (iii). The reduction to the MSLA on account of a Partial Lump Sum Withdrawal is calculated as:

$$\frac{\text{Special Option 4 Partial Lump Sum Withdrawal Reduction}}{\text{Present Value of \$1 Annuity}^*} = \text{Partial Lump Sum Payment Amount} /$$

\*See Table 1 Present Value of \$1 Annuity—Unisex

The Special Option 4 Partial Lump Sum Withdrawal Annuity is calculated as:

$$\text{Special Option 4 Lump Sum Withdrawal Annuity} = \text{MSLA} - \text{Special Option 4 Lump Sum Withdrawal Reduction}$$

Other forms of Option 4 must also be actuarial equivalent to the MSLA and are calculated by PSERS' actuary.

**Combining Optional Form 1, 2 or 3 of an Annuity with the Special Option 4 Partial Lump Sum Withdrawal**

When combining Optional Form 1, 2 or 3 of an Annuity with the Partial Special Option 4 Partial Lump Sum Withdrawal, the annuity is calculated as:

$$\text{Annuity} = \text{Special Option 4 Lump Sum Withdrawal Annuity} \times \text{Appropriate Option (1, 2 or 3) Reducing Factor}$$

\*See Table 2, 4 or 5, as appropriate, based on the Option.

**Actuarial Tables for Regular (Non-Disability) Retirements  
(Adopted March 11, 2011; Effective July 1, 2013)**

**Table 1  
Present Value of \$1 Annuity—Unisex**

Age at Retirement		Age		Age	
		51	18.311	81	7.954
22	23.026	52	18.052	82	7.586
23	22.932	53	17.784	83	7.222
24	22.835	54	17.508	84	6.862
25	22.734	55	17.224	85	6.510
26	22.629	56	16.931	86	6.166
27	22.519	57	16.629	87	5.831
28	22.406	58	16.318	88	5.508
29	22.288	59	15.999	89	5.197

NOTICES

<i>Age at Retirement</i>		<i>Age</i>		<i>Age</i>	
30	22.165	60	15.674	90	4.900
31	22.038	61	15.341	91	4.620
32	21.905	62	15.000	92	4.359
33	21.768	63	14.653	93	4.118
34	21.625	64	14.301	94	3.899
35	21.478	65	13.943	95	3.700
36	21.326	66	13.582	96	3.521
37	21.169	67	13.218	97	3.361
38	21.007	68	12.851	98	3.219
39	20.839	69	12.481	99	3.092
40	20.665	70	12.109	100	2.978
41	20.485	71	11.734	101	2.875
42	20.298	72	11.356	102	2.779
43	20.106	73	10.975	103	2.686
44	19.906	74	10.595	104	2.590
45	19.700	75	10.214	105	2.491
46	19.487	76	9.833	106	2.391
47	19.267	77	9.454	107	2.291
48	19.039	78	9.076	108	2.188
49	18.804	79	8.700	109	2.080
50	18.562	80	8.326	110	1.955

**Table 2**  
**Service Option 1 Reducing Factors—Unisex**

<i>Age at Retirement</i>		<i>Age at Retirement</i>		<i>Age at Retirement</i>	
		51	0.9795	81	0.7892
22	0.9975	52	0.9776	82	0.7773
23	0.9973	53	0.9754	83	0.7650
24	0.9972	54	0.9730	84	0.7510
25	0.9971	55	0.9704	85	0.7371
26	0.9969	56	0.9676	86	0.7233
27	0.9967	57	0.9643	87	0.7074
28	0.9965	58	0.9607	88	0.6915
29	0.9962	59	0.9568	89	0.6759
30	0.9960	60	0.9527	90	0.6599
31	0.9957	61	0.9481	91	0.6426
32	0.9953	62	0.9432	92	0.6262
33	0.9949	63	0.9380	93	0.6110
34	0.9944	64	0.9325	94	0.5974
35	0.9940	65	0.9264	95	0.5828
36	0.9935	66	0.9204	96	0.5695
37	0.9930	67	0.9141	97	0.5577
38	0.9925	68	0.9073	98	0.5481
39	0.9920	69	0.9004	99	0.5402
40	0.9914	70	0.8933	100	0.5342
41	0.9907	71	0.8857	101	0.5289
42	0.9900	72	0.8777	102	0.5236
43	0.9892	73	0.8694	103	0.5194
44	0.9884	74	0.8608	104	0.5153
45	0.9875	75	0.8516	105	0.5115
46	0.9864	76	0.8423	106	0.5092
47	0.9853	77	0.8327	107	0.5098
48	0.9841	78	0.8223	108	0.5085
49	0.9827	79	0.8120	109	0.5137
50	0.9812	80	0.8012	110	0.5308

Table 3  
Early Retirement Factors—Unisex

Age at Retirement	Superannuation Age										
	50	51	52	53	54	55	56	57	58	59	60
25	0.301835	0.285897	0.270596	0.255906	0.241806	0.228274	0.215289	0.202832	0.190885	0.179429	0.168448
26	0.315442	0.298786	0.282794	0.267443	0.252707	0.238565	0.224995	0.211976	0.199490	0.187517	0.176041
27	0.329731	0.312321	0.295605	0.279558	0.264154	0.249371	0.235187	0.221579	0.208527	0.196012	0.184016
28	0.344744	0.326541	0.309064	0.292286	0.276181	0.260725	0.245895	0.231667	0.218021	0.204936	0.192394
29	0.360523	0.341487	0.323210	0.305664	0.288822	0.272659	0.257150	0.242271	0.228000	0.214316	0.201200
30	0.377116	0.357204	0.338085	0.319732	0.302115	0.285208	0.268985	0.253421	0.238494	0.224180	0.210460
31	0.394573	0.373739	0.353736	0.334533	0.316100	0.298410	0.281436	0.265152	0.249534	0.234558	0.220203
32	0.412948	0.391144	0.370210	0.350112	0.330821	0.312308	0.294543	0.277501	0.261155	0.245481	0.230458
33	0.432301	0.409475	0.387559	0.366520	0.346325	0.326944	0.308347	0.290506	0.273394	0.256986	0.241258
34	0.452595	0.428792	0.405842	0.383811	0.362863	0.342367	0.322893	0.304210	0.286291	0.269109	0.252640
35	0.474197	0.449159	0.425119	0.402041	0.379889	0.358629	0.338230	0.318660	0.299889	0.281891	0.264640
36	0.496882	0.470646	0.445456	0.421274	0.398062	0.375786	0.354410	0.333904	0.314236	0.295376	0.277300
37	0.520829	0.493329	0.466925	0.441578	0.417247	0.393897	0.371491	0.349996	0.329380	0.309612	0.290664
38	0.546125	0.517289	0.489603	0.463024	0.437512	0.413028	0.389534	0.366995	0.345378	0.324649	0.304781
39	0.572364	0.542616	0.513575	0.485695	0.458933	0.433250	0.408606	0.384964	0.362288	0.340545	0.319704
40	0.601149	0.569408	0.538932	0.509676	0.481593	0.454642	0.428781	0.403971	0.380176	0.357359	0.335489
41	0.631092	0.597770	0.565776	0.535062	0.505581	0.477287	0.450138	0.424093	0.399112	0.375159	0.352199
42	0.662816	0.627818	0.594216	0.561959	0.530995	0.501279	0.472766	0.445411	0.419175	0.394017	0.369904
43	0.696455	0.659681	0.624374	0.590479	0.557944	0.526720	0.496759	0.468016	0.440448	0.414014	0.388677
44	0.732156	0.693497	0.656380	0.620747	0.586545	0.553720	0.522223	0.492007	0.463026	0.435237	0.408601
45	0.770081	0.729420	0.690380	0.652902	0.616928	0.582402	0.549274	0.517493	0.487011	0.457782	0.429766
46	0.810409	0.767618	0.726534	0.687093	0.649235	0.612902	0.578039	0.544594	0.512515	0.481755	0.452272
47	0.853335	0.808278	0.765018	0.723488	0.683625	0.645367	0.608657	0.573440	0.539662	0.507274	0.476229
48	0.899078	0.851605	0.806026	0.762270	0.720270	0.679961	0.641284	0.604179	0.568590	0.534466	0.501757
49	0.947877	0.897828	0.849775	0.803644	0.759364	0.716867	0.676091	0.636972	0.599452	0.563475	0.528990
50		0.896503	0.847835	0.801120	0.756287	0.713268	0.671999	0.632415	0.594460	0.558079	0.523507
51		0.946479	0.895098	0.845779	0.798446	0.753030	0.709459	0.667669	0.627598	0.589189	0.553150
52			0.945714	0.893606	0.843597	0.795612	0.749577	0.705424	0.663087	0.622507	0.582240
53				0.944901	0.892021	0.841282	0.792605	0.745917	0.701150	0.658240	0.619623
54					0.943118	0.890339	0.838823	0.789413	0.742035	0.696623	0.657920
55							0.888549	0.836210	0.786024	0.737920	0.694615
56								0.886644	0.833430	0.782425	0.730477
57									0.941096	0.884615	0.830477
58										0.939983	0.882457
59											0.938801
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**Table 3**  
**Early Retirement Factors—Unisex**  
**Superannuation Age**

Age at Retirement	61	62	63	64	65	66	67	68	69	70
25	0.157927	0.147851	0.138207	0.128982	0.120163	0.111740	0.103704	0.096045	0.088752	0.081819
26	0.165046	0.154516	0.144438	0.134796	0.125580	0.116778	0.108379	0.100374	0.092753	0.085507
27	0.172523	0.161516	0.150981	0.140902	0.131269	0.122068	0.113289	0.104921	0.096955	0.089380
28	0.180378	0.168870	0.157855	0.147318	0.137245	0.127625	0.118447	0.109698	0.101369	0.093450
29	0.188634	0.176599	0.165080	0.154060	0.143527	0.133467	0.123868	0.114719	0.106009	0.097727
30	0.197316	0.184727	0.172678	0.161151	0.150133	0.139610	0.129569	0.119999	0.110888	0.102225
31	0.206449	0.193278	0.180671	0.168611	0.157083	0.146072	0.135567	0.125554	0.116021	0.106957
32	0.216064	0.202279	0.189085	0.176463	0.164398	0.152875	0.141881	0.131401	0.121425	0.111938
33	0.226190	0.211759	0.197946	0.184733	0.172103	0.160040	0.148530	0.137560	0.127115	0.117184
34	0.236860	0.221749	0.207284	0.193448	0.180222	0.167589	0.155537	0.144049	0.133112	0.122712
35	0.248111	0.232282	0.217130	0.202636	0.188782	0.175550	0.162924	0.150891	0.139434	0.128541
36	0.259980	0.243394	0.227517	0.212330	0.197813	0.183948	0.170718	0.158109	0.146105	0.134690
37	0.272510	0.255124	0.238482	0.222563	0.207346	0.192813	0.178946	0.165729	0.153146	0.141182
38	0.285745	0.267515	0.250065	0.233373	0.217417	0.202178	0.187637	0.173779	0.160584	0.148039
39	0.299736	0.280613	0.262309	0.244799	0.228062	0.212077	0.196824	0.182287	0.168447	0.155287
40	0.314535	0.294468	0.275260	0.256886	0.239322	0.222548	0.206543	0.191287	0.176764	0.162954
41	0.330202	0.309135	0.288971	0.269682	0.251243	0.233633	0.216830	0.200815	0.185568	0.171071
42	0.346800	0.324675	0.303497	0.283238	0.263872	0.245377	0.227730	0.210910	0.194896	0.179670
43	0.364401	0.341152	0.318899	0.297612	0.277264	0.257830	0.239287	0.221614	0.204788	0.188788
44	0.383080	0.358640	0.335247	0.312868	0.291477	0.271047	0.251554	0.232974	0.215285	0.198466
45	0.402924	0.377218	0.352612	0.329075	0.306576	0.285087	0.264584	0.245042	0.226437	0.208746
46	0.424024	0.396972	0.371078	0.346308	0.322630	0.300017	0.278440	0.257874	0.238295	0.219678
47	0.446485	0.417999	0.390734	0.364652	0.339720	0.315908	0.293188	0.271534	0.250917	0.231314
48	0.470418	0.440406	0.411679	0.384199	0.357930	0.332842	0.308905	0.286089	0.264368	0.243714
49	0.495951	0.464310	0.434023	0.405052	0.377358	0.350908	0.325671	0.301617	0.278717	0.256942
50	0.523223	0.489842	0.457890	0.427325	0.398108	0.370204	0.343579	0.318203	0.294043	0.271071
51	0.552390	0.517148	0.483415	0.451146	0.420301	0.390841	0.362732	0.335941	0.310434	0.286182
52	0.583626	0.546391	0.510751	0.476658	0.444068	0.412942	0.383244	0.354938	0.327989	0.302365
53	0.617128	0.577756	0.540069	0.504019	0.469558	0.436646	0.405243	0.375312	0.346816	0.319721
54	0.653114	0.611446	0.571562	0.533409	0.496939	0.462108	0.428874	0.397197	0.367040	0.338365
55	0.691831	0.647693	0.605444	0.565030	0.526398	0.489502	0.454297	0.420743	0.388798	0.358423
56	0.733557	0.686756	0.641960	0.599108	0.558146	0.519025	0.481697	0.446119	0.412247	0.380040
57	0.778607	0.728933	0.681385	0.635902	0.592424	0.550900	0.511280	0.473517	0.437565	0.403380
58	0.827341	0.774557	0.724034	0.675703	0.629503	0.585381	0.543282	0.503155	0.464953	0.428628
59	0.880165	0.824012	0.770262	0.718846	0.669698	0.622757	0.577969	0.535281	0.494639	0.455995
60	0.937542	0.877728	0.820475	0.765707	0.713354	0.663354	0.615646	0.570175	0.526884	0.485721
61		0.875134	0.816717	0.760877	0.708777	0.656660	0.606660	0.561984	0.518079	0.475079
62		0.934771	0.872374	0.815228	0.755762	0.701409	0.649604	0.600282	0.553385	0.509200
63			0.869441	0.808500	0.750354	0.703034	0.649433	0.602170	0.559200	0.518079
64			0.933248	0.866329	0.804024	0.744639	0.688102	0.642170	0.592000	0.548343
65				0.931629	0.863030	0.802908	0.744639	0.688102	0.642170	0.592000
66					0.863030	0.802908	0.744639	0.688102	0.642170	0.592000
67						0.863030	0.802908	0.744639	0.688102	0.642170
68							0.863030	0.802908	0.744639	0.688102
69								0.863030	0.802908	0.744639
70									0.863030	0.802908

Table 4  
Factors for Obtaining Annuities and Pensions Under Option 2—Unisex

Age of Survivor Annuitant at Member's Retirement	Member Age																	
	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	105	110
5	0.9362	0.9142	0.8869	0.8542	0.8150	0.7685	0.7135	0.6496	0.5782	0.5023	0.4238	0.3456	0.2703	0.2035	0.1536	0.1237	0.1035	0.0817
10	0.9439	0.9226	0.8957	0.8631	0.8238	0.7769	0.7215	0.6569	0.5847	0.5080	0.4287	0.3495	0.2733	0.2058	0.1554	0.1251	0.1047	0.0827
15	0.9523	0.9321	0.9060	0.8737	0.8344	0.7873	0.7313	0.6661	0.5930	0.5152	0.4348	0.3545	0.2773	0.2087	0.1576	0.1269	0.1062	0.0839
20	0.9608	0.9423	0.9175	0.8861	0.8471	0.7999	0.7434	0.6774	0.6031	0.5242	0.4424	0.3608	0.2822	0.2124	0.1604	0.1291	0.1081	0.0854
25	0.9688	0.9527	0.9299	0.9000	0.8619	0.8149	0.7581	0.6912	0.6158	0.5353	0.4519	0.3686	0.2883	0.2170	0.1639	0.1320	0.1105	0.0873
30	0.9760	0.9626	0.9426	0.9151	0.8788	0.8327	0.7759	0.7083	0.6315	0.5493	0.4639	0.3784	0.2960	0.2229	0.1683	0.1355	0.1135	0.0896
35	0.9821	0.9714	0.9548	0.9307	0.8972	0.8531	0.7971	0.7291	0.6510	0.5668	0.4790	0.3909	0.3059	0.2304	0.1740	0.1401	0.1173	0.0927
40	0.9868	0.9788	0.9657	0.9457	0.9163	0.8755	0.8216	0.7541	0.6749	0.5887	0.4980	0.4067	0.3184	0.2399	0.1812	0.1459	0.1221	0.0966
45	0.9905	0.9847	0.9749	0.9592	0.9348	0.8989	0.8488	0.7833	0.7040	0.6160	0.5221	0.4270	0.3345	0.2521	0.1905	0.1534	0.1284	0.1016
50	0.9932	0.9892	0.9821	0.9706	0.9516	0.9218	0.8776	0.8163	0.7388	0.6498	0.5529	0.4533	0.3557	0.2682	0.2028	0.1633	0.1368	0.1082
55	0.9952	0.9925	0.9876	0.9795	0.9656	0.9427	0.9060	0.8517	0.7788	0.6909	0.5919	0.4875	0.3837	0.2899	0.2193	0.1767	0.1480	0.1172
60	0.9966	0.9948	0.9916	0.9862	0.9767	0.9601	0.9320	0.8870	0.8222	0.7390	0.6401	0.5317	0.4209	0.3191	0.2419	0.1950	0.1635	0.1296
65	0.9977	0.9965	0.9944	0.9910	0.9849	0.9737	0.9536	0.9192	0.8656	0.7915	0.6970	0.5870	0.4694	0.3583	0.2726	0.2202	0.1848	0.1468
70	0.9985	0.9977	0.9964	0.9943	0.9905	0.9835	0.9702	0.9458	0.9050	0.8442	0.7596	0.6529	0.5309	0.4099	0.3139	0.2544	0.2139	0.1704
75	0.9990	0.9986	0.9978	0.9965	0.9942	0.9901	0.9820	0.9660	0.9376	0.8921	0.8232	0.7272	0.6064	0.4773	0.3698	0.3015	0.2546	0.2038
80	0.9994	0.9992	0.9987	0.9979	0.9967	0.9944	0.9898	0.9802	0.9620	0.9314	0.8810	0.8034	0.6937	0.5628	0.4450	0.3669	0.3120	0.2518
85	0.9997	0.9995	0.9993	0.9988	0.9982	0.9970	0.9945	0.9891	0.9785	0.9598	0.9271	0.8720	0.8034	0.6632	0.5416	0.4551	0.3920	0.3209
90	0.9998	0.9998	0.9996	0.9994	0.9990	0.9984	0.9972	0.9944	0.9884	0.9779	0.9584	0.9235	0.8615	0.7638	0.6511	0.5628	0.4948	0.4142
95	0.9999	0.9999	0.9998	0.9997	0.9994	0.9991	0.9984	0.9969	0.9937	0.9876	0.9762	0.9548	0.9141	0.8425	0.7487	0.6679	0.6015	0.5180
100	1.0000	0.9999	0.9999	0.9998	0.9996	0.9995	0.9991	0.9982	0.9961	0.9923	0.9851	0.9712	0.9433	0.8909	0.8157	0.7458	0.6855	0.6055
105	1.0000	1.0000	0.9999	0.9999	0.9998	0.9997	0.9994	0.9988	0.9974	0.9949	0.9900	0.9805	0.9606	0.9209	0.8603	0.8005	0.7472	0.6730
110	1.0000	1.0000	1.0000	1.0000	0.9998	0.9998	0.9997	0.9993	0.9985	0.9970	0.9940	0.9879	0.9750	0.9472	0.9005	0.8509	0.8051	0.7383

Table 5  
Factors for Obtaining Annuities and Pensions Under Option 3—Unisex  
Member Age

Age of Survivor Annuitant at Member's Retirement	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	105	110
5	0.9670	0.9552	0.9401	0.9214	0.8981	0.8691	0.8328	0.7876	0.7327	0.6687	0.5953	0.5137	0.4255	0.3381	0.2664	0.2301	0.1876	0.1511
10	0.9712	0.9597	0.9450	0.9265	0.9034	0.8745	0.8382	0.7930	0.7379	0.6737	0.6001	0.5180	0.4293	0.3413	0.2690	0.2224	0.1896	0.1527
15	0.9756	0.9649	0.9506	0.9326	0.9097	0.8810	0.8448	0.7996	0.7445	0.6801	0.6061	0.5235	0.4342	0.3454	0.2723	0.2252	0.1920	0.1548
20	0.9800	0.9703	0.9570	0.9396	0.9172	0.8888	0.8528	0.8076	0.7525	0.6879	0.6135	0.5303	0.4402	0.3504	0.2765	0.2288	0.1951	0.1573
25	0.9842	0.9757	0.9637	0.9474	0.9258	0.8980	0.8625	0.8174	0.7622	0.6974	0.6225	0.5386	0.4476	0.3567	0.2817	0.2331	0.1990	0.1605
30	0.9879	0.9809	0.9705	0.9557	0.9355	0.9087	0.8738	0.8292	0.7741	0.7091	0.6337	0.5491	0.4568	0.3645	0.2882	0.2387	0.2038	0.1645
35	0.9910	0.9855	0.9769	0.9641	0.9458	0.9207	0.8871	0.8433	0.7886	0.7235	0.6477	0.5621	0.4685	0.3745	0.2964	0.2458	0.2099	0.1696
40	0.9934	0.9893	0.9826	0.9721	0.9564	0.9337	0.9021	0.8598	0.8059	0.7411	0.6649	0.5783	0.4830	0.3869	0.3068	0.2546	0.2177	0.1761
45	0.9952	0.9923	0.9873	0.9792	0.9663	0.9468	0.9182	0.8784	0.8263	0.7623	0.6861	0.5985	0.5013	0.4027	0.3200	0.2660	0.2277	0.1844
50	0.9966	0.9946	0.9910	0.9851	0.9752	0.9593	0.9348	0.8988	0.8498	0.7877	0.7121	0.6238	0.5247	0.4230	0.3372	0.2808	0.2406	0.1953
55	0.9976	0.9962	0.9938	0.9897	0.9825	0.9705	0.9507	0.9199	0.8756	0.8172	0.7436	0.6555	0.5546	0.4495	0.3597	0.3003	0.2579	0.2098
60	0.9983	0.9974	0.9958	0.9931	0.9882	0.9797	0.9648	0.9401	0.9024	0.8499	0.7805	0.6942	0.5924	0.4838	0.3895	0.3264	0.2811	0.2295
65	0.9989	0.9983	0.9972	0.9955	0.9923	0.9867	0.9763	0.9579	0.9279	0.8836	0.8214	0.7397	0.6389	0.5276	0.4283	0.3609	0.3119	0.2560
70	0.9993	0.9989	0.9982	0.9972	0.9953	0.9917	0.9848	0.9722	0.9501	0.9155	0.8634	0.7900	0.6936	0.5814	0.4777	0.4056	0.3525	0.2912
75	0.9995	0.9993	0.9989	0.9983	0.9971	0.9951	0.9909	0.9827	0.9678	0.9430	0.9030	0.8420	0.7550	0.6462	0.5399	0.4634	0.4058	0.3386
80	0.9997	0.9996	0.9993	0.9990	0.9983	0.9972	0.9949	0.9900	0.9807	0.9645	0.9367	0.8911	0.8192	0.7203	0.6158	0.5368	0.4756	0.4023
85	0.9998	0.9998	0.9996	0.9994	0.9991	0.9985	0.9972	0.9945	0.9891	0.9795	0.9622	0.9316	0.8788	0.7975	0.7026	0.6255	0.5633	0.4858
90	0.9999	0.9999	0.9998	0.9997	0.9995	0.9992	0.9986	0.9972	0.9942	0.9888	0.9787	0.9602	0.9255	0.8662	0.7886	0.7202	0.6620	0.5857
95	1.0000	1.0000	0.9999	0.9999	0.9997	0.9996	0.9992	0.9985	0.9968	0.9938	0.9879	0.9769	0.9551	0.9145	0.8563	0.8008	0.7512	0.6824
100	1.0000	1.0000	0.9999	0.9999	0.9998	0.9997	0.9995	0.9991	0.9981	0.9961	0.9925	0.9853	0.9708	0.9423	0.8985	0.8543	0.8135	0.7542
105	1.0000	1.0000	1.0000	1.0000	0.9999	0.9998	0.9997	0.9994	0.9987	0.9974	0.9949	0.9901	0.9798	0.9589	0.9248	0.8892	0.8554	0.8045
110	1.0000	1.0000	1.0000	1.0000	0.9999	0.9999	0.9998	0.9997	0.9992	0.9984	0.9970	0.9939	0.9874	0.9730	0.9475	0.9194	0.8919	0.8496

**PRESENT VALUE OF \$1 ANNUITY USING  
DISABILITY MORTALITY**

<i>Age</i>	<i>Unisex</i>	<i>Age</i>	<i>Unisex</i>	<i>Age</i>	<i>Unisex</i>
22	19.352	51	14.618	81	7.025
23	19.106	52	14.376	82	6.774
24	18.851	53	14.130	83	6.526
25	18.692	54	13.886	84	6.283
26	18.526	55	13.642	85	6.043
27	18.352	56	13.400	86	5.808
28	18.171	57	13.159	87	5.578
29	18.086	58	12.919	88	5.353
30	17.998	59	12.678	89	5.133
31	17.904	60	12.438	90	4.919
32	17.806	61	12.198	91	4.711
33	17.703	62	11.956	92	4.508
34	17.594	63	11.713	93	4.311
35	17.479	64	11.467	94	4.120
36	17.359	65	11.219	95	3.935
37	17.233	66	10.968	96	3.755
38	17.100	67	10.713	97	3.580
39	16.960	68	10.455	98	3.420
40	16.813	69	10.195	99	3.276
41	16.658	70	9.931	100	3.146
42	16.495	71	9.666	101	3.028
43	16.324	72	9.399	102	2.917
44	16.143	73	9.131	103	2.809
45	15.954	74	8.862	104	2.698
46	15.755	75	8.595	105	2.583
47	15.545	76	8.328	106	2.467
48	15.325	77	8.062	107	2.349
49	15.093	78	7.799	108	2.229
50	14.857	79	7.538	109	2.104
		80	7.280	110	1.967

[Pa.B. Doc. No. 13-841. Filed for public inspection May 3, 2013, 9:00 a.m.]

**STATE BOARD  
OF NURSING**

**Bureau of Professional and Occupational Affairs v.  
Eric J. Collins, LPN; Doc. No. 1353-51-12**

Eric J. Collins, LPN, license no. PN286090, of Warren, Warren County, had his practical nursing license indefinitely suspended based on findings he is unable to practice professional nursing with reasonable skill and safety.

Individuals may obtain a copy of the adjudication by writing to Beth Sender Michlovitz, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving

service of the appeals is the previously-named Board counsel.

ANN M. COUGHLIN, MBA, MSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 13-842. Filed for public inspection May 3, 2013, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.  
Roseann Thomas, LPN; Doc. No. 0741-51-11**

Roseann Thomas, LPN, license no. PN282010, of Wilkes-Barre, Luzerne County, had her practical nursing license indefinitely suspended based on findings she is unable to practice professional nursing with reasonable skill and safety because she is addicted to alcohol or is addicted to hallucinogenic or narcotic drugs or other drugs which tend to impair judgment or coordination, so long as the dependence continues or she has become mentally incompetent.

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and final order represents the State Board of Nursing's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

ANN M. COUGHLIN, MBA, MSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 13-843. Filed for public inspection May 3, 2013, 9:00 a.m.]

**STATE CONSERVATION  
COMMISSION**

**Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program**

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, 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 any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

### Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name and Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New or Amended</i>	<i>Action Taken</i>
Yippee! Farms 1103 Iron Bridge Road Mt. Joy, PA 17552	Lancaster County/ Rapho Township	213.5	Cattle	Amended	Approved
Joshua Akers 590 Church Road Quarryville, PA 17566	Lancaster County/ East Drumore Township	131.57	Duck	New	Approved
Embrovac, LLC 616 Dairy Road Tamaqua, PA 18252	Schuylkill County/ West Penn Township	0	Layers	New	Approved
Galen Nolt—Westview Farm 222 Little Britain Church Road Peach Bottom, PA 17563	Lancaster County/ Fulton Township	362	Cattle	New	Approved
Meadow Wood Farm 2075 Colebrook Road Lebanon, PA 17042	Lebanon County/ North Cornwall Township	309.2	Cattle	New	Approved
Edward H. Martin 8245 Buffalo Road Mifflinburg, PA 17844	Union County/ West Buffalo Township	682.85	Swine	New	Approved
Clifford Zimmerman 2993 Mill Road Elizabethtown, PA 17022	Dauphin County/ Conewago Township	152.02	Broilers	New	Approved

E. CHRISTOPHER ABRUZZO,  
*Acting Chairperson*

[Pa.B. Doc. No. 13-844. Filed for public inspection May 3, 2013, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Public Hearing

The Susquehanna River Basin Commission (Commission) will hold a public hearing on May 23, 2013, at 2:30 p.m. at the Pennsylvania State Capitol, Room 8E-B, East Wing, Commonwealth Avenue, Harrisburg, PA. The public hearing will end at 5 p.m. or at the conclusion of public testimony, whichever is sooner. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. The projects are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for June 20, 2013, which will be noticed separately. The Commission will also hear testimony on amending its Regulatory Program Fee Schedule. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects and other items. The deadline for the submission

of written comments is June 3, 2013.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436.

Information concerning the applications for these projects is available at the Commission Water Resource Portal at [www.srbc.net/wrp](http://www.srbc.net/wrp). Materials and supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at [www.srbc.net/pubinfo/docs/2009-02%20Access%20to%20Records%20Policy%209-10-09.PDF](http://www.srbc.net/pubinfo/docs/2009-02%20Access%20to%20Records%20Policy%209-10-09.PDF).

#### *Opportunity to Appear and Comment*

Interested parties may appear at the hearing to offer comments to the Commission on any project listed as follows. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Ground rules will be posted on the Commission's web site, [www.srbc.net](http://www.srbc.net), prior to the hearing for review. The presiding officer reserves the right to modify or supplement these rules at the hearing. Written comments on any project listed as

follows may also be mailed to Richard Cairo, General Counsel, Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391, or submitted electronically through <http://www.srb.com/pubinfo/publicparticipation.htm>. Comments mailed or electronically submitted must be received by the Commission on or before June 3, 2013, to be considered.

#### *Supplementary Information*

The public hearing will cover amendment to the Commission's Regulatory Program Fee Schedule. Each June before the start of the next fiscal year on July 1, the Commission considers amendments to fee schedules. The public hearing will also cover the following projects:

#### *Project Scheduled for Rescission Action*

1. Project Sponsor and Facility: Chevron Appalachia, LLC (Chest Creek), Chest Township, Clearfield County, PA. (Docket No. 20100603).

#### *Projects Scheduled for Action*

1. Project Sponsor and Facility: Aqua Infrastructure, LLC (Clearfield Creek), Boggs Township, Clearfield County, PA. Application for renewal of surface water withdrawal of up to 2.000 mgd (peak day) (Docket No. 20081202).

2. Project Sponsor and Facility: Aqua Infrastructure, LLC (Tioga River), Hamilton Township, Tioga County, PA. Application for surface water withdrawal of up to 2.500 mgd (peak day).

3. Project Sponsor and Facility: Michael and Sandra Buhler (Bennett Branch Sinnemahoning Creek), Huston Township, Clearfield County, PA. Application for surface water withdrawal of up to 1.000 mgd (peak day).

4. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Athens Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 1.440 mgd (peak day) (Docket No. 20080906).

5. Project Sponsor: Chobani, Inc. Project Facility: South Edmeston, Town of Columbus, Chenango County, NY. Application for groundwater withdrawal of up to 0.720 mgd (30-day average) from Well 1.

6. Project Sponsor: Chobani, Inc. Project Facility: South Edmeston, Town of Columbus, Chenango County, NY. Application for groundwater withdrawal of up to 0.720 mgd (30-day average) from Well 2.

7. Project Sponsor: Chobani, Inc. Project Facility: South Edmeston, Town of Columbus, Chenango County, NY. Application for groundwater withdrawal of up to 0.720 mgd (30-day average) from Well 3.

8. Project Sponsor: Chobani, Inc. Project Facility: South Edmeston, Town of Columbus, Chenango County, NY. Application for consumptive water use of up to 0.283 mgd (peak day).

9. Project Sponsor: Delta Borough Municipal Authority. Project Facility: Delta Borough Water System, Peach Bottom Township, York County, PA. Application for groundwater withdrawal of up to 0.073 mgd (30-day average) from Well 5.

10. Project Sponsor: Delta Borough Municipal Authority. Project Facility: Delta Borough Water System, Peach Bottom Township, York County, PA. Application for groundwater withdrawal of up to 0.043 mgd (30-day average) from Well 6.

11. Project Sponsor: Delta Borough Municipal Authority. Project Facility: Delta Borough Water System, Peach Bottom Township, York County, PA. Application for groundwater withdrawal of up to 0.064 mgd (30-day average) from Well 7.

12. Project Sponsor and Facility: Equipment Transport, LLC (Pine Creek), Gaines Township, Tioga County, PA. Application for surface water withdrawal of up to 0.467 mgd (peak day).

13. Project Sponsor and Facility: Equipment Transport, LLC (Susquehanna River), Great Bend Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.999 mgd (peak day).

14. Project Sponsor and Facility: Furman Foods, Inc., Point Township, Northumberland County, PA. Application for consumptive water use of up to 0.900 mgd (peak day).

15. Project Sponsor and Facility: LDG Innovation, LLC (Tioga River), Lawrenceville Borough, Tioga County, PA. Modification to low flow protection requirements of the surface water withdrawal approval (Docket No. 20100311).

16. Project Sponsor and Facility: Municipal Authority of the Borough of Mansfield, Richmond Township, Tioga County, PA. Application for groundwater withdrawal of up to 0.079 mgd (30-day average) from Well 3, and authorization for interconnection with Mansfield University as a supplemental source.

17. Project Sponsor and Facility: Martinsburg Municipal Authority, North Woodbury Township, Blair County, PA. Application for groundwater withdrawal of up to 0.288 mgd (30-day average) from Wineland Well RW-1.

18. Project Sponsor and Facility: Navitus, LLC (North Spring, Logan Branch Watershed), Spring Township, Centre County, PA. Application for surface water withdrawal of up to 1.440 mgd (peak day).

19. Project Sponsor: New Morgan Landfill Company, Inc. Project Facility: Conestoga Landfill, New Morgan Borough, Berks County, PA. Application for groundwater withdrawal of up to 0.007 mgd (30-day average) from Well SW-4.

20. Project Sponsor: New Oxford Municipal Authority. Project Facility: Oxen Country Meadows, Oxford Township, Adams County, PA. Application for groundwater withdrawal of up to 0.144 mgd (30-day average) from Oxen Country Meadows (OCM) Well 1.

21. Project Sponsor and Facility: Somerset Regional Water Resources, LLC (Salt Lick Creek), New Milford Township, Susquehanna County, PA. Modification to project features of the surface water withdrawal approval (Docket No. 20100905).

22. Project Sponsor and Facility: Southwestern Energy Production Company (Middle Lake), New Milford Township, Susquehanna County, PA. Modification to low flow protection requirements of the surface water withdrawal approval (Docket No. 20121223).

23. Project Sponsor and Facility: State College Borough Water Authority, Ferguson Township, Centre County, PA. Application for renewal of groundwater withdrawal of up to 0.432 mgd (30-day average) from Well 41 (Docket No. 19820501).

24. Project Sponsor and Facility: State College Borough Water Authority, Ferguson Township, Centre County, PA. Application for renewal of groundwater withdrawal of up to 1.440 mgd (30-day average) from Well 43 (Docket No. 19820501).

25. Project Sponsor and Facility: State College Borough Water Authority, Ferguson Township, Centre County, PA. Application for renewal of groundwater withdrawal of up to 1.720 mgd (30-day average) from Well 53 (Docket No. 19820501).

26. Project Sponsor: SWEPI, LP (Tioga River), Richmond Township, Tioga County, PA. Application for renewal of surface water withdrawal with modification to

increase by an additional 0.843 mgd (peak day), for a total of 0.950 mgd (peak day) (Docket No. 20090612).

27. Project Sponsor and Facility: WPX Energy Appalachia, LLC (Susquehanna River), Great Bend Township, Susquehanna County, PA. Application for renewal of surface water withdrawal of up to 1.000 mgd (peak day) (Docket No. 20090303).

28. Project Sponsor and Facility: York County Solid Waste and Refuse Authority, Hopewell Township, York County, PA. Modification to metering requirements of the groundwater withdrawal approval (Docket No. 20121226).

*Authority:* Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

*Dated:* April 19, 2013.

PAUL O. SWARTZ,  
*Executive Director*

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