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PENNSYLVANIA BULLETIN

Volume 42

Number 29

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Pages 4559—4684

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Department of Environmental Protection

Department of Health

Department of Transportation

Fish and Boat Commission

Housing Finance Agency

Independent Regulatory Review Commission

Insurance Department

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Liquor Control Board

Pennsylvania Gaming Control Board

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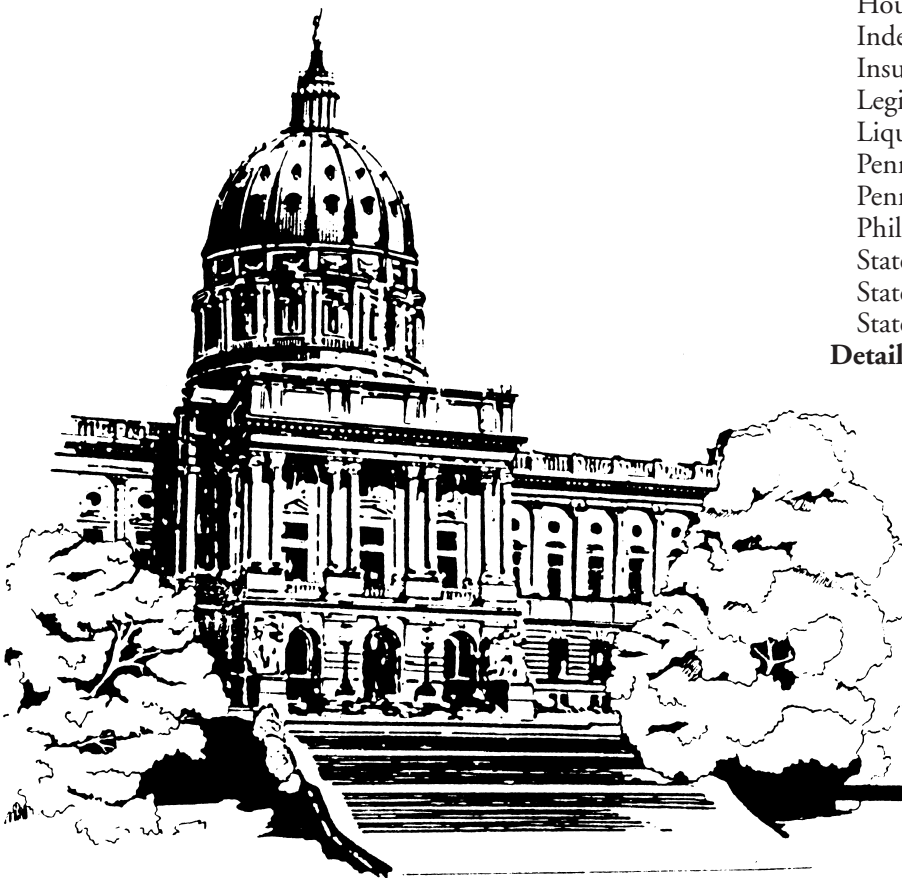
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(Master Transmittal Sheets):**

No. 452, July 2012

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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

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

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THE COURTS

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CHS. 5, 6 AND 8]

Proposed Revisions to the Comments to Pa.Rs.Crim.P. 590, 602 and 803

The Criminal Procedural Rules Committee is planning to recommend that the Supreme Court of Pennsylvania revise the Comments to Rules 590 and 803 to clarify the jury procedures that are available when a degree of guilt hearing is held before a jury. The proposal also recommends a revision to the Comment to Rule 602 to add a cross-reference to the case of *Commonwealth v. Ford*, 539 Pa. 85, 650 A.2d 433 (1994), that requires the defendant's presence at trial of capital offenses. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the Committee's considerations in formulating this proposal. Please note that the Committee's Reports should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the explanatory Reports.

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

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

Jeffrey M. Wasileski, Counsel
 Supreme Court of Pennsylvania
 Criminal Procedural Rules Committee
 601 Commonwealth Avenue, Suite 6200
 Harrisburg, PA 17106-2635
 fax: (717) 231-9521
 e-mail: criminalrules@pacourts.us

no later than Friday, Sept 7, 2012.

By the Criminal Procedural Rules Committee

PHILIP D. LAUER,
Chair

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 5. PRETRIAL PROCEDURES IN COURT CASES

PART H. Plea Procedures

(Editor's Note: See 38 Pa.B. 5429 (October 4, 2008) for the text of Rule 590.)

Rule 590. Pleas and Plea Agreements.

* * * * *

Comment

* * * * *

Paragraph (C) reflects a change in Pennsylvania practice, that formerly required the judge to convene a panel of three judges to determine the degree of guilt in murder cases in which the imposition of a sentence of death was

not statutorily authorized. The 2008 amendment to paragraph (C) and the Comment recognizes the Commonwealth's right to have a jury determine the degree of guilt following a plea of guilty to murder generally. See Article I, § 6 of the Pennsylvania Constitution that provides that "the Commonwealth shall have the same right to trial by jury as does the accused." See also *Commonwealth v. White*, 589 Pa. 642, 910 A.2d 648 (2006). **Any proceeding, held pursuant to paragraph (C), where the degree of guilt is determined by a jury should follow the procedures for jury trials contained in Chapter 6 Part C of these rules, Rules 631—649.**

Official Note: Rule 319(a) adopted June 30, 1964, effective January 1, 1965; amended November 18, 1968, effective February 3, 1969; paragraph (b) adopted and title of rule amended October 3, 1972, effective 30 days hence; specific areas of inquiry in Comment deleted in 1972 amendment, reinstated in revised form March 28, 1973, effective immediately; amended June 29, 1977 and November 22, 1977, effective as to cases in which the indictment or information is filed on or after January 1, 1978; paragraph (c) added and Comment revised May 22, 1978, effective July 1, 1978; Comment revised November 9, 1984, effective January 2, 1985; amended December 22, 1995, effective July 1, 1996; amended July 15, 1999, effective January 1, 2000; renumbered Rule 590 and Comment revised March 1, 2000, effective April 1, 2001; amended September 18, 2008, effective November 1, 2008; **Comment revised , 2012, effective , 2012.**

Committee Explanatory Reports:

* * * * *

Report explaining the proposed Comment revisions concerning jury procedures at degree of guilt published with the Court's Order at 42 Pa.B. 4569 (July 21, 2012).

CHAPTER 6. TRIAL PROCEDURES IN COURT CASES

PART A. General Provisions

Rule 602. Presence of the Defendant.

* * * * *

Comment

Nothing in this rule is intended to preclude a defendant from affirmatively waiving the right to be present at any stage of the trial, see e.g., *Commonwealth v. Vega*, 553 Pa. 255, 719 A.2d 227 (Pa. 1998) (plurality) (requirements for a knowing and intelligent waiver of a defendant's presence at trial includes a full, on-the-record colloquy concerning consequences of forfeiture of the defendant's right to be present) or from waiving the right to be present by his or her actions, see e.g., *Commonwealth v. Wilson*, 551 Pa. 593, 712 A.2d 735 (Pa. 1998) (defendant, who fled courthouse after jury was impaneled and after subsequent plea negotiations failed, was deemed to have knowingly and voluntarily waived the right to be present). **But see *Commonwealth v. Ford*, 539 Pa. 85, 650 A.2d 433 (1994) ("[R]ight of defendant to be present at trial of capital offense is transformed into obligation due to gravity of potential outcome.")**

Former Rule 1117(c) was moved to Rule 462 (Trial *de novo*) in 2000 as part of the reorganization of the rules.

Official Note: Rule 1117 adopted January 24, 1968, effective August 1, 1968; amended October 28, 1994, effective as to cases instituted on or after January 1, 1995; renumbered Rule 602 and amended March 1, 2000, effective April 1, 2001; amended December 8, 2000, effective January 1, 2001; **Comment revised** , **2012, effective** , **2012.**

Committee Explanatory Reports:

* * * * *

Report explaining the proposed revision to the Comment cross-referencing *Commonwealth v. Ford* at 42 Pa.B. 4569 (July 21, 2012).

CHAPTER 8. SPECIAL RULES FOR CASES IN WHICH DEATH SENTENCE IS AUTHORIZED

(*Editor's Note:* See 38 Pa.B. 5429 for the text of Rule 803.)

Rule 803. Guilty Plea Procedure.

* * * * *

Comment

For the procedure for the entry of guilty pleas, see Rule 590. For the sentencing procedure if the crime is determined to be murder of the first degree, see Sentencing Code, 42 Pa.C.S. § 9711(b).

The 2008 amendment to paragraph (A) recognizes the Commonwealth's right to have a jury determine the degree of guilt following a plea of guilty to murder generally. See Article I, § 6 of the Pennsylvania Constitution that provides that "the Commonwealth shall have the same right to trial by jury as does the accused." See also *Commonwealth v. White*, 589 Pa. 642, 910 A.2d 648 (2006). **Any proceeding, held pursuant to paragraph (A), where the degree of guilt is determined by a jury should follow the procedures for jury trials contained in Chapter 6 Part C of these rules, Rules 631—649.**

Official Note: Original Rule 352 adopted September 22, 1976, effective November 1, 1976; amended May 26, 1977, effective July 1, 1977; rescinded April 2, 1978, effective immediately. Former Rule 352 adopted July 1, 1985, effective August 1, 1985; renumbered Rule 353 February 1, 1989, effective July 1, 1989; renumbered Rule 802 and amended March 1, 2000, effective April 1, 2001; renumbered Rule 803 June 4, 2004, effective November 1, 2004; amended September 18, 2008, effective November 1, 2008; **Comment revised** , **2012, effective** , **2012.**

Committee Explanatory Reports:

* * * * *

Report explaining the proposed Comment revisions concerning jury procedures at degree of guilt published with the Court's Order at 42 Pa.B. 4569 (July 21, 2012).

REPORT

Proposed Revisions to the Comments to Pa.Rs.Crim.P. 590, 602, and 803

Jury Procedures in Degree of Guilt Hearings; Defendant's Presence at Capital Trials

The Criminal Procedural Rules Committee recently examined some of the procedures relating to murder trials. As a result of this examination, the Committee is considering Comment revisions to address two questions. The first would clarify in the Comments to Rules 590 and

803 the jury procedures that are available when a degree of guilt hearing is held before a jury. The second proposal would recommend a revision to the Comment to Rule 602 to add a cross-reference to the case of *Commonwealth v. Ford*, 539 Pa. 85, 650 A.2d 433 (1994), that requires the defendant's presence at trial of a capital offense.

Jury Procedures in Degree of Guilt Hearings

Several questions were raised with the Committee concerning certain procedures in degree of guilt hearings held pursuant to Rules 590(C) and 803(A). Rule 590(C) provides that, in non-capital murder cases, when a defendant enters a guilty or *nolo contendere* plea to murder generally, the degree of guilt shall be determined by a jury unless the Commonwealth elects otherwise. Rule 803(A) has a similar provision in capital cases.

Among the questions the Committee considered was whether jurors in a degree of guilt hearing should be permitted to take notes as provided in Rule 644 or whether it was permissible to provide written jury instructions as provided in Rule 646. Neither Rule 644 nor 646 specifically addresses degree of guilt hearings. The concern that was articulated was that, because most of the rules regarding procedures during jury proceedings speak in terms of occurring "at trial," degree of guilt hearings might not be considered "trials" under the rules and that a narrow reading might preclude jurors from using these procedures in degree of guilt hearings.

The consensus of the Committee was that these types of procedures should be available to jurors in degree of guilt hearings. During its discussion of these particular procedures, the members observed that most jury trial procedures would be applicable in degree of guilt hearings. The conclusion of the Committee was that the proposal be broadened to provide that jurors in these types of hearings should be allowed all the procedures available to jurors in regular trials.

The Committee concluded that such an approach would be consistent with the existing law regarding degree of guilt hearings that degree of guilt hearings are comparable to trials generally. In *Commonwealth v. White*, 589 Pa. 642, 910 A.2d 648 (2006), which recognized that the Commonwealth has a right to a jury in degree of guilt hearings, the Supreme Court held that:

A plea of guilty to murder generally is a unique plea, unlike anything else provided in statute or decisional law. . . In a guilty plea, no evidence is presented against the defendant. . . A Rule 590(C) proceeding, on the other hand still requires the presentation of evidence, the arguments of counsel and the finding of facts in support of a verdict. . . This option, created by rule and available only to murder defendants, is not a simple guilty plea. It is instead a variation of a waiver trial. . .

Id. at 660.

The Supreme Court also held that the 1998 amendment to the Pennsylvania Constitution that granted the Commonwealth a right to jury trial equal to that of the defendant applied to degree of guilt hearings. It was the *White* case that prompted the addition of paragraph (C) to Rule 590 and paragraph (A) to Rule 803 in 2008.

A degree of guilt hearing, therefore, should be conducted in the same manner as a regular jury trial. The Committee examined the jury rules found in Chapter 6 Part C (Jury Procedures) and concluded that they would all be applicable in degree of guilt hearings before a jury.

The Comment to Rule 590 would be revised to state that the procedures for jury trial listed in Chapter 6 Part C, Rules 631—649, should be followed in degree of guilt hearings. Similarly, Rule 803(A) also contains a provision for degree of guilt hearings in capital cases. An identical proposed revision to the Comment to that rule would be added as well.

Waiver of Defendant's Presence in Capital Cases

The Committee also discussed the issue of whether a defendant in a capital case may waive his or her presence during trial in a capital case. Although unusual, there were a few reported instances recently where the defendant sought to be absent from the trial.

This issue was definitively addressed in *Commonwealth v. Ford*, 539 Pa. 85, 650 A.2d 433 (1994). In *Ford*, one of the issues that the defendant in a capital murder case raised was the trial court's refusal to permit him to absent himself from the trial; the defendant claimed that his appearance was so menacing that fair trial could not be obtained with his presence. The Supreme Court held:

The Sixth Amendment to the United States Constitution, Article I Section 9 of the Pennsylvania Constitution, and the Pennsylvania Rules of Criminal Procedure 1117(a) guarantee the right of an accused to be present in court at every stage of a criminal trial. A defendant may waive this right as long as he is not charged with a capital offense. When charged with a capital offense, a defendant's right to be present at his own trial is transformed into an obligation because of the gravity of the potential outcome. See Pa.R.Crim.P. 1117(a); *Commonwealth v. Diehl*, 378 Pa. 214, 107 A.2d 543 (1954); *Diaz v. United States*, 223 U.S. 442, 32 S.Ct. 250, 56 L.Ed. 500 (1912). The trial court correctly required the appellant's presence as he had no right to exclude himself.

539 Pa. at 100, 650 A.2d at 440.

The Committee agreed that a cross-reference to *Ford* in the Comment to Rule 602 would be helpful. The cross-reference also includes a parenthetical describing the requirement of the defendant's presence in a capital case.

[Pa.B. Doc. No. 12-1337. Filed for public inspection July 20, 2012, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BUTLER COUNTY

Local Rules of Civil Court; MsD No. 12-40169

Administrative Order of Court

And Now, this 29th day of June, 2012, it is hereby ordered and decreed that the following Local Rules of Court pertaining to Civil Court, adopted September 15, 2009 are hereby amended:

- L 205.2 (c) Cover Sheet
- L 402 Service of Notice
- L 1034 (a) Motion for Judgment on the Pleadings
- L 1035.2 (a) Motion for Summary Judgment
- L 1141 (b) Consumer Credit or Residential Mortgage Foreclosure Program

- L 1143 Commencement of Consumer Credit or Mortgage Foreclosure Action
- L1143.1 Conciliation Conference in Consumer Credit or Residential Mortgage Foreclosure Actions
- L3129.1 Notice of Sale of Real Property
- L 3256 Praeceptum for Writ of Mortgage Foreclosure

These amendments are effective thirty days after publication of this notice and the within Amendments to Local Rules in the *Pennsylvania Bulletin*.

The Court directs the Court Administrator to:

1. File one (1) certified copy of this Administrative Order and the within Local Rules of Civil Procedure with the Administrative Office of the Pennsylvania Courts.
2. File two (2) certified copies of this Administrative Order and the within Local Rules of Civil Procedure and one (1) diskette with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*
3. File one (1) certified copy of this Administrative Order and the within Local Rules of Civil Procedure with the Domestic Relations Procedural Rules Committee.
4. Forward one (1) copy of this Administrative Order and the within Local Rules of Civil Procedure to the administrative office of the *Butler County Legal Journal* for publication.
5. Forward one (1) copy of this Administrative Order and the within Local Rules of Civil Procedure to the Butler County Law Library.
6. Keep continuously available for public inspection copies of this Administrative Order of Court and the within Local Rules of Court in the Office of the Butler County Prothonotary, the Butler County Domestic Relations Section and the Office of the Court Administrator.

By the Court

THOMAS J. DOERR,
President Judge

BUTLER COUNTY LOCAL RULES OF CIVIL PROCEDURE

Rule L205.2 (c). Cover Sheet.

All consumer credit collection and residential mortgage foreclosure complaints must be filed with a Notice of Consumer Credit or Residential Mortgage Foreclosure Diversion Form in the format set forth as follows:

Date of Service: _____
Manner of Service: _____
By: _____

IN THE COURT OF COMMON PLEAS OF BUTLER COUNTY, PENNSYLVANIA

Plaintiff(s)

vs.

Defendant(s)

AD No.

NOTICE OF CONSUMER CREDIT/RESIDENTIAL MORTGAGE FORECLOSURE DIVERSION PROGRAM PURSUANT TO BUTLER COUNTY LOCAL RULE OF CIVIL PROCEDURE L205.2 (c) AND L3129.1

A Complaint in Consumer Credit or Residential Mortgage Foreclosure has been filed with the Court that could cause you to lose your assets or home.

You may be able to participate in a court-supervised conciliation conference in an effort to resolve this matter with your lender.

If you do not have an attorney, you must take the following steps to be eligible for and to remain in the program. First, within ten (10) days of the date noted above, you must contact the Butler County Consumer Credit/Residential Mortgage Foreclosure Diversion Program information line at 724-431-0081. You must schedule and attend either group mortgage assistance program or credit assistance program, as instructed. These classes are available to you at NO CHARGE. Attendance at one of these classes is mandatory for your continued participation in the Court Conciliation program.

After attending the class, a housing or credit counselor may be available to work with you to review your finances and attempt to work with your lender to try to resolve the claims in this lawsuit. Eligibility for counseling is based upon financial guidelines, which will be discussed at the group class. If you are scheduled to meet with a counselor, you must appear and you must provide the counselor with all requested financial information so that a loan resolution proposal can be prepared on your behalf. If you are not eligible for counseling, you will receive further instructions during the class concerning your obligation to communicate with the lender.

If you are represented by a lawyer, it is not necessary for you to call the information line. However, you and your attorney are responsible to communicate with the lender in advance of the conciliation conference.

To obtain admission to the Consumer Credit/Residential Mortgage Foreclosure Diversion Program, you or your attorney must complete a Request For Conciliation Conference form as provided at Butler County Local Rule L-1143 (b), file the same with the Prothonotary, and serve a copy of said Request, by mail to the Plaintiff's address set forth below.

* For further information you may also go to www.co.butler.pa.us or www.butlercountypabar.org/credit-crunch-program or call the Butler County Bar Association at 724-841-0130 *

IF YOU WISH TO PARTICIPATE IN THIS DIVERSION PROGRAM, YOU MUST ACT QUICKLY AND TAKE THE STEPS REQUIRED BY THIS NOTICE. THIS PROGRAM IS FREE.

Plaintiff must complete:

DISCLOSURE OF PLAINTIFF CONTACT INFORMATION

(person authorized to discuss case status and resolution options with the Defendant and/or the Defendant's representative)

Name: _____

Address: _____

Phone number: _____

Fax number: _____

Email: _____

Rule L-402. Service of Notice.

Upon the filing of a consumer credit or residential foreclosure complaint, the Sheriff shall serve both the complaint and the "Notice of Consumer Credit or Residential Mortgage Foreclosure Diversion Program" upon the named defendants in accordance with Pennsylvania Rule of Civil Procedure 402, Service of Original Process. In the

event the Sheriff is unable to personally serve the defendants with the civil action papers and the Notice, the Sheriff shall post the property with the "Notice of Consumer Credit or Residential Mortgage Foreclosure Diversion Program". The Sheriff's return shall reflect the date and manner of posting said Notice on the property. The posting of Notice on the property shall constitute service of said "Notice of Consumer Credit or Residential Mortgage Foreclosure Diversion Program" upon the defendants for purposes of compliance with these local rules concerning the Consumer Credit or Residential Mortgage Foreclosure Diversion Program.

Rule L1034 (a). Motion for Judgment on the Pleadings.

(1) A motion for judgment on the pleadings shall be filed with the Prothonotary. A brief in support of the motion shall be filed at the same time as the motion for judgment on the pleadings is filed. Briefs for the non-moving parties shall be filed and served one (1) week prior to the scheduled submission or argument date.

As a condition precedent to the scheduling of a motion for judgment on the pleadings for court action in a consumer credit or residential mortgage foreclosure action, the plaintiff/lender must file an Affidavit of Service indicating the manner and date of service of said notice upon the defendant/borrower. (form follows local rule L-1143(e))

(2) Upon the filing of motion for judgment on the pleadings, oral argument or submission without oral argument will be scheduled by the court. Any party may submit a request for argument on their motion for judgment on the pleadings. Upon receipt of a request for argument, a time for argument will be assigned for the scheduled submission date.

Rule L1035.2 (a). Motion for Summary Judgment.

(1) A motion for summary judgment shall be filed with the Prothonotary. A brief in support of the motion shall be filed at the same time as the motion for summary judgment is filed. Briefs for the non-moving parties shall be filed and served no later than one (1) week prior to the scheduled submission or argument date.

As a condition precedent to the scheduling of a motion for summary judgment for court action in a consumer credit or residential mortgage foreclosure action, the plaintiff/lender must file an Affidavit of Service indicating the manner and date of service of said notice upon the defendant/borrower. (form follows local rule L-1143(e))

(2) Upon the filing of motion for summary judgment, oral argument or submission without oral argument will be scheduled by the court. Any party may submit a request for argument on their motion for summary judgment. Upon receipt of a request for argument, a time for argument will be assigned for the scheduled submission date.

Rule L-1141 (b). Consumer Credit or Residential Mortgage Foreclosure Program.

In consumer credit or residential mortgage foreclosure proceedings, local procedural requirements shall apply to accomplish the implementation of the Consumer Credit or Residential Mortgage Foreclosure Diversion Program. Local rules affected in relation to residential mortgage foreclosure proceedings are as follows:

- | | |
|------------|----------------------------|
| L205.2 (c) | L1143 (a)(b)(c)(d)(e) |
| L402 | L1143.1 (a)(b)(c)(d)(e)(f) |
| L1034 (a) | L3129.1 |
| L1035.2(a) | L3256 |

Rule L1143. Commencement of Consumer Credit or Mortgage Foreclosure Action.

(a) In all consumer credit and residential mortgage foreclosure actions, the complaint shall include a "Notice of Consumer Credit or Residential Mortgage Foreclosure Diversion Program" in the format set forth in Local Rule 205.2(c).

(b) To participate in the Consumer Credit or Residential Mortgage Foreclosure Diversion Program the defendant/borrower or his/her legal counsel shall follow Butler County Local Rule of Civil Procedure 1143.1 program requirements and file a Request for Conciliation Conference in the format set forth below. The Request for Conciliation Conference shall be filed with the Prothonotary within thirty 30 days of service of the Notice of Consumer Credit or Residential Mortgage Foreclosure Diversion Program and shall be served upon the plaintiff/lender.

(c) Upon receipt of the Request for Conciliation Conference, the Court Administrator shall issue a case management order. Conciliation conferences shall be scheduled and conducted in conformity with Butler County Local Rule of Civil Procedure L-11431.1, et seq.

(d) Service of process.

For complaints filed and served before November 2, 2009, the "Notice Of Consumer Credit or Residential Mortgage Foreclosure Diversion Program" may be served by certified mail to the record address of the Defendant or to Defendant's legal counsel of record, if any. The date of service shall be the date when the certified mail is delivered to Defendant or Defendant's counsel. However, if original service of the complaint has not been completed, service of the Notice shall be as per Butler County Local Rule of Civil Procedure L-402.

(e) Before any matter will be scheduled for consideration before the assigned judge or for arbitration, the plaintiff/lender must file an Affidavit, which discloses: the date and manner of service of the "Notice of Consumer Credit or Residential Mortgage Foreclosure Diversion Program"; whether or not the defendant/borrower has requested to participate in the Consumer Credit Residential Mortgage Foreclosure Diversion Program; and, whether or not there is a present, court-ordered stay in effect. The format for said Affidavit is set forth below.

IN THE COURT OF COMMON PLEAS OF BUTLER COUNTY, PENNSYLVANIA

Plaintiff(s) _____
vs. AD No. _____
Defendant(s) _____

**REQUEST FOR CONCILIATION CONFERENCE
(Butler County Local Rule of Civil Procedure L-1143(b))**

Pursuant to the local rules governing the Butler County Consumer Credit or Residential Mortgage Foreclosure Diversion Program, the undersigned hereby certifies as follows:

1. This action involves consumer credit, or the Defendant is the owner of the residential property if this is mortgage foreclosure action; and
2. If a residential mortgage foreclosure action, Defendant physically lives in the subject property, which is defendant's primary residence; and
3. Defendant has been served with a "Notice of Consumer Credit or Residential Mortgage Foreclosure Diversion Program" and

- a. If Defendant is self-represented:
 - (1) Defendant is scheduled to attend the _____ mortgage or credit assistance (date) class as instructed by the Butler County Consumer Credit/Residential Mortgage Foreclosure Diversion Program information line; and
 - (2) Defendant will attend any follow up conference scheduled with the credit or housing counselor after the mortgage or credit assistance class; and
 - (3) Defendant will personally attend the court conciliation conference as scheduled by the Court. Or

b. If Defendant is represented by counsel:
(1) I _____ am legal counsel of record for the Defendant.

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

Signature of Defendant/Defendant's Counsel Date _____

Person who Plaintiff should contact to discuss status of case and options to resolve:

Name _____ Office _____
Relationship to Defendant _____ Address _____
Phone _____ E-Mail _____
Fax # _____

IN THE COURT OF COMMON PLEAS OF BUTLER COUNTY, PENNSYLVANIA

Plaintiff(s) _____
vs. AD No. _____
Defendant(s) _____

AFFIDAVIT OF SERVICE AND STATUS OF CONSUMER CREDIT OR RESIDENTIAL MORTGAGE FORECLOSURE DIVERSION PROGRAM

(Butler County Rule of Civil Procedure L-1143 (e) and L-1034 (a) 1 and L-1035.2 (a) (1) and L-3129.1 (b) and L-3256)

I, _____, counsel for Plaintiff, in the above action, do hereby certify that on _____ the Defendant(s) was served with (date)

"Notice of Consumer Credit or Residential Mortgage Foreclosure Diversion Program by _____, and that:

- (method of service and by whom)
- (1) 30 days have passed since service of the Notice;
- (2) The Defendant(s) has not filed a Request for Conciliation Conference (Butler County Local Rule of Civil Procedure L-1143b); or
- (3) If a Request for Conciliation Conference has been filed, there is no present Court ordered Stay in effect.

Respectfully submitted,

(date) (Plaintiff counsel)

Rule L-1143.1. Conciliation Conference in Consumer Credit or Residential Mortgage Foreclosure Actions.

(a) 1. To be eligible to participate in the program, a self-represented/borrower must call the Butler County

Consumer Credit/Residential Mortgage Foreclosure Diversion Program information line to obtain instructions to schedule and attend either the mortgage or credit assistance class. In addition, if eligible, Defendants must meet with a credit counselor and complete the financial information necessary for the plaintiff/lender. The self-represented borrower must also file a Request for Conciliation Conference on the form set forth in Butler County L.R.C.P. L-1143(b).

2. If the defendant/borrower is represented by counsel, the defendant/borrower need not attend the mortgage or credit assistance class or meet with any counselors as a condition precedent to filing a Request for Conciliation Conference. Counsel for the defendant must complete the Request for Conciliation Conference form, Butler County L.R.C.P. L-1143(b).

(b) Once a Request for Conciliation Conference is filed, a Case Management Order shall issue, scheduling the case for the next available conciliation conference.

(c) Immediately following the filing of Request for Conciliation Conference, the defendant/borrower must communicate with the plaintiff/lender by contacting the contact person listed in the Notice of Consumer Credit Residential Mortgage Foreclosure Diversion Program form. Upon receipt of communication on behalf of the defendant, the plaintiff/lender shall immediately advise the defendant or credit counselor of all information needed to consider work out resolutions for the pending litigation. The defendant shall respond to the request for information in advance of the scheduled conciliation conference date. A failure by plaintiff or defendant to communicate as set forth herein, may result in the case being removed from the conciliation program or dismissal of the complaint.

(d) At the conciliation conference, the parties and their counsel shall be prepared to discuss all available resolution options.

(e) The parties and legal counsel, if any, must attend the conciliation conference. An authorized representative of the plaintiff/lender must either attend the conciliation conference in person or be readily available by telephone during the course of the conciliation conference. The representative of the plaintiff/lender, who participates in the conciliation conference, must possess the actual authority to reach a mutually acceptable resolution. The court, in its discretion, may, by special order, require the personal attendance of the authorized representative of the plaintiff/lender at any conciliation conference.

(f) If the defendant/borrower has previously participated in, and been removed from, the Consumer Credit or Residential Mortgage Foreclosure Diversion Program, the plaintiff/lender or the defendant/borrower may request the court to readmit the case to the program for good cause shown by presenting an appropriate Motion before the Court. Readmission to the program following removal is not automatic and not subject to Butler County L.R.C.P. L-1143(a)(b).

Rule L3129.1. Notice of Sale of Real Property.

Before any residential property may be listed for Sheriff's sale, the plaintiff/lender must have filed an Affidavit of Service, (L1143(e)), with the Prothonotary at either the Appearance Docket, Common Pleas Docket or Execution Docket.

Rule L-3256. Praecipe for Writ of Mortgage Foreclosure.

In a residential mortgage foreclosure proceeding, if no Butler County L.R.C.P. L-1143(e) Affidavit of Service (L-1143(e)) has been previously filed at either the Appearance Docket, Common Pleas Docket or Execution Docket, no further court action will be available to the plaintiff/lender, until such time as the plaintiff/lender files an Affidavit of Service (L-1143(e)).

[Pa.B. Doc. No. 12-1338. Filed for public inspection July 20, 2012, 9:00 a.m.]

RULES AND REGULATIONS

Title 22—EDUCATION

STATE BOARD OF EDUCATION

[22 PA. CODE CH. 10]

Safe Schools

The State Board of Education (Board) adopts Chapter 10 (relating to safe schools), including Appendix A (relating to model memorandum of understanding), as set forth in Annex A. This final-omitted rulemaking is adopted under the authority of section 1302.1-A of the Public School Code of 1949 (code) (24 P. S. § 13-1302.1-A). Notice of proposed rulemaking is omitted under section 1302.1-A of the code.

Purpose

This final-omitted rulemaking is designed to establish and maintain a cooperative relationship between school entities and local police departments in the reporting and resolution of incidents that occur on school property, at a school sponsored activity or on a conveyance providing transportation to or from a school or school sponsored activity.

Background

The act of November 17, 2010 (P. L. 996, No. 104) (Act 104) added section 1302.1-A to the code. Section 1302.1-A(a) of the code directs the Board to promulgate regulations that: include a model memorandum of understanding (MOU) between school entities and local police departments; establish protocol for the immediate notification of police when offenses in section 1303-A(b)(4.1) of the code (24 P. S. § 13-1303-A(b)(4.1)) occur on school property; establish protocol for the notification of police at the discretion of the chief school administrator when offenses in section 1303-A(b)(4.2) of the code occur on school property; establish protocol for emergency and nonemergency response by the police; and establish procedures and protocols for the response and handling of students with a disability.

Section 1302.1-A(a) of the code further requires that the regulations include provisions that: provide for biennial review and revision, as necessary, of the Board's model memorandum of understanding; require school districts to share a copy of their comprehensive disaster response and emergency plans required under 35 Pa.C.S. § 7701(g) (relating to duties concerning disaster prevention) with local police; and, in addressing the handling of students with disabilities, take into account procedures regarding student behavior as required under §§ 14.104 and 14.133 (relating to special education plans; and positive behavior support). Finally, section 1302.1-A(a) of the code directs the Board to promulgate these regulations as a final-omitted rulemaking.

In promulgating the regulations mandated by Act 104, the Board was required under section 1302.1-A(b) of the code to convene and consult with an advisory committee comprised of a police chief, a juvenile public defender, a school superintendent, a school principal, a district attorney, a school district solicitor, a special education supervisor, a special education advocate and an in-school probation officer, and one designee from the Department of Education, the Commission on Crime and Delinquency, the Municipal Police Officers' Education and Training Commission, the Juvenile Court Judges' Commission and

the State Police. The membership of the advisory committee was approved by the Board at a public meeting held March 16, 2011.

From its first meeting on April 14, 2011, through the conclusion of its deliberations on September 7, 2011, the Chapter 10 Advisory Committee (Advisory Committee) worked in conjunction with the Board's School and University Safety Committee. The Advisory Committee also formed a Subcommittee on Students with Special Needs to facilitate focused conversation on the protocols and procedures for the response and handling of students with disabilities. The Board was kept abreast of the Advisory Committee's work through regular reports of the chairperson of the Board's School and University Safety Committee made during the Board's bimonthly meetings.

Following the conclusion of the Advisory Committee's deliberations, an initial draft of Chapter 10 and Appendix A was presented to the Board's School and University Safety Committee at its public meeting on September 20, 2011. Committee members reviewed and provided input on the draft, which was subsequently presented to the full Board for additional comment at its public meeting on September 21, 2011.

The Board thereafter established an unofficial public comment period from September 22 to 30, 2011, soliciting written comments on the draft regulations. The Board considered revisions to the draft regulations based on the public comments received and offered three additional opportunities for public comment during its November 15 and 16, 2011, meetings before taking action to approve this final-omitted rulemaking.

Summary of the Final-Omitted Rulemaking

Chapter 10 addresses the requirements in section 1302.1-A of the code. The major components of the regulations are as follows.

§ 10.11. Memorandum of understanding

This section includes the statutory requirements that schools biennially execute and file with the Department of Education (Department) MOUs with their local police and that the Board develop a model MOU and review and revise the model MOU as necessary every 2 years. This section also directs schools to consult and consider—but does not mandate for schools to adopt—the model MOU developed by the Board. This section further requires a school that executes an MOU that is substantively different from the model MOU in Appendix A to submit a statement of reasons for the differences as part of its filing with the Department. The Department's Office for Safe Schools will monitor and provide feedback to the Board on the filings to inform the Board's statutorily-required biennial review of the model MOU.

§ 10.21. Immediate notification

As directed by the code, this section requires school administrators to immediately notify local police when offenses in section 1303-A(b)(4.1) of the code occur on school property. In addition to notifying law enforcement when an incident occurs, this section provides for school entities to consider requiring students who commit incidents to complete available school-based programs to address the student's behavior, provided that law enforcement is notified of the student's placement in the program. This section clarifies that use of a school-based

program to address a student's behavior does not limit law enforcement's discretion to take appropriate action to address the incident.

§ 10.22. *Discretionary notification*

As directed by the code, this section provides school administrators discretion in engaging law enforcement when offenses in section 1303-A(b)(4.2) of the code occur on school property. This section identifies factors a school administrator may consider in determining whether to notify police of incidents, including: the seriousness of the situation; the school's ability to defuse or resolve the situation; the child's intent; the child's age; and whether the student has a disability, the type of disability and its impact on the student's behavior. This section also provides for school administrators to consider using available school-based diversion programs and available school-wide positive behavior supports to address the behavior of students who have committed an offense over which they have discretion in reporting to the police.

§ 10.23. *Response and handling of a student with a disability*

This section further assists in strengthening communication between public schools and law enforcement by creating opportunities for schools to help law enforcement officers become more knowledgeable about appropriately responding to students with disabilities. This section requires school entities to share copies of their procedures on behavior support services with local police and to invite local police to participate in staff training in the use of positive behavior supports, de-escalation techniques and appropriate responses to student behavior that may require immediate intervention.

This section also directs schools to respond to students with disabilities who commit incidents of misconduct in a manner consistent with the school entity's special education plan and behavior support program (as provided for in §§ 14.104 and 14.133) and, for protected handicapped students, in a manner consistent with the student's service agreement (as provided for in § 15.3 (relating to general)). For a student with a disability who does not have a positive behavior support plan and who is referred to law enforcement for committing an incident under section 1303-A(b)(4.1) or (4.2) of the code, this section requires school entities to convene a meeting of the student's individualized education program team to discuss whether a positive behavior support plan should be developed as a next step to address the student's behavior. This section includes a parallel provision addressing protected handicapped students who do not have a positive behavior support plan and who are referred to law enforcement. This section also requires schools to consult with the student's parents to consider whether a positive behavior support plan should be developed as part of the student's service agreement.

§ 10.24. *Emergency and nonemergency response and preparedness*

The Pennsylvania Emergency Management Agency (PEMA) currently provides extensive guidance to school districts in developing a comprehensive disaster response and emergency preparedness plan to comply with 35 Pa.C.S. § 7701(g). This section directs school districts to develop emergency preparedness plans that are consistent with PEMA guidelines and ensures that first responders—local police, fire departments and county emergency management agencies—will be provided with a copy of their local districts' emergency preparedness plans. This section also identifies information that is critical to have

readily accessible in responding to an emergency and directs schools to furnish this information to local police and fire departments annually.

§ 10.25. *Notification to parents/guardians*

This section engages students' parents and guardians as partners in addressing incidents of violence that occur on school property by requiring schools to immediately notify the parent or guardian of a victim or suspect directly involved in an incident listed in section 1303-A(b)(4.1) or (4.2) of the code. As part of this communication, schools shall inform parents whether the police have been, or may be, notified of the incident. This section also recognizes that circumstances may arise in which it is not possible to immediately reach a student's parent or guardian and, therefore, requires schools to document attempts made to reach a parent to show they have made a good faith effort to provide immediate notification.

Appendix A. Model memorandum of understanding

As directed by the code, Chapter 10 includes a model MOU between school entities and local police departments that may serve as a guide for the MOU required to be executed by school entities on a biennial basis. The model MOU defines the working relationship between a school entity and local police in responding to incidents that occur on school property and in ensuring the accuracy of school violence data reported to the Department.

Affected Parties

The final-omitted rulemaking will principally affect the students and professional employees of the public schools in this Commonwealth.

Cost and Paperwork Estimates

The final-omitted rulemaking reflects statutory requirements for school entities to execute MOUs with local police departments biennially and to file these agreements with the Department's Office for Safe Schools. Chapter 10 further requires a school entity that executes an MOU substantially different from the model MOU included in Appendix A to include a statement of reasons for the differences as part of its filing with the Office for Safe Schools and for the Office for Safe Schools to compile this information to help inform the Board's biennial review of the model MOU. This work will be managed through the Department's existing staff complement and does not carry an anticipated cost for State government.

Costs to school entities are estimated to be negligible for several reasons. First, statutory provisions requiring schools to form MOUs with local police departments were initially established by the act of June 30, 1995 (P. L. 220, No. 26) and thus represent an ongoing responsibility for both school entities and local police. Second, Chapter 10 includes a model MOU that can provide guidance for schools in implementing the MOU requirements of the regulations. Third, the recent establishment of the Office for Safe Schools within the Department will make additional resources and technical assistance available to school entities. Fourth, the regulations that provide for consideration of using school-based diversion programs or school-wide positive behavior supports to address a student's behavior reference available programs and do not create a mandate for school entities to establish new programs. Finally, the regulations that require school entities to invite representatives of local police departments to participate in trainings in appropriately responding to students with disabilities reference trainings that schools already are required to provide for school

staff under §§ 14.104 and 14.133 and do not create a mandate for school entities to provide additional trainings.

Effective Date

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

Sunset Date

The Board will review the effectiveness of Chapter 10 every 4 years in accordance with the Board's policy and practice regarding its regulations. Therefore, a sunset date is not necessary.

Also, in compliance with section 1302.1-A of the code and as provided in § 10.11(e) (relating to memorandum of understanding), the Board will review and revise, as necessary, the model MOU in Appendix A on a biennial basis.

Contact Person

Interested persons may contact John H. Jewett, Acting Executive Director, State Board of Education, 333 Market Street, 1st Floor, Harrisburg, PA 17126, (717) 787-3783, TDD (717) 787-7367, ra-stateboardofed@pa.gov.

Final-Omitted Rulemaking

The Board has promulgated these regulations as a final-omitted rulemaking as directed by section 1302.1-A of the code.

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (71 P. S. § 745.5a(c)), on March 28, 2012, 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 June 20, 2012, the final-omitted rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on June 21, 2012, and approved the final-omitted rulemaking.

Findings

The Board finds that the adoption of the regulations in the manner provided in this order is appropriate under section 1302.1-A of the code.

Order

The Board, acting under the authority of the code, orders that:

(a) The regulations of the Board, 22 Pa. Code, are amending by adding §§ 10.1, 10.2, 10.11 and 10.21—10.25 and Appendix A to read as set forth in Annex A.

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

(c) The Acting 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*.

JOHN H. JEWETT,
Acting Executive Director

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 42 Pa.B. 4297 (July 7, 2012).)

Fiscal Note: 6-325. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 22. EDUCATION

PART I. STATE BOARD OF EDUCATION

Subpart A. MISCELLANEOUS PROVISIONS

CHAPTER 10. SAFE SCHOOLS

GENERAL PROVISIONS

Sec.	
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10.2.	Definitions.

MEMORANDUM OF UNDERSTANDING

10.11.	Memorandum of understanding.
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NOTIFICATION OF INCIDENTS

10.21.	Immediate notification.
10.22.	Discretionary notification.
10.23.	Response and handling of a student with a disability.
10.24.	Emergency and nonemergency response and preparedness.
10.25.	Notification to parents/guardians.

GENERAL PROVISIONS

§ 10.1. Purpose.

The purpose of this chapter is to establish and maintain a cooperative relationship between school entities and local police departments in the reporting and resolution of incidents that occur on school property, at a school sponsored activity or on a conveyance as described in the Safe Schools Act, such as a school bus, providing transportation to or from a school or school sponsored activity.

§ 10.2. Definitions.

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

Charter school—A charter school or cyber charter school as defined in section 1703-A of the Charter School Law (24 P. S. § 17-1703-A).

Chief school administrator—The superintendent of a public school district, executive director of an area vocational-technical school, executive director of an intermediate unit or chief executive officer of a charter school.

IEP—Individualized education program.

Incident—An instance involving one or more of the following:

(i) An act of violence.

(ii) The possession of a weapon by a person.

(iii) The possession, use or sale of a controlled substance or drug paraphernalia as defined in section 2 of The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. § 780-102).

(iv) The possession, use or sale of alcohol or tobacco by a person on school property.

(v) Conduct that constitutes an offense under section 1303-A(b)(4.1) or (4.2) of the Safe Schools Act (24 P. S. § 13-1303-A(b)(4.1) and (4.2)).

Local police department—A police department having jurisdiction over school property of the school entity.

Memorandum of understanding—A confirmation of mutually agreed upon terms between two or more parties in the form of a document mutually agreed to by a school

entity and a local police department as required under section 1303-A(c) of the Safe Schools Act.

Positive behavior support plan—A plan for a student with a disability or eligible young child who requires specific intervention to address behavior that interferes with learning. A plan is developed by the IEP team, based on a functional behavior assessment and becomes part of the individual eligible young child’s or student’s IEP. A plan includes methods that utilize positive reinforcement and other positive techniques to shape a student’s or eligible young child’s behavior ranging from the use of positive verbal statements as a reward for good behavior to specific tangible rewards. See §§ 14.133 and 711.46 (relating to positive behavior support).

Protected handicapped student—A student who meets the definition of “protected handicapped student” under § 15.2 (relating to definitions), including a protected handicapped student attending a charter school, or for whom an evaluation is pending.

Safe Schools Act—Article XIII-A of the School Code (24 P. S. §§ 13-1301-A—13-1313-A).

School-based diversion program—A program that, in partnership with other stakeholders, diverts youth out of the juvenile justice system. A program may include a youth aid panel in which a panel of community members decides an appropriate resolution to hold a student accountable for the student’s actions by, among other options, requiring the student to complete educational activities, community service, restitution and any other related program or service.

School Code—The Public School Code of 1949 (24 P. S. §§ 1-101—27-2702).

School entity—A public school district, intermediate unit, area vocational-technical school or charter school.

School-wide positive behavior support—A school-wide, evidence-based and data-driven approach to improving school behavior that seeks to reduce unnecessary student disciplinary actions and promotes a climate of greater productivity, safety and learning.

Student with a disability—A student who meets the definition of “student with a disability” under § 14.101 (relating to definitions), the definition of “child with a disability” under § 711.1 (relating to definitions) or for whom an evaluation is pending.

MEMORANDUM OF UNDERSTANDING

§ 10.11. Memorandum of understanding.

(a) Each chief school administrator shall execute and update, on a biennial basis, a memorandum of understanding with each local police department having jurisdiction over school property of the school entity.

(b) A memorandum of understanding between a school entity and a local police department, including its development and implementation, must meet the requirements of section 1303-A(c) of the Safe Schools Act (24 P. S. § 13-1303-A(c)).

(c) In developing a memorandum of understanding to execute with a local police department, a school entity shall consult and consider the model memorandum of understanding promulgated by the Board in Appendix A (relating to model memorandum of understanding).

(d) On a biennial basis, a school entity shall file with the Department’s Office for Safe Schools a memorandum of understanding with each local police department having jurisdiction over property of the school entity. As part

of its filing with the Department, a school entity shall identify substantive differences between the memorandum of understanding adopted by the school entity and the model memorandum of understanding and provide a statement of reasons for the differences.

(e) The Board, on a biennial basis, will review and, as necessary, revise its model memorandum of understanding in Appendix A. As part of its biennial review, the Board will consider the memoranda of understanding filed by school entities with the Department’s Office for Safe Schools and statements explaining school entities’ reasons for adopting memoranda of understanding having substantive differences with the model memorandum of understanding.

NOTIFICATION OF INCIDENTS

§ 10.21. Immediate notification.

(a) The chief school administrator, or a designee, shall immediately notify the local police department when an offense listed in section 1303-A(b)(4.1) of the Safe Schools Act (24 P. S. § 13-1303-A(b)(4.1)) occurs on school property, at a school sponsored activity or on a conveyance as described in the Safe Schools Act, such as a school bus, providing transportation to or from a school or school sponsored activity.

(b) Notification shall be made to the local police department by the most expeditious means practicable.

(c) As part of its notification of the incident to the local police department, the chief school administrator or a designee shall provide as much of the information in this subsection as is available at the time of notification. The gathering of information should not unnecessarily delay notification.

(1) Whether the incident is in-progress or has concluded.

(2) Nature of the incident.

(3) Exact location of the incident.

(4) Number of persons involved in the incident.

(5) Names and ages of the individuals involved.

(6) Weapons involved in the incident.

(7) Whether the weapons have been secured and the custodian of the weapons.

(8) Injuries.

(9) Whether emergency medical services or the fire department was notified.

(10) Identity of the school contact person.

(11) Identity of the witnesses.

(12) Whether the incident involves a student with a disability, the type of disability and its impact on the student’s behavior.

(13) Other information as is known to the school entity and believed to be relevant to the incident.

(d) In responding to students who commit an incident listed in section 1303-A(b)(4.1) of the Safe Schools Act, a school entity may consider the propriety of utilizing available school-based programs, such as school-wide positive behavior supports, to address the student’s behavior and shall notify the local police department of the student’s placement in the program. This subsection does not limit law enforcement’s discretion.

§ 10.22. Discretionary notification.

(a) The chief school administrator, or a designee, may notify the local police department having jurisdiction when an offense listed in section 1303-A(b)(4.2) of the Safe Schools Act (24 P. S. § 13-1303-A(b)(4.2)) occurs on school property, at a school sponsored activity or on a conveyance as described in the Safe Schools Act, such as a school bus, providing transportation to or from a school or school sponsored activity.

(b) In determining whether to notify the local police department of an incident described in subsection (a), the chief school administrator, or a designee, may consider the following factors:

- (1) The seriousness of the situation.
- (2) The school's ability to defuse or resolve the situation.
- (3) The child's intent.
- (4) The child's age.
- (5) Whether the student has a disability, the type of disability and its impact on the student's behavior.
- (6) Other factors believed to be relevant.

(c) In making a determination whether to notify law enforcement when an offense listed in section 1303-A(b)(4.2) of the Safe Schools Act occurs on school property, at a school sponsored activity or on a conveyance as described in the Safe Schools Act, such as a school bus, providing transportation to or from a school or school sponsored activity, and to the extent that it has authority, a school entity may consider addressing the student's behavior through the use of available school-based diversion programs and available school-wide positive behavior supports.

(d) Upon notification of the incident to the local police department, the chief school administrator or a designee shall provide as much of the information in this subsection as is available at the time of notification. The gathering of information should not unnecessarily delay notification.

- (1) Whether the incident is in-progress or has concluded.
- (2) Nature of the incident.
- (3) Exact location of the incident.
- (4) Number of persons involved in the incident.
- (5) Names and ages of the individuals involved.
- (6) Weapons involved in the incident.
- (7) Whether the weapons have been secured and the custodian of the weapons.
- (8) Injuries.
- (9) Whether emergency medical services or the fire department was notified.
- (10) Identity of the school contact person.
- (11) Identity of the witnesses.
- (12) Whether the incident involves a student with a disability, the type of disability and its impact on the student's behavior.
- (13) Other information known to the school entity and believed to be relevant to the incident.

§ 10.23. Response and handling of a student with a disability.

(a) A school entity shall provide to each local police department having jurisdiction over property of the school entity a copy of its procedures on behavior support services (see § 14.104 (relating to special education plans)) by September 30, 2012. Thereafter, a school entity shall provide to each local police department a copy of its procedures on behavior support services each time the procedures are revised by the school entity.

(b) A school entity shall invite representatives of each local police department having jurisdiction over property of the school entity to participate in trainings in the use of positive behavior supports, de-escalation techniques and appropriate responses to student behavior that may require immediate intervention, as provided by the school entity's special education plan (see § 14.104) and the school entity's positive behavior support program (see §§ 14.133 and 711.46 (relating to positive behavior support)).

(c) When a student with a disability commits an incident listed in section 1303-A(b)(4.1) or (4.2) of the Safe Schools Act (24 P. S. § 13-1303-A(b)(4.1) and (4.2)), the school entity shall respond in a manner that is consistent with the training provided in accordance with the school entity's special education plan (see § 14.104) and, if applicable, with the procedures, methods and techniques defined in the student's behavior support plan (see §§ 14.133 and 711.46).

(d) When a protected handicapped student commits an incident listed in section 1303-A(b)(4.1) or (4.2) of the Safe Schools Act, the school entity, including a charter school, shall respond in a manner that is consistent with the student's service agreement (see §§ 15.2 and 15.7 (relating to definitions; and service agreement)).

(e) For a student with a disability who has a positive behavior support plan, upon notification to a local police department that a student with a disability has committed an incident listed in section 1303-A(b)(4.1) or (4.2) of the Safe Schools Act, a school entity shall act in accordance with § 14.133(h) or § 711.46(h).

(f) For a protected handicapped student whose service agreement includes a positive behavior support plan, upon notification to a local police department that a protected handicapped student has committed an incident listed in section 1303-A(b)(4.1) or (4.2) of the Safe Schools Act, a school entity, including a charter school, shall act in accordance with § 15.3 (relating to general).

(g) For a student with a disability who does not have a positive behavior support plan, upon notification to a local police department that a student with a disability has committed an incident listed in section 1303-A(b)(4.1) or (4.2) of the Safe Schools Act, the school entity shall convene the student's IEP team. At this meeting, the IEP team shall consider whether a positive behavior support plan should be developed to address the student's behavior.

(h) For a protected handicapped student whose service agreement does not include a positive behavior support plan, upon notification to a local police department that a protected handicapped student has committed an incident listed in section 1303-A(b)(4.1) or (4.2) of the Safe Schools Act, the school entity, including a charter school, in consultation with the student's parents, shall consider whether a positive behavior support plan should be developed as part of the service agreement to address the student's behavior.

§ 10.24. Emergency and nonemergency response and preparedness.

(a) Each school district, in cooperation with the local emergency management agency and the Pennsylvania Emergency Management Agency, shall develop and implement a comprehensive disaster response and emergency preparedness plan as required under 35 Pa.C.S. § 7701(g) (relating to duties concerning disaster prevention). The plan shall be reviewed annually and modified as necessary.

(b) A school district’s comprehensive disaster response and emergency preparedness plan shall be consistent with the guidelines developed by the Pennsylvania Emergency Management Agency and other applicable State requirements as required under 35 Pa.C.S. § 7701(g).

(c) In developing a comprehensive disaster response and emergency preparedness plan, a school district shall consider the framework presented in the National Incident Management System.

(d) A school district shall provide the emergency management agency of every county of which the school district is a part a copy of the district’s comprehensive disaster response and emergency preparedness plan as required under 35 Pa.C.S. § 7701(g).

(e) A school district shall provide to each local police department and each local fire department having jurisdiction over geographic territory of which the school district is a part a copy of the district’s comprehensive disaster and response emergency preparedness plan.

(f) In an emergency, a school district shall follow the procedures in its comprehensive disaster response and emergency preparedness plan adopted under 35 Pa.C.S. § 7701(g).

(g) By September 30 of each year, a school entity shall assemble and make ready for immediate deployment to the Incident Command Post, that is, a physical location established in accordance with the school entity’s plan adopted under 35 Pa.C.S. § 7701(g) to manage an emergency incident or disaster, the following information for the purpose of assisting local police and fire departments in responding to an emergency:

- (1) Blueprints or floor plans of the school buildings.
- (2) Aerial photo, map or layout of the school campus, adjacent properties and surrounding streets or roads.
- (3) Locations of predetermined or prospective command posts.
- (4) Current teacher/employee roster.
- (5) Current student roster.
- (6) Most recent school yearbook.
- (7) School fire-alarm shutoff location and procedures.
- (8) School sprinkler system shutoff location and procedures.
- (9) Gas/utility line layouts and shutoff valve locations.
- (10) Cable/satellite television shutoff location and procedures.
- (11) Other information the school entity deems pertinent to assist local police and fire departments in responding to an emergency.

§ 10.25. Notification to parents/guardians.

(a) A school entity shall immediately notify, as soon as practicable, the parent or guardian of a victim or suspect directly involved in an incident listed in section 1303-

A(b)(4.1) or (4.2) of the Safe Schools Act (24 P.S. § 13-1303-A(b)(4.1) and (4.2)). In making the notification, the school entity shall inform the parent or guardian as to whether the local police department having jurisdiction over property of the school entity has been, or may be, notified of the incident.

(b) A school entity shall document attempts made to reach the parent or guardian of a victim or suspect directly involved in an incident listed in section 1303-A(b)(4.1) or (4.2) of the Safe Schools Act.

**APPENDIX A
MODEL MEMORANDUM OF UNDERSTANDING
MEMORANDUM OF UNDERSTANDING
BETWEEN**

(Law Enforcement Authority)

and

(School Entity)

(Date)

I. Introduction

A. Parties

The following Law Enforcement Authority or Authorities agree to follow the policies and procedures contained in this Memorandum of Understanding (hereinafter “Memorandum”):

The following School Entity or Entities agree to follow the policies and procedures contained in this Memorandum:

B. This Memorandum establishes procedures to be followed when certain incidents—described in Section II below—occur on school property, at any school sponsored activity, or on a conveyance as described in the Safe Schools Act (such as a school bus) providing transportation to or from a school or school sponsored activity. This Memorandum does not cover incidents that are outside of those school settings and create no substantial disruption to the learning environment.

C. The parties seek to foster a relationship of cooperation and mutual support and to maintain a safe school environment.

D. Legal Authority

1. The parties make this agreement as required by Article XIII-A of the Public School Code of 1949, popularly known as the “Safe Schools Act,” as amended, 24 P.S. §§ 13-1301-A—13-1313-A.

2. In so recognizing this legal authority, the parties acknowledge their respective duties pursuant to the Safe Schools Act and hereby agree to support and cooperate with one another in carrying out their joint and several responsibilities thereunder.

3. Information From Student Records

a. The Law Enforcement Authority shall be governed by the following reporting and information exchange guidelines:

i. Criminal History Record Information Act, 18 Pa.C.S. § 9101 et seq.

ii. The prohibition against disclosures, specified in section IV(C)(5) of this Memorandum.

b. When sharing information and evidence necessary for the Law Enforcement Authority to complete its investigation, the School Entity shall:

i. Comply with the Family Educational Rights and Privacy Act (hereinafter "FERPA"), 20 U.S.C. § 1232g, and its implementing regulations at 34 C.F.R. § 99.1 et seq., and 22 Pa. Code §§ 12.31-12.33, including any amendments thereto.

ii. Comply with the requirements of the Safe Schools Act, 24 P.S. §§ 13-1303-A and 13-1313-A, and any amendments thereto.

iii. Complete reports as required by section 1303-A of the Safe Schools Act, 24 P.S. § 13-1303-A, and any amendments thereto.

c. The School Entity may disclose personally identifiable information from an educational record of a student to the Law Enforcement Authority if a health or safety emergency exists and knowledge of that information is necessary to protect the health or safety of the student or other individuals. In determining whether a health or safety emergency exists, the School Entity may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If the School Entity determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to the Law Enforcement Authority, if knowledge of that information is necessary for the Law Enforcement Authority to protect the health or safety of the student or other individuals. The School Entity must record the articulable and significant threat to the health or safety of a student or other individuals so that it can demonstrate—to parents, students and the Family Policy Compliance Office¹—what circumstance led it to determine that a health or safety emergency existed and why the disclosure was justified.

E. Priorities of the Law Enforcement Authority

1. Help the School Entity prevent delinquent acts through preventive measures, including referrals to support services, diversionary programs, restorative practices, school-wide positive behavior supports, education and deterrence.

2. Investigate as appropriate all incidents reported to have occurred on school property, at any school sponsored activity, or on a conveyance as described in the Safe Schools Act (including a school bus) providing transportation to or from a school or school sponsored activity. The investigation of all reported incidents shall be conducted in the manner that the Law Enforcement Authority, in its sole discretion, deems appropriate; but any investigation shall be conducted so as to involve as little disruption to the school environment as is practicable.

3. Identify those responsible for the commission of the reported incident and, where appropriate, apprehend and prosecute those individuals. Identification and apprehension procedures shall involve as little disruption to the school environment as is practicable.

4. Establish and maintain a cooperative relationship with the School Entity in the reporting and resolution of all incidents described in Section II of this document.

¹ Questions related to FERPA should be directed to the Family Policy Compliance Office within the U.S. Department of Education.

F. Priorities of the School Entity

1. Help law enforcement prevent delinquent acts through preventive measures, including referrals to support services, diversionary programs, restorative practices, school-wide positive behavior supports, education and deterrence.

2. Create a safe learning environment.

3. Establish and maintain a cooperative relationship with the Law Enforcement Authority in the reporting and resolution of all incidents described in Section II of this document.

4. Provide the Law Enforcement Authority with all relevant information and required assistance in the event of a reported incident.

5. The School Entity shall give the Law Enforcement Authority a copy of the School Entity's behavior support services procedures and invite Law Enforcement Authority representatives to behavior support trainings.

II. Notification of Incidents to Law Enforcement

The School Entity is required to notify law enforcement in specific situations listed in subsection A of this section, and has discretion over whether to notify law enforcement about incidents listed in subsection B of this section. Law enforcement's decision to investigate and file charges may be made in consultation with school administrators.

A. Mandatory Notification

1. The School Entity shall immediately notify the Law Enforcement Authority having jurisdiction where the offense occurred by the most expeditious means practicable of any of the following incidents occurring on school property, at any school sponsored activity, or on a conveyance as described in the Safe Schools Act (including a school bus) providing transportation to or from a school or school sponsored activity:

a. The following offenses under 18 Pa.C.S (relating to crimes and offenses):

i. Section 908 (relating to prohibited offensive weapons).

a. The term "offensive weapon" is defined by section 908 of the Crimes Code as "[a]ny bomb, grenade, machine gun, sawed-off shotgun with a barrel less than 18 inches, firearm specially made or specially adapted for concealment or silent discharge, any blackjack, sandbag, metal knuckles, dagger, knife, razor or cutting instrument, the blade of which is exposed in an automatic way by switch, push-button, spring mechanism, or otherwise, any stun gun, stun baton, taser or other electronic or electric weapon or other implement for the infliction of serious bodily injury which serves no common lawful purpose." See 18 Pa.C.S. § 908(c) (relating to definitions).

b. Consistent with section 908(b) of the Crimes Code (relating to exceptions), this reporting requirement does not apply to one who possessed or dealt with an offensive weapon solely as a curio or in a dramatic performance, or to one who possessed an offensive weapon briefly in consequence of having found it or taken it from an aggressor, or under circumstances similarly negating any intent or likelihood that the weapon would be used unlawfully.

ii. Section 912 (relating to possession of weapon on school property).

a. The term "weapon" is defined by section 912 of the Crimes Code to include, but is not limited to, a knife,

cutting instrument, cutting tool, nunchuck stick, firearm, shotgun, rifle and any other tool, instrument or implement capable of inflicting serious bodily injury.

b. Consistent with section 912(c) of the Crimes Code (relating to defense), this reporting requirement does not apply to a weapon that is: (a) possessed and used in conjunction with a lawful supervised school activity or course; or (b) is possessed for other lawful purpose.

- iii. Chapter 25 (relating to criminal homicide).
- iv. Section 2702 (relating to aggravated assault).
- v. Section 2709.1 (relating to stalking).
- vi. Section 2901 (relating to kidnapping).
- vii. Section 2902 (relating to unlawful restraint).
- viii. Section 3121 (relating to rape).
- ix. Section 3122.1 (relating to statutory sexual assault).
- x. Section 3123 (relating to involuntary deviate sexual intercourse).
- xi. Section 3124.1 (relating to sexual assault).
- xii. Section 3124.2 (relating to institutional sexual assault).
- xiii. Section 3125 (relating to aggravated indecent assault).
- xiv. Section 3126 (relating to indecent assault).
- xv. Section 3301 (relating to arson and related offenses).
- xvi. Section 3307 (relating to institutional vandalism), when the penalty is a felony of the third degree.
- xvii. Section 3502 (relating to burglary).
- xviii. Section 3503(a) and (b)(1)(v) (relating to criminal trespass).
- xix. Section 5501 (relating to riot).
- xx. Section 6110.1 (relating to possession of firearm by minor).

b. The possession, use or sale of a controlled substance, designer drug or drug paraphernalia as defined in “The Controlled Substance, Drug, Device and Cosmetic Act,” as amended, 35 P. S. §§ 780-101—780-144, popularly known as the “Drug Act.” For purposes of this Memorandum, the terms “controlled substance”, “designer drug” and “drug paraphernalia” shall be defined as they are in section 102 of the Drug Act. See 35 P. S. § 780-102 (relating to definitions).

c. Attempt, solicitation or conspiracy to commit any of the offenses listed in paragraphs 1 and 2 of this subsection.

d. An offense for which registration is required under 42 Pa.C.S. § 9795.1 (relating to registration).

2. In responding to students who commit an incident listed under section 1303-A(b)(4.1) of the Safe Schools Act (24 P. S. § 13-1303-A(b)(4.1)), a school entity may consider the propriety of utilizing available school-based programs, such as school-wide positive behavior supports, to address the student’s behavior. Nothing in this provision shall be read to limit law enforcement’s discretion.

B. Discretionary Notification

1. The School Entity may notify the Law Enforcement Authority having jurisdiction where the incident occurred of any of the following incidents occurring on school property, at any school sponsored activity, or on a convey-

ance as described in the Safe Schools Act (including a school bus) providing transportation to or from a school or school sponsored activity:

- a. The following offenses under 18 Pa.C.S (relating to crimes and offenses):
 - i. Section 2701 (relating to simple assault).
 - ii. Section 2705 (relating to recklessly endangering another person).
 - iii. Section 2706 (relating to terroristic threats).
 - iv. Section 2709 (relating to harassment).
 - v. Section 3127 (relating to indecent exposure).
 - vi. Section 3307 (relating to institutional vandalism), when the penalty is a misdemeanor of the second degree.
 - vii. Section 3503(b)(1)(i), (ii), (iii) and (iv), (b.1) and (b.2) (relating to criminal trespass).
 - viii. Chapter 39 (relating to theft and related offenses).
 - ix. Section 5502 (relating to failure of disorderly persons to disperse upon official order).
 - x. Section 5503 (relating to disorderly conduct).
 - xi. Section 6305 (relating to sale of tobacco).
 - xii. Section 6306.1 (relating to use of tobacco in schools prohibited).

xiii. Section 6308 (relating to purchase, consumption, possession, or transportation of liquor or malt or brewed beverages by a person under 21 years of age).

b. Attempt, solicitation or conspiracy to commit any of the offenses listed in subsection (a).

2. In exercising its discretion to determine whether to notify law enforcement of such incidents, the School Entity may consider the following factors: the seriousness of the situation, the school’s ability to defuse or resolve the situation, the child’s intent, the child’s age, whether the student has a disability and, if so, the type of disability and its impact on the student’s behavior, and other factors believed to be relevant.

C. Law Enforcement Response to Notification

1. When notified of an incident listed in subsections A or B, law enforcement’s decision to investigate and file charges, at the sole discretion of the Law Enforcement Authority, may be made in consultation with school administrators.

2. In determining whether to file charges, the Law Enforcement Authority is encouraged to consult with the District Attorney. Where appropriate under the law, part of this consultation may include a discussion about the availability or propriety of utilizing a diversionary program as an alternative to filing charges.

D. Notification of the Law Enforcement Authority when incident involves children with disabilities

1. If a child with a disability commits an incident of misconduct, school administrators and the Law Enforcement Authority should take into consideration that the child’s behavior may be a manifestation of the disability and there may be no intent to commit an unlawful act. A child with a disability under this subsection shall mean a student with an IEP, a protected handicapped student with a service agreement that includes a behavior support plan, or such student for whom an evaluation is pending under 22 Pa. Code §§ 14.123 (relating to evaluation), 15.5 (relating to school district initiated evaluation and provision of services), 15.6 (relating to parent initi-

ated evaluation and provision of services), or Chapter 711 (relating to charter school and cyber charter school services and programs for children with disabilities).

2. In the event a child with a disability commits a mandatory notification offense under Subsection A, the School Entity must provide immediate notification to the Law Enforcement Authority regardless of the disability. Such notification will state that the child has an IEP or a service agreement that includes a behavior support plan and may include the School Entity's recommendation that police intervention may not be required and advisement that the School Entity will act to address the student's behavior need as required by applicable federal and state law and regulations, including 22 Pa. Code §§ 14.133 (relating to positive behavior support), 15.3 (relating to protected handicapped students—general) or 711.46 (relating to positive behavior support). The Law Enforcement Authority may take the recommendation under advisement but reserves the right to investigate and file charges.

3. In the event a child with a disability commits a discretionary offense under Subsection B and the School Entity does not believe that police intervention is necessary, the School Entity will address the student's behavior need as required by applicable federal and state law and regulations, including 22 Pa. Code §§ 14.133, 15.3 or 711.46.

4. In accordance with 34 CFR 300.535 (relating to referral to and action by law enforcement and judicial authorities), nothing will prohibit the School Entity from reporting an offense committed by a child with a disability to the Law Enforcement Authority, and nothing will prevent State law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability.

5. The School Entity, when reporting an offense committed by a child with a disability, should ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to the Law Enforcement Authority to whom the incident was reported.

6. The School Entity, when reporting an incident under this section, may transmit copies of the child's special education and disciplinary records only to the extent that the transmission is permitted by FERPA.

[Describe any specific procedures to be followed for incidents involving a student with a disability having an IEP as required by 22 Pa. Code § 14.104 (relating to special education plans) or 22 Pa. Code Chapter 711 (relating to charter school and cyber charter school services and programs for children with disabilities)]

E. Upon notification of the incident to the Law Enforcement Authority, the School Entity shall provide as much of the following information as is available at the time of notification. In no event shall the gathering of information unnecessarily delay notification:

1. Whether the incident is in-progress or has concluded.
2. Nature of the incident.
3. Exact location of the incident.
4. Number of persons involved in the incident.

5. Names and ages of the individuals involved.
6. Weapons, if any, involved in the incident.
7. Whether the weapons, if any, have been secured and, if so, the custodian of the weapons.
8. Injuries involved.
9. Whether EMS or the Fire Department have been notified.
10. Identity of the school contact person.
11. Identity of the witnesses to the incident, if any.
12. Whether the incident involves a student with a disability and, if so, the type of disability and its impact on the student's behavior.
13. Other such information as is known to the school entity and believed to be relevant to the incident.

F. No later than September 30 of each year, the School Entity shall assemble and make ready for immediate deployment to its Incident Command Post the following information for the purpose of assisting the Law Enforcement Authority in responding to an emergency:

1. Blueprints or floor plans of the school buildings.
2. Aerial photo, map or layout of the school campus, adjacent properties and surrounding streets or roads.
3. Location(s) of predetermined or prospective command posts.
4. Current teacher/employee roster.
5. Current student roster.
6. Most recent school yearbook.
7. School fire-alarm shutoff location and procedures.
8. School sprinkler system shutoff location and procedures.
9. Gas/utility line layouts and shutoff valve locations.
10. Cable/satellite television shutoff location and procedures.
11. Other information the School Entity deems pertinent to assist local police departments in responding to an emergency.

III. Law Enforcement Authority Response

A. Depending on the totality of the circumstances, initial response by the Law Enforcement Authority may include:

1. For incidents in progress:
 - a. Meet with contact person and locate scene of incident.
 - b. Stabilize incident.
 - c. Provide/arrange for emergency medical treatment, if necessary.
 - d. Control the scene of the incident.
 - i. Secure any physical evidence at the scene.
 - ii. Identify involved persons and witnesses.
 - e. Conduct investigation.
 - f. Exchange information.
 - g. Confer with school officials to determine the extent of law enforcement involvement required by the situation.
2. Incidents not in progress:
 - a. Meet with contact person.

- b. Recover any physical evidence.
- c. Conduct investigation.
- d. Exchange information.
- e. Confer with school officials to determine the extent of law enforcement involvement required by the situation.

3. Incidents initially reported to the Law Enforcement Authority

If any incident described in sections IIA or IIB is initially reported to the Law Enforcement Authority, the Law Enforcement Authority shall proceed directly with its investigation, shall immediately notify the School Entity of the incident, and shall proceed as outlined in sections IIA through IIE.

B. Custody of Actors

1. Students identified as actors in reported incidents may be taken into custody at the discretion of the investigating law enforcement officer under any of the following circumstances:

- a. The student has been placed under arrest.
- b. The student is being placed under investigative detention.
- c. The student is being taken into custody for the protection of the student.
- d. The student's parent or guardian consents to the release of the student to law enforcement custody.

2. The investigating law enforcement officer shall take all appropriate steps to protect the legal and constitutional rights of those students being taken into custody.

IV. Assistance of School Entities

A. In Loco Parentis

1. Teachers, Guidance Counselors, Vice Principals and Principals in the public schools have the right to exercise the same authority as a parent, guardian or person in parental relation to such pupil concerning conduct and behavior over the pupils attending a school during the time they are in attendance, including the time required in going to and from their homes.

2. School authorities' ability to stand in loco parentis over children does not extend to matters beyond conduct and discipline during school, school activities, or on a conveyance as described in the Safe Schools Act providing transportation to or from school or a school sponsored activity.

B. Notification of Parent or Guardian

1. Parents or guardians of all victims and suspects directly involved in an incident listed under Section IIA or IIB shall be immediately notified of the involvement, and they shall be informed about any notification regarding the incident that has been, or may be, made to the Law Enforcement Authority.

2. The School Entity shall document attempts made to reach the parents or guardians of all victims and suspects directly involved in incident listed under Section IIA or IIB.

C. Scope of School Entity's Involvement

1. General Principles: Once the Law Enforcement Authority assumes primary responsibility for a matter, the legal conduct of interviews, interrogations, searches, seizures of property, and arrests are within the purview of the Law Enforcement Authority. The School Entity shall defer to the Law Enforcement Authority on matters of

criminal and juvenile law procedure, except as is necessary to protect the interests of the School Entity. The Law Enforcement Authority will keep the chief school administrator, or his designees, informed of the status of pending investigations.

2. Victims

a. The School Entity shall promptly notify the parent or guardian of a victim when the Law Enforcement Authority interviews that victim. The Law Enforcement Authority shall follow its policies and procedures when interviewing a victim to ensure the protection of the victim's legal and constitutional rights.

b. In the event a victim is interviewed by Law Enforcement Authority on school property, a guidance counselor or similar designated personnel may be present during the interview.

3. Witnesses

a. The School Entity shall promptly notify the parent or guardian of a witness when the Law Enforcement Authority interviews that witness. The Law Enforcement Authority shall follow its policies and procedures when interviewing a witness to ensure the protection of the witness's legal and constitutional rights.

b. In the event a witness is interviewed by the Law Enforcement Authority on school property, a guidance counselor or similar designated personnel should be present during the interview.

4. Suspects and Custodial Interrogation

a. The School Entity shall help the Law Enforcement Authority to secure the permission and presence of at least one parent or guardian of a student suspect before that student is interrogated by law enforcement authorities.

b. When a parent or guardian is not present, school authorities shall not stand in loco parentis (in the place of the parent/guardian) during an interview.

c. If an interested adult cannot be contacted, the School Entity shall defer to the investigating Law Enforcement Authority, which will protect the student suspect's legal and constitutional rights as required by law.

5. Conflicts of Interest

a. The parties to this Memorandum recognize that if a School Entity employee, contractor, or agent of the School Entity is the subject of an investigation, a conflict of interest may exist between the School Entity and the adult suspect.

b. Neither the individual that is the subject of the investigation, nor any person acting as his/her subordinate or direct supervisor, shall be present during Law Enforcement Authority's interviews of student co-suspects, victims or witnesses by the Law Enforcement Authority.

c. Neither the individual who is the subject of the investigation, nor his/her subordinate(s) and/or direct supervisor(s), shall be informed of the contents of the statements made by student co-suspects, victims or witnesses, except at the discretion of the Law Enforcement Authority or as otherwise required by law.

D. Reporting Requirements

All school entities are required to submit an annual report, which will include violence statistics and reports, to the Department of Education's Office for Safe Schools. This annual report must include all new incidents de-

scribed in Sections IIA and IIB. Before submitting the required annual report, each chief school administrator and each police department having jurisdiction over school property of the School Entity shall do the following:

a. No later than thirty days prior to the deadline for submitting the annual report, the chief school administrator shall submit the report to the police department with jurisdiction over the relevant school property. The police department shall review the report and compare the data regarding criminal offenses and notification of law enforcement to determine its accuracy.

b. No later than fifteen days prior to the deadline for submitting the annual report, the police department shall notify the chief school administrator, in writing, whether the report accurately reflects police incident data. Where the police department determines that the report accurately reflects police incident data, the chief of police shall sign the report. Where the police department determines that the report does not accurately reflect police incident data, the police department shall indicate any discrepancies between the report and police incident data.

c. Prior to submitting the annual report, the chief school administrator and the police department shall attempt to resolve discrepancies between the report and police incident data. Where a discrepancy remains unresolved, the police department shall notify the chief school administrator and the office in writing.

d. Where a police department fails to take action as required under clause a or b, the chief school administrator shall submit the annual report and indicate that the police department failed to take action as required under clause a or b.

e. Where there are discrepancies between the School Entity's incident data and the police incident data, the following shall occur:

[Describe procedure to be followed for the resolution of school violence data discrepancies prior to filing the annual report]

V. General Provisions

A. This Memorandum does not create any contractual rights or obligations between the signatory Law Enforcement Authority, the signatory School Entity, any other signatory authorities or entities, or their respective officers, employees, agents or representatives.

B. This Memorandum may be amended, expanded or modified at any time upon the written consent of the

parties. It must be reviewed and re-executed within two years of the date of its original execution and every two years thereafter.

C. If changes in state or federal law require changes to this Memorandum, the parties shall amend this Memorandum.

D. All parties to this Memorandum will communicate fully and openly with each other in order to resolve any problems that may arise in the fulfillment of the terms of this Memorandum.

_____ Chief School Administrator	_____ School Entity
_____ Chief Law Enforcement Authority	_____ Law Enforcement Authority
_____ Building Principal	_____ School Building

[Pa.B. Doc. No. 12-1339. Filed for public inspection July 20, 2012, 9:00 a.m.]

Title 58—RECREATION

**PENNSYLVANIA GAMING CONTROL BOARD
[58 PA. CODE CHS. 555, 563, 639a AND 647a]**

[Correction]

Table Game Rules for Caribbean Stud Poker and Texas Hold 'Em Bonus Poker

Typographical errors occurred in the ordering language of the final-form rulemaking published at 42 Pa.B. 4320, 4322 (July 7, 2012). References to Chapters 639a and 647a were printed incorrectly. The correct version of the ordering language is as follows, with ellipses referring to the existing text:

Order

The Board, acting under 4 Pa.C.S. Part II, orders that:

(a) The regulations of the Board, 58 Pa. Code, are amended by deleting §§ 555.1—555.14 and 563.1—563.13 and by adding §§ 639a.1—639a.13 and 647a.1—647a.13 to read as set forth in Annex A.

* * * * *

[Pa.B. Doc. No. 12-1289. Filed for public inspection July 6, 2012, 9:00 a.m.]

NOTICES

COMMISSION ON CRIME AND DELINQUENCY

Guidelines and Technology Standards for the Collection and Transmission of Booking Center Captured Offenders' Identification Information

Introduction

The Pennsylvania Commission on Crime and Delinquency (PCCD) and its partners have developed this set of guidelines and technology standards to facilitate achieving the goals of Act 81 of 2008 and the Federal Walsh Act requirements. It has always been the desire of PCCD and its partners that, over time, ultimately, every Pennsylvania criminal arrest is digitally recorded with fingerprints, hand impressions, photographs, images of scars, marks, and tattoos, arrest demographics, and offenses charged; and then successfully submitted to the computerized central repositories at the Pennsylvania State Police. It is also desired that any other submissions (applicant, Megan's Law registrations, etc.) to those repositories also meet standards for data quality. Further implementation of these guidelines and technology standards will help the Commonwealth to move towards achieving these goals and desires.

Definitions

AFIS: Automated Fingerprint Identification System, an automated system for searching fingerprint files and transmitting fingerprint images. AFIS computer equipment can scan fingerprint impressions (or utilize electronically transmitted fingerprint images) and automatically extract and digitize ridge details and other identifying characteristics in sufficient detail to enable the computer's searching and matching components to distinguish a single fingerprint from thousands or even millions of fingerprints.

Booking Center: A facility utilized for the processing and identification of individuals arrested, charged or accused of a crime (part of the Booking process).

Booking Center Operating Agency: A criminal justice agency operating or with management control authority over the Booking Center System.

Booking Center System: The collection of devices (Live Scan Finger and Palm Print Capture Device, CPIN Digital Photo Image Capture Device and CLEAN Response Device) and shared components organized to accomplish the criminal booking process for an individual arrested, charged or accused of a crime.

CCHRI: Computerized Criminal History Record Information, Computerized information collected by criminal justice agencies concerning individuals, and arising from the initiation of a criminal proceeding, consisting of identifiable descriptions, dates and notations of arrests, indictments, information or other formal criminal charges and any dispositions arising there from.

CLEAN: Commonwealth Law Enforcement Assistance Network, is provided and administered by the Pennsylvania State Police, is used by the Commonwealth's criminal justice agencies to access driver license and motor vehicle information, state criminal history record information maintained in the Pennsylvania State Police Central

Repository, the Commonwealth's central registry for Protection from Abuse orders, "hot" (stolen and wanted) files, law enforcement messaging capabilities, and a host of other services.

CPIN: Commonwealth Photo Imaging Network, a digital photo technology network throughout the state that captures photographs and allows the images to be searched and viewed for investigative and other purposes.

Criminal Justice Agency: As defined by FBI CJIS and by the PSP, the CSA in Pennsylvania.

CSA: CJIS Systems Agency, a criminal justice agency that has overall responsibility for the administration and usage of the FBI CJIS Division programs within a state, district, territory, or foreign country

FBI: Federal Bureau of Investigation.

FBI CJIS: Criminal Justice Information Services Division (CJIS), serves as the focal point and central repository for criminal justice information services in the FBI.

Live Scan: Both the technique and the technology used by law enforcement agencies and private facilities to capture fingerprints and palm prints electronically, without the need for the more traditional method of ink and paper.

Local Booking Center System Administrator: A person designated by the Booking Center Operating Agency to be the primary contact between the Booking Center Operating Agency and the Vendor.

LTW: Local Technology Workgroup, a PCCD sanctioned workgroup that has provided oversight and guidance to previous PCCD funded offender identification and central booking projects. This workgroup includes membership from all Booking Center stakeholders.

NIST: National Institute of Standards and Technology.

ORI: Originating Agency Identifier is a code assigned to designate the administration or organization originating a transaction was developed by the FBI CJIS National Crime Information Center (NCIC).

PSP: Pennsylvania State Police.

State Law Enforcement Agency: The state law enforcement agency to whom the Booking Center Operating Agency will be transmitting finger and palm print records, the PSP in Pennsylvania.

Vendor: The private company that installs and/or supports the Booking Center System which has been properly vetted through the personnel requirements of PSP CLEAN Administrative Regulations.

Live Scan Finger and Palm Print Capture Device Standard Specification

Purpose

The purpose of this technology standard specification is to effect implementation, within all Booking Centers, a standard Live Scan fingerprint and palm print capture and transmission device (Live Scan Device) that will improve the efficiency and speed for finger and palm printing arrestees and lower rejection rates by the AFIS authority, the Pennsylvania State Police (PSP). This specification is for all Live Scan equipment capable of

scanning, capturing and electronically transmitting fingerprints and palms in the current NIST/FBI standard format to the state Automated Fingerprint Identification System (AFIS) located at the PSP.

1.0 LIVE SCAN DEVICE PERFORMANCE SPECIFICATION

1. The Live Scan Devices must submit records to the State Law Enforcement Agency that adhere to both PSP technical and procedural specifications (see item #4 below) along with meeting current NIST/FBI standard format.

2. All Live Scan Device captured data must be formatted for transmission to the specifications of PSP's AFIS and CCHRI Systems (40+ card printout formats) specifications (see item #4 below)

3. The fingerprint/palm scanner must be certified by the PSP.

4. Relevant PSP Live Scan Device specifications includes, but is not limited to:

a. Electronic Fingerprint Submissions for Criminal Processing Technical Specifications Version 1.0—available here: Director, Bureau of Information Technology
Pennsylvania State Police
1st Floor, Department Headquarters
1800 Elmerton Avenue
Harrisburg, PA 17110

b. Guidelines for Mandatory Fingerprinting and Preparation of Pennsylvania State Police Fingerprint Cards, available here:
Director, Criminal Records and Identification Division
Pennsylvania State Police
Central Repository-2nd Floor,
Department Headquarters
1800 Elmerton Avenue
Harrisburg, Pennsylvania 17110-9758

c. The latest FBI Criminal Justice Information Services Division, ELECTRONIC BIOMETRIC TRANSMISSION SPECIFICATION (EBTS), available here - <https://www.fbibiospecs.org/ebts.html>

5. The Live Scan Device must be tested and approved by the State Law Enforcement Agency and be reviewed and approved by the Pennsylvania Commission on Crime and Delinquency Local Technology Workgroup (LTW).

6. The Live Scan Device must offer an eXtensible Markup Language (XML) interface to the Booking Center Operating Agency's existing demographic software.

7. The Live Scan Device must have an open standard data exchange inbound interface for offender identification information from the booking center located CPIN device.

8. The Live Scan Device must have quality control software capable of alerting the operator through the use of displayed warnings of image problems; i.e. finger out of sequence, images too dark or too light, etc. All prints captured must pass a minimum pass/fail rejection level established by the State Law Enforcement Agency and the LTW.

9. In order to eliminate lost records, the Live Scan Device must provide guaranteed delivery of the completed record to any and all destinations and provide two-way communications with records management systems and AFIS.

10. The Live Scan Device must support a local printer for output of hard copy cards in the various existing card formats without the requirement of a separate print server. The operator must have the option of selecting the appropriate card type for local printing.

11. All Live Scan Device palm capture enrollment transactions must include all Logical Record Mandatory Fields listed here - https://www.fbibiospecs.org/EBTS/Compliance/EBTS_92-FIS%20ENROLL.aspx.

12. The Live Scan Device must be able to store all Pennsylvania Statutes, criminal offenses and an ORI table.

13. The Live Scan Device must provide images free from residue left from a previous capture of impressions.

2.0 TECHNICAL SPECIFICATION

The Live Scan Device will include the fingerprint and palm capture equipment components along with the necessary fingerprint and palm acquisition software. The control computer, display, keyboard/mouse, printer and cabinet components (found in Booking Center System Shared Components section) may be shared with the Booking Center System or be dedicated to the Live Scan Device.

Equipment

a. Fingerprint Capture Scanner Component

1. The scanner must capture prints with a minimum of 500 dots per inch with capability to capture up to 1000 dots per inch.

2. The fingerprint capture component and software must be self-calibrating.

b. Palmprint Capture Scanner Component

1. The scanner must capture prints with a minimum of 500 dots per inch with capability to capture up to 1000 dots per inch.

2. The palmprint capture component and software must be self-calibrating.

Software

a. The user interface must be a graphical style interface.

b. The user interface must have live image preview during the capture of roll and slap impressions, displaying the finger/palm as it is being rolled.

c. A slap to roll fingerprint/palm comparison, or sequence check, of images must be done, ensuring that the proper sequence of the rolled impressions has been accomplished

d. The software must have the capability to search for existing records in local storage using demographic fields that are configured by the Local Booking Center System Administrator.

e. The software must alert the operator through the use of displayed warnings of image problems, i.e. finger/palm out of sequence, finger/palm quality control, etc.

f. The software must be capable of providing individual print cards.

g. The software must have built-in security procedures for user logon assuring that only certain users have specified capabilities.

h. The software must maintain a transaction queue of, at a minimum, the last 1000 fingerprint transactions and the last 500 palmprint transactions.

i. The software must analyze fingerprint/palm image quality so that poorly scanned fingers/palms can be rescanned immediately.

j. The software must be capable of receiving updates electronically as defined by the PSP.

CPIN Photo Image Capture Device Standard Specification

Purpose

The purpose of this specification is to effect implementation of a standard CPIN photo image capture and transmission device (CPIN Device) that will improve the efficiency and speed for photographing arrestees. This specification is for all CPIN Photo Image Capture devices capable of capturing and electronically transmitting mugshots and other digital media, in the current NIST/FBI standard format, to the CPIN central repository located at the PSP.

- This link is to the approved guidelines and recommendations for *Capture and Equipment Assessment for Face Recognition Systems* which is posted on the Facial Identification Scientific Working Group (FISWG) website. The document outlines best practices for collection to ensure the images captured are suitable for facial recognition system use.

http://www.fiswg.org/FISWG_CaptureAndEquipmentAssessmentForFRSystems_v1.0_2011_05_05.pdf

1.0 CPIN DEVICE PERFORMANCE SPECIFICATION

1. The CPIN Device must have an open standard data exchange inbound and outbound interface from a RMS and other services for offender identification information.

2. The CPIN Device must have an open standard data exchange outbound interface for offender identification information to a central or regional booking center located Live Scan Device.

3. The CPIN Device must be able to store all Pennsylvania Statutes, criminal offenses and an ORI table.

4. The CPIN Device must be compliant with ANSI/NIST Best Practice and Face Pose Value Documents, (http://biometrics.nist.gov/cs_links/standard/ansi_2010/Best_Practice_Face_Pose_Value.pdf)

5. The CPIN Device must capture all data in a format that meets the specifications of the PSP AFIS, CCHRI and Megan's Law Systems along with the JNET Facial Recognition System (JFRS) Contact the JNET Office for more information on JFRS.

6. The CPIN Device must be tested and approved by the State Law Enforcement Agency and be reviewed and approved by the Pennsylvania Commission on Crime and Delinquency Local Technology Workgroup (LTW).

2.0 TECHNICAL SPECIFICATION

The CPIN Device will include the Digital Image Capture equipment component along with the necessary mugshot acquisition software, and the Lighting, Background and Signature Pad equipment components. The control computer, display, keyboard/mouse, printer and cabinet components (found in Booking Center System Shared Components section) may be shared with the Booking Center System or be dedicated to the CPIN Device

Equipment

a. Digital Image Capture Component

a. Digital Camera + AC Adapter - minimum NIST resolution

b. Power Panner (Keyboard Control) + AC Adapter

b. Lighting Component

a. RF Switch Controller for Light System

c. Background Component

a. 18% Gray Backdrop per ANSI/NIST BEST Practices for Mugshots

d. Signature Pad Component

a. Sensor Type - Touchpad

b. Pen Type - Passive stylus

c. Dimensions - 6" x 3.8" x 0.70"

d. Signing Area - 4.4" x 1.3"

e. Data conversion rate - 377 points per second

f. Resolution - 410 true points per inch

g. Authentication capability - Forensic-quality .SIG data capable of examination and authentication

Software

1. The user interface must be a graphical interface.

2. Photo mugshot Retrieval Software

3. Photo mugshot Capture Software

4. JNET JFRS "facial plate" capture and interface

a. An application that uses face finding and centering technology for framing of the subject's head within the image capture process and provides image quality control to include a feature of acceptance or rejection of image based on pre-determined values for image quality and notifies the operator of the parameters that do not meet the minimum acceptable standard (e.g. Brightness/Darkness, head size, head tilt, etc). The program should reject a poor image three times before allowing an override of the process.

5. Local Arrest DB with CPIN Server Consolidation

6. Camera Keyboard Control Software

7. Keyboard Panner Control Software

8. Quality Assurance Software

9. Watch List and Watch List Notification Software (JNET)

10. Signature Capture Software

11. Live Scan Interface

12. Megan's Law Interface (PSP)

13. Clone Process for Updates and Expungements

14. Megan's Law Registry Module Software

15. CPIN Export Templates

CLEAN Response Device Standard Specification*Purpose*

A Central Booking System is required to have a CLEAN Response Device designated in a secure location that is capable of receiving criminal history record and Hotfiles (RAP Sheet, etc.) responses associated with the individual being arrested.

The Booking Center System CLEAN Response Device must comply with PSP CLEAN Regulations, available here:

Contact:

Pennsylvania State Police
Bureau of Communications & Information Services
CLEAN Administrative Section
CJIS Officer
8001 Bretz Drive
Harrisburg, PA 17112
717-783-5575
FAX- 717-772-1434

Booking Center System Shared Components

1. The Booking Center System will include at least one Control Computer component that may be shareable between the Live Scan and CPIN Devices.

- a. Windows XP "style" or later operating system
- b. Mouse/keyboard

2. The Booking Center System will include at least one Uninterruptible Power Supply (UPS) component that may be shareable between the Live Scan and CPIN Devices.

a. Must be able to back up all devices for a minimum of one hour.

3. The Booking Center System will include at least one display component that may be shareable between the Live Scan and CPIN Devices.

a. Must have a 17" (or larger) color display.

4. The Booking Center System will include at least one printer component that may be shareable between the Live Scan and CPIN Devices.

a. The booking center system must include a local printer with duplexer for output of hard copy cards in the existing double-sided criminal ten-print card format without the requirement of a print server.

b. The printer must have at least dual paper trays (one for criminal ten-print cards and one for applicant cards).

c. This printer may also be network connected if the configuration is first approved by the PSP.

Booking Center System Security

1. All Booking Center System device network communications, outside of the Booking Center System, must be logically separated from the Booking Center System and the configuration must be first approved by the PSP.

2. All Booking Center System software must comply with commonwealth enterprise network protection requirements as defined in the appropriate OA/OIT Information Technology Bulletins (ITB) located here - <http://www.portal.state.pa.us/portal/server.pt?open=512&objID=416&&PageID=210791&level=3&css=L3&mode=2>

3. The Booking Center System devices and components must be housed in a "ruggedized" (i.e. all steel or equivalent construction enclosure with a scanner deck that is encased in a hardened metallic protective housing and cover) cabinet that is appropriate for the hostile environment of the various types of Booking Center facilities.

LINDA ROSENBERG,
Executive Director

[Pa.B. Doc. No. 12-1340. Filed for public inspection July 20, 2012, 9:00 a.m.]

DEPARTMENT OF BANKING**Actions on Applications**

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending July 3, 2012.

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

BANKING INSTITUTIONS**Conversions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
6-28-2012	<i>From:</i> First Citizens National Bank Mansfield Tioga County <i>To:</i> First Citizens Community Bank Mansfield Tioga County	Effective

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>																
	<p>Conversion from a National banking association to a Pennsylvania State-chartered bank and trust company. First Citizens Community Bank is a wholly-owned subsidiary of Citizens Financial Services, Inc. (#5028540), Mansfield, an existing bank holding company.</p> <p>Branch offices operated by First Citizens Community Bank:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">2 WalMart Plaza Mansfield Tioga County</td> <td style="width: 50%;">1 Pearl Street Wellsboro Tioga County</td> </tr> <tr> <td>201 Weis Plaza Wellsboro Tioga County</td> <td>300 Main Street Blossburg Tioga County</td> </tr> <tr> <td>306 West Lockhart Street Sayre Bradford County</td> <td>1778 Elmira Street Sayre Bradford County</td> </tr> <tr> <td>53 West Main Street Canton Bradford County</td> <td>1133 West Main Street Troy Bradford County</td> </tr> <tr> <td>111 Main Street Towanda Bradford County</td> <td>33178 Route 14 Gillett Bradford County</td> </tr> <tr> <td>960 Main Street LeRaysville Bradford County</td> <td>847 Main Street Rome Bradford County</td> </tr> <tr> <td>7352 Route 328 Millerton Bradford County</td> <td>502 Main Street Ulysses Potter County</td> </tr> <tr> <td>391 Main Street Genesee Potter County</td> <td>10 South Main Street Wellsville Allegheny County, NY</td> </tr> </table>	2 WalMart Plaza Mansfield Tioga County	1 Pearl Street Wellsboro Tioga County	201 Weis Plaza Wellsboro Tioga County	300 Main Street Blossburg Tioga County	306 West Lockhart Street Sayre Bradford County	1778 Elmira Street Sayre Bradford County	53 West Main Street Canton Bradford County	1133 West Main Street Troy Bradford County	111 Main Street Towanda Bradford County	33178 Route 14 Gillett Bradford County	960 Main Street LeRaysville Bradford County	847 Main Street Rome Bradford County	7352 Route 328 Millerton Bradford County	502 Main Street Ulysses Potter County	391 Main Street Genesee Potter County	10 South Main Street Wellsville Allegheny County, NY	
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391 Main Street Genesee Potter County	10 South Main Street Wellsville Allegheny County, NY																	
6-29-2012	<p><i>From:</i> The Gratz National Bank Gratz Dauphin County</p> <p><i>To:</i> The Gratz Bank Gratz Dauphin County</p> <p>Conversion from a National banking association to a Pennsylvania State-chartered bank. The Gratz Bank is a wholly-owned subsidiary of GNB Financial Services, Inc. (#5028523), Gratz, an existing bank holding company.</p> <p>Branch offices operated by The Gratz Bank:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">4231 State Route 147 Herndon Northumberland County</td> <td style="width: 50%;">1625 West Main Street Valley View Schuylkill County</td> </tr> </table>	4231 State Route 147 Herndon Northumberland County	1625 West Main Street Valley View Schuylkill County	Effective														
4231 State Route 147 Herndon Northumberland County	1625 West Main Street Valley View Schuylkill County																	

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
6-2-2012	<p>Noah Bank Elkins Park Philadelphia County</p> <p>Amendment to Article VI of the institution's Articles of Incorporation provides for an increase in the number of authorized shares of common stock from 20 million to 50 million and to authorize the issuance of up to 10 million shares of "blank check" preferred stock.</p>	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS
Branch Applications
Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
7-2-2012	Belco Community Credit Union Harrisburg Dauphin County	354 North Prince Street Lancaster Lancaster County	Closed

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

GLENN E. MOYER,
Secretary

[Pa.B. Doc. No. 12-1341. Filed for public inspection July 20, 2012, 9:00 a.m.]

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

The Department of Banking (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of August, 2012, is 4 1/2%.

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

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 1.97 to which was added 2.50 percentage points for a total of 4.47 that by law is rounded off to the nearest quarter at 4 1/2%.

GLENN E. MOYER,
Secretary

[Pa.B. Doc. No. 12-1342. Filed for public inspection July 20, 2012, 9:00 a.m.]

**DEPARTMENT OF DRUG
AND ALCOHOL PROGRAMS**

Pennsylvania Advisory Council on Drug and Alcohol Abuse Meeting

The Pennsylvania Advisory Council on Drug and Alcohol Abuse (Council) will hold a public meeting on July 25, 2012, from 1 p.m. to 3:30 p.m., at the Giant Food Store Community Center—Blue Mountain Commons, 2nd Floor, Blue Mountain and Dauphin Meeting Rooms, 2300 Linglestown Road, Harrisburg, PA 17110, (717) 545-0489. The meeting is open to the public. For additional information visit the Department of Drug and Alcohol Programs' (Department) web site at www.ddap.pa.gov.

The primary focus of this Council meeting is for the Council members to meet to discuss current drug and alcohol issues and challenges facing this Commonwealth and to serve in an advisory capacity to the Department on these issues.

For additional information visit the Department's previously listed web site or contact Roseann Deutsch, Chief, Administrative Section at (717) 783-8200.

Persons with disabilities who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Roseann Deutsch at (717) 783-8200

This meeting is subject to cancellation without notice.

GARY TENNIS, Esq.,
Secretary

[Pa.B. Doc. No. 12-1343. Filed for public inspection July 20, 2012, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0246921 (Sew)	Lenhartsville Borough PO Box 238 Lenhartsville, PA 19534	Berks County / Lenhartsville Borough	Furnace Creek / 3-B	Y
PA0247928 (Sew)	Hopewell Township 415 Three Square Hollow Road Newburg, PA 17240	Cumberland County / Hopewell Township	UNT Peebles Creek / 7B	Y
PA0248312 (CAFO)	Willow Behrer Farm 3288 Behrer Lane Spruce Creek, PA 16683	Huntingdon County / Franklin Township	UNT Spruce Creek / 11-A	Y
PAG123544 (CAFO)	Scott Ehrisman Farm 748 Hollow Road Richfield, PA 17086	Juniata County / Monroe Township	Stony Run / 12-B	Y
PA0088692 (CAFO)	Frey Dairy Farms, Inc. 2646 River Road Conestoga, PA 17516	Lancaster County / Manor Township	Manns Run / 7-J	Y
PA0246484 (SEW)	Little Washington Wastewater Company 762 West Lancaster Avenue Bryn Mawr, PA 19010-3489	Adams County / Mount Joy Township	Rock Creek / 13-D	Y

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0035823 (SEW)	Kent Saunders Saunders Park 5909 Little Cove Road Mercersburg, PA 17236-9409	Franklin County / Warren Township	Little Cove Creek / 13-B	Y
PA0080900	Berrysburg Municipal Authority Berrysburg Borough Building First & Hickory Streets Berrysburg, PA 17005	Dauphin County / Berrysburg Borough	Unt Wiconisco Creek / 6-C	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

PA0024121, Sewage, SIC Code 4941, 4952, **Little Washington WW Co.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489. Facility Name: Media Borough STP. This existing facility is located in Upper Providence Township, **Delaware 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, Ridley Creek, is located in State Water Plan watershed 3-G 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 1.8 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Instant. Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.3	XXX	1.0
CBOD ₅						
May 1 - Oct 31	225	375	XXX	15	25	30
Nov 1 - Apr 30	375	600	XXX	25	40	50
Total Suspended Solids	450	675	XXX	30	45	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
May 1 - Oct 31	30	XXX	XXX	2.0	XXX	4.0
Nov 1 - Apr 30	90	XXX	XXX	6.0	XXX	12.0
Total Copper (Interim)	XXX	XXX	XXX	Report	XXX	Report
Total Copper (Final)	0.405	XXX	XXX	0.027	XXX	0.054

The proposed effluent limits for Outfall 002 are based on an average storm water flow.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly		Minimum	Average Monthly	Daily Maximum	Instant. Maximum
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
CBOD ₅	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

The proposed effluent limits for Outfall 003 are based on an average storm water flow.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly		Minimum	Average Monthly	Daily Maximum	Instant. Maximum
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
CBOD ₅	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	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	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:

- A. Operator Notification
- B. Average Weekly Definition
- C. Remedial Measures if Unsatisfactory Effluent
- D. No Stormwater
- E. Acquire Necessary Property Rights
- F. WETT at Renewal
- G. Change in Ownership
- H. Chlorine Minimization
- I. Proper Sludge Disposal
- J. TMDL/WLA Analysis
- K. Operator Certification
- L. I-Max Limitations
- M. Laboratory Certification
- N. Fecal Coliform Reporting
- O. Compliance Schedule
- P. Stormwater Condition

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.

PA0050989, Sewage, SIC Code 4952, **Frederick Mennonite Community**, P O Box 498, Frederick, PA 19435. Facility Name: Frederick Mennonite Community WWTP. This existing facility is located in Upper Frederick Township, **Montgomery 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 Swamp Creek, is located in State Water Plan watershed 3-E and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0499 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Inst. Minimum</i>	<i>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
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
CBOD ₅						
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Nov 1 - Apr 30	XXX	XXX	XXX	15	XXX	30
Total Suspended Solids	XXX	XXX	XXX	15	XXX	30
Fecal Coliform (CFU/100 ml)						
(October 1 to April 30)	XXX	XXX	XXX	200	XXX	1,000*
(May 1 to September 30)	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ammonia-Nitrogen				Geo Mean		
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	4.5	XXX	9.0
Total Phosphorus	XXX	XXX	XXX	1.0	XXX	2.0

*Shall not exceed in more than 10 percent of samples taken

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.

PA0021512, Sewage, SIC Code 0100, 4952, **Borough of Royersford**, 300 Main Street, Royersford, PA 19468. Facility Name: Borough of Royersford STP & Sewer System. This existing facility is located in Upper Providence Township, **Montgomery 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), Schuylkill River, is located in State Water Plan watershed 3-D 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 0.7 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Inst. Minimum	Average Monthly	Weekly Average	Instant. Maximum
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	0.5	XXX	1.2
CBOD ₅	117	175	XXX	20	30	40
Total Suspended Solids	117	175	XXX	20	30	40
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 200	XXX	1,000*
Ammonia-Nitrogen	35	XXX	XXX	6.0	XXX	12.0
Total Phosphorus	12	XXX	XXX	2.0	XXX	XXX

*Shall not exceed in more than 10 percent of samples.

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

- PCBs PMP implementation.

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.

PA0011533, IW, SIC Code 2911, **Sunoco Inc. (R&M)**, 3144 W. Passyunk Avenue, Philadelphia, PA 19145-5208. Facility Name: Girard Point Processing Area. This existing facility is located in City of Philadelphia, **Philadelphia County**.

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

The receiving stream(s), Schuylkill River, is located in State Water Plan watershed 3F 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 Outfalls 001 and 009 are based on stormwater flow.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Inst. Minimum	Average Monthly	Daily Maximum	Inst. Maximum
Flow (MGD)	Report	Report				
pH (S.U.)			6.0			9.0
BOD ₅				26.4	48.0	66.0
Chemical Oxygen Demand				180	360	450
Total Suspended Solids				21.6	34.0	55.0
Oil and Grease				8.0	15.6	20.0
Hexavalent Chromium				0.028	0.062	0.07
Total Chromium				0.22	0.60	0.75
Total Phenolics				0.17	0.35	0.43

The proposed effluent limits for Outfalls 002 and 014 are based on stormwater runoffs.

<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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report				
pH (S.U.)			6.0			9.0
Oil and Grease						15
Total Organic Carbon						110

The proposed effluent limits for Outfalls 004 and 011 are based on a non-contact cooling water 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>	
Flow (MGD)	Report	Report				
pH (S.U.)			6.0			9.0
Temperature (°F)						110
Total Organic Carbon						5.0
Total Suspended Solids				Report	Report	
Ammonia-Nitrogen				Report	Report	
BOD ₅				Report	Report	
Total Dissolved Solids				Report	Report	

The proposed effluent limits for Outfalls 005, 010 and 012 are based on a roof drains runoffs flow.

<i>Parameters</i>	<i>Concentration (mg/l)</i>	
	<i>Annual Average</i>	<i>Daily Maximum</i>
pH (S.U.)	Report	Report
CBOD ₅	Report	Report
Chemical Oxygen Demand	Report	Report
Total Suspended Solids	Report	Report
Oil and Grease	Report	Report
Total Kjeldahl Nitrogen	Report	Report
Total Phosphorus	Report	Report
Dissolved Iron	Report	Report

The proposed effluent limits for Outfall 015 are based on a design flow of 6.22 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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report				
pH (S.U.)			6.0			9.0
Total Residual Oxidants				Report	0.2	0.5
BOD ₅	1,410	2,653		27	51	68
CBOD ₂₀	2,170					
CBOD ₂₀ % Removal (%)	89.25%					
Percent Removal						
Chemical Oxygen Demand				186	362	466
Chemical Oxygen Demand Effluent Net	9,673	18,794				
Total Suspended Solids Effluent Net	1,160	1,824				
Total Suspended Solids				22.4	35	56
Total Dissolved Solids	213,102	213,102		4,108	4,108	4108
Oil and Grease				8.5	15.9	20.0
Oil and Grease Effluent Net	442	829				
Ammonia-Nitrogen Effluent Net	525	1,147				
Ammonia-Nitrogen				10.0	22.0	25.0
Hexavalent Chromium				0.01	0.03	0.03
Hexavalent Chromium Effluent Net	0.7	1.6				
Total Chromium				0.16	0.4	0.4
Total Chromium Effluent Net	8.5	24.3				
Total Iron				Report	Report	
Total Lead				0.066	0.13	0.165
Total Thallium				Report	Report	

<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 Sulfide Effluent Net	7.7	17.1				
Total Sulfide				0.14	0.3	0.35
Phenol				Report	0.5	0.5
Hexachlorobenzene				Report	Report	
Benzene				0.10	0.20	0.25
Benzidine				Report	Report	
Total BTEX				0.10	0.20	0.25
Naphthalene				1.14	2.28	2.85
N-Nitrosodimethylamine				Report	Report	
Total Phenolics Effluent Net	7.2	19.4				
Total Phenolics				0.13	0.37	0.37
PCBs (Dry Weather) (pg/L)					Report	
PCBs (Wet Weather) (pg/L)					Report	
Acute toxicity (Ceriodaphnia) (TUa)					Report	
Chronic toxicity (Ceriodaphnia) (TUc)					Report	
Acute toxicity (Pimephales) (TUa)					Report	
Chronic toxicity (Pimephales) (TUc)					Report	

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

- I.
 - A. Remedial Measures if Creates Public Nuisance
 - B. Applicable BAT/BCT
 - C. CBOD20 Allocation
 - D. Thermal Impact Requirement
 - E. Approved Test Methods
 - F. Change in Ownership
 - G. Proper Sludge Disposal
 - H. TMDL/WLA Analysis
 - I. I-max Definitions
 - J. Twice per month sampling
 - K. Operation and Maintenance Plan Requirements
 - L. Laboratory Certification
 - M. TRO Amperometric Method
 - N. PCB PMP and Sampling Requirement
 - O. WETT Requirement
 - P. Sand Filter Operation
 - Q. Stormwater Flow Calculations
 - R. Ballast/Stormwater/Intake Credit Calculations for Various Parameters
 - S. TOC Intake Sample
 - T. Stormwater Contaminated Runoff
- II. Chemical Additives Requirement
- III. Water Intake Structure
- IV. Stormwater Requirements

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.

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

PA0034746, Sewage, SIC Code 5271, **MHC Lil Wolf LP**, 2 N Riverside Plaza Suite 800, Chicago, IL 60606-2682. Facility Name: MHC Lil Wolf LP. This existing facility is located in North Whitehall Township, **Lehigh 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 Coplay Creek, is located in State Water Plan watershed 2-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.038 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen (Interim)	XXX	XXX	3.0	XXX	XXX	XXX
Dissolved Oxygen (Final)	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine (Interim)	XXX	XXX	XXX	1.2	XXX	2.8
Total Residual Chlorine (Final)	XXX	XXX	XXX	0.09	XXX	0.2
CBOD ₅ (5/1 to 10/31)	XXX	XXX	XXX	10	XXX	50
CBOD ₅ (11/1 to 4/30)	XXX	XXX	XXX	20	XXX	50
Total Suspended Solids	XXX	XXX	XXX	10	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31 (Interim)	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30 (Interim)	XXX	XXX	XXX	9.0	XXX	18.0
May 1 - Sep 30 (Final)	XXX	XXX	XXX	2.4	XXX	4.8
Oct 1 - Apr 30 (Final)	XXX	XXX	XXX	7.2	XXX	14.4

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

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

The EPA Waiver is in effect.

PA0013064, SIC Code 2816, **Rockwood Pigments N A Inc.**, 1525 Wood Avenue, Easton, PA 18042-3186. Facility Name: Rockwood Pigments N.A. Inc. This existing facility is located in Easton City, **Northampton 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), Bushkill Creek, is located in State Water Plan watershed 1-F 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 0.052 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>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	110	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.56 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)						
Jan 1-31	XXX	XXX	XXX	XXX	108.4	XXX
Feb 1-29	XXX	XXX	XXX	XXX	110	XXX
Mar 1-31	XXX	XXX	XXX	XXX	110	XXX
Apr 1-15	XXX	XXX	XXX	XXX	110	XXX
Apr 16-30	XXX	XXX	XXX	XXX	110	XXX
May 1-15	XXX	XXX	XXX	XXX	110	XXX
May 16-31	XXX	XXX	XXX	XXX	110	XXX

NOTICES

<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>
Jun 1-15	XXX	XXX	XXX	XXX	110	XXX
Jun 16-30	XXX	XXX	XXX	XXX	110	XXX
Jul 1-31	XXX	XXX	XXX	XXX	101.4	XXX
Aug 1-15	XXX	XXX	XXX	XXX	94.2	XXX
Aug 16-31	XXX	XXX	XXX	XXX	94.2	XXX
Sep 1-15	XXX	XXX	XXX	XXX	85.9	XXX
Sep 16-30	XXX	XXX	XXX	XXX	83.9	XXX
Oct 1-15	XXX	XXX	XXX	XXX	84	XXX
Oct 16-31	XXX	XXX	XXX	XXX	79	XXX
Nov 1-15	XXX	XXX	XXX	XXX	86.3	XXX
Nov 16-30	XXX	XXX	XXX	XXX	82.3	XXX
Dec 1-31	XXX	XXX	XXX	XXX	92.9	XXX
Total Suspended Solids	140	280	XXX	30	60	75
Total Dissolved Solids	46,704	70,056	XXX	10,000	15,000	XXX
Oil and Grease	XXX	XXX	XXX	10	30	30
Ammonia-Nitrogen	93.4	186.8	XXX	20	40	50
Total Iron	XXX	XXX	XXX	1.0	2.0	2.5
Total Zinc	XXX	XXX	XXX	0.1	0.2	0.25

The proposed effluent limits for Outfall 003 are based on stormwater.

<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>
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
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

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

<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>
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
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 005 are based on stormwater.

<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>
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
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 007 are based on stormwater.

<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>
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
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 008 are based on stormwater.

<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>
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
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 009 are based on stormwater.

<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>
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
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 010 are based on stormwater.

<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>
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
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 011 are based on stormwater.

<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>
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
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 012 are based on stormwater.

<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>
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
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

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

<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>
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
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 014 are based on stormwater.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
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
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 015 are based on stormwater.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
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
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

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

- Chemical additives
- Stormwater

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

The EPA Waiver is not in effect.

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

PA0042528, Sewage, SIC Code 6515, **Robert L Searer**, 1446 Prayer Mission Road, York, PA 17406. Facility Name: Margaretta Mobile Home Park. This existing facility is located in Lower Windsor Township, **York 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, Cabin Creek, is located in State Water Plan watershed 7-I and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.018 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
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.50	XXX	1.63
CBOD ₅	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Nitrate-Nitrite as N	XXX	Report	XXX	Geo Mean Report	XXX	XXX
Total Nitrogen	XXX	Report	XXX	Daily Max Report	XXX	XXX
Ammonia-Nitrogen				Daily Max		
May 1 - Oct 31	XXX	XXX	XXX	13	XXX	26
Nov 1 - Apr 30	XXX	XXX	XXX	Report	XXX	Report
Total Kjeldahl Nitrogen	XXX	Report	XXX	Report	XXX	XXX
Total Phosphorus	XXX	Report	XXX	Daily Max Report	XXX	XXX
				Daily Max		

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.

PA0083160, Sewage, SIC Code 6515, **Anchor Mobile Estates, Peifer & Gross, Inc**, PO Box 506, Elizabethtown, PA 17022-0506. Facility Name: Anchor Estates MHP. This existing facility is located in Butler 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, Willoughby 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 0.021 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average	Daily	Minimum	Average	Daily	Instant. Maximum
	Monthly	Maximum		Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD ₅	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	XXX	10,000
Ammonia-Nitrogen				Geo Mean		
May 1 - Oct 31	XXX	XXX	XXX	3	XXX	6
Nov 1 - Apr 30	XXX	XXX	XXX	9	XXX	18

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

The EPA Waiver is in effect.

PA0082368, Sewage, SIC Code 4952, **Abbottstown-Paradise Joint Sewer Authority**, PO Box 505, Abbottstown, PA 17301-0505. Facility Name: Abbottstown Paradise STP. This existing facility is located in Hamilton 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, Beaver Creek, is located in State Water Plan watershed 7-F 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 0.35 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average	Daily	Minimum	Average	Weekly	Instant. Maximum
	Monthly	Maximum		Monthly	Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD ₅						
May 1 - Oct 31	43.5	64	XXX	15	22	30
Nov 1 - Apr 30	73	Wkly Avg 116.5	XXX	25	40	50
BOD ₅		Wkly Avg				
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	87.5	131	XXX	30	45	60
Fecal Coliform (CFU/100 ml)		Wkly Avg				
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	GeoMean 2,000	XXX	10,000
Nitrate-Nitrite as N (lbs/mo)				GeoMean		
Total Mo	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen						
Total Mo	Report	Report	XXX	Report	XXX	XXX
Total Annual		Total Annual				

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Ammonia-Nitrogen						
May 1 - Oct 31	4.4	XXX	XXX	1.5	XXX	3.0
Nov 1 - Apr 30	13.1	XXX	XXX	4.5	XXX	9.0
Total Kjeldahl Nitrogen (lbs/mo)	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Total Mo 5.8	Report	XXX	2.0	XXX	4.0
		Total Annual				

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.

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

PA0111759, Industrial Waste, SIC Code 2011, **Cargill Meat Solutions Corp**, PO Box 188, Wyalusing, PA 18853-0188. Facility Name: Cargill Meat Solutions Corp. This existing facility is located in Wyalusing Township, **Bradford 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), Wyalusing Creek, is located in State Water Plan watershed 4-D 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 0.528 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
BOD ₅	368	737	XXX	Report	Report	185
Total Suspended Solids	439	877	XXX	Report	Report	221
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Oil and Grease	74	148	XXX	15	30	30
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	XXX	XXX	400
Ammonia-Nitrogen	XXX	XXX	XXX	4.0	8.0	XXX
Total Nitrogen	XXX	XXX	XXX	134	194	XXX

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

Parameters	Mass (lbs)		Minimum	Concentration (mg/l)	
	Monthly	Annual		Average	Maximum
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen (Interim)	Report	Report			
(Final)	Report	19483			
Net Total Phosphorus (Interim)	Report	Report			
(Final)	Report	1218			

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

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

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

- Nutrient Requirements
- Chemical Additives
- Sodium Bromide Prohibition

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

The EPA Waiver is not in effect.

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

PA206101, Industrial Waste, SIC Code 3400, **Dynamic Materials Corporation**, 1138 Industrial Park Drive, Mount Braddock, PA 15465. Facility Name: Dunbar Mine Manufacturing. This existing facility is located in Dunbar Township, **Fayette County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for existing discharges of storm water.

The receiving stream(s), Dunbar Creek, is located in State Water Plan watershed 19-D 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 for discharges of storm water runoff.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Oil and Grease	XXX	XXX	XXX	15	XXX	30
BOD ₅	XXX	XXX	XXX	Report	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	Report
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	Report
Sulfate, Total	XXX	XXX	XXX	Report	XXX	Report
Total Aluminum	XXX	XXX	XXX	0.75	XXX	1.5
Total Iron	XXX	XXX	XXX	1.0	XXX	2.0
Total Zinc	XXX	XXX	XXX	0.117	XXX	0.234
pH	XXX	XXX	6.0	XXX	XXX	9.0

The proposed effluent limits for Outfall 002 are for discharges of storm water runoff.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Oil and Grease	XXX	XXX	XXX	15	XXX	30
BOD ₅	XXX	XXX	XXX	Report	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	Report
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	Report
Total Aluminum	XXX	XXX	XXX	0.75	XXX	1.5
Total Iron	XXX	XXX	XXX	1.0	XXX	2.0
Total Zinc	XXX	XXX	XXX	0.117	XXX	0.234
pH	XXX	XXX	6.0	XXX	XXX	9.0

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

- Conditions for storm water control including an effluent goal for Nitrate-Nitrite as N and a requirement to develop a Storm Water Pollution Prevent Plan

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

The EPA Waiver is in effect.

PA0217778, SIC Code 1389, **Keyrock Energy LLC**, 106 Ferrell Avenue Suite 5, Kingsport, TN 37663-2371. Facility Name: Dawson Treatment Plant. This existing facility is located in Dunbar Township, **Fayette County**. Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated coalbed methane production water.

The receiving stream(s), Unnamed Tributary to 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 0.06 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	XXX	0.06	XXX	XXX	XXX	XXX
pH	XXX	XXX	6	XXX	XXX	9
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Acidity, Total (as CaCO ₃)	XXX	XXX	XXX	Report	Report	XXX
Alkalinity, Total (as CaCO ₃)	XXX	XXX	XXX	Report	Report	XXX
Effluent Net	XXX	XXX	XXX	Report	Report	XXX
Dissolved Iron	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	3.5	XXX	7.0
Chloride	Report	Report	XXX	Report	Report	XXX

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

- Chemical Additives, Total Dissolved Solids- Chapter 95.10 Discharge Loadings

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

The EPA Waiver is in effect.

PA0219339, SIC Code 1311, **Keyrock Energy LLC**, 106 Ferrell Avenue, Kingsport, TN 37663-2371. Facility Name: Jones Treatment Plant. This existing facility is located in Black Lick Township, **Indiana County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated coalbed methane production water.

The receiving stream, Blacklick Creek, is located in State Water Plan watershed 18-D and is classified for Trout Stocked Fishery, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	XXX	0.6	XXX	XXX	XXX	XXX
pH	XXX	XXX	6	XXX	XXX	9
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Osmotic Pressure	XXX	XXX	XXX	204	319	XXX
Oil and Grease	XXX	XXX	XXX	15	30	XXX
Acidity, Total (as CaCO ₃)	XXX	XXX	XXX	Report	Report	XXX
Alkalinity, Total (as CaCO ₃)	XXX	XXX	XXX	Report	Report	XXX
Effluent Net	XXX	XXX	XXX	0	0	XXX
Alkalinity, Total (as CaCO ₃)	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum	XXX	XXX	XXX	0.48	0.75	XXX
Dissolved Iron	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	1.5	2.94	XXX
Total Manganese	XXX	XXX	XXX	0.64	1.0	XXX
Chloride	Report	Report	XXX	Report	Report	XXX

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

- Chemical Additives, Total Dissolved Solids- Chapter 95.10 Discharge Loadings

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

The EPA Waiver is not in effect.

PA0090018, Sewage, **N Strabane Township Municipal Authority**, 1929B Route 519 South, Canonsburg, PA 15317. Facility Name: Willolake STP. This existing facility is located in North Strabane Township, **Washington County**.

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

The receiving stream(s), Unnamed Tributary of Chartiers Creek, is located in State Water Plan watershed 20-F 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 0.14 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD ₅	11.7	17.5	XXX	10	15	20
		Wkly Avg				
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	29.2	43.8	XXX	25	37.5	50
		Wkly Avg				
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	2.3	3.5	XXX	2.0	3.0	4.0
		Wkly Avg				
Nov 1 - Apr 30	4.1	6.1	XXX	3.5	5.3	7.0
		Wkly Avg				

The EPA Waiver is in effect.

Northwest Regional Office: Regional Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, Telephone: 814.332.6942.

PA0026301, Sewage, SIC Code 4952, **Erie Sewer Authority & the City of Erie**, Erie County, 120 W 10th Street, Erie, PA 16501-1410. Facility Name: Erie City STP. This existing facility is located in the City of Erie, **Erie 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), Lake Erie (Outer Erie Harbor and Presque Isle Bay) for Outfalls 001, 001A and 043, Mill Creek for Outfalls 002, 003, 008, 014 and 030 and Garrison Run for Outfalls 903-908 are located in State Water Plan watershed 15 and are classified for warm water fishes, migratory fishes (for Mill Creek), aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 001/001A are based on a design flow of 68.6 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Minimum	Geometric Mean	Weekly Average	Instant. Maximum
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
				Avg Mo		
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000

The proposed effluent limits for Suboutfall 101 are based on a design flow of 68.6 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
CBOD ₅	14,303	22,885	XXX	25	40	50
Total Suspended Solids	17,164	25,746	XXX	30	45	60
Total Phosphorus	572	XXX	XXX	1.0	XXX	XXX

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

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly Report	XXX	XXX	Geometric Mean	XXX	
Flow (MGD)*	Report	XXX	XXX	XXX	XXX	XXX
Total Residual Chlorine*	XXX	XXX	XXX	XXX	XXX	1.6
Fecal Coliform (CFU/100 ml)*						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	XXX
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	XXX

The proposed effluent limits for Suboutfall 201 are based on a design flow of N/A MGD.

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

*- Monitor only when discharging

Combined Sewer Overflow discharge points: Outfalls 003, 008, 014, 030 & 043. Stormwater Associated with Industrial Activities discharge points: Outfalls 903—908.

The permit has been developed consistent with the Great Lakes Initiative requirements.

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

- Chlorine Minimization
- Implementation of a Federal Pretreatment Program
- Stormwater Best Management Practices
- Combined Sewer Overflow related bypass
- Combined Sewer Overflow
- Whole Effluent Toxicity testing for the renewal permit
- Electronic Discharge Monitoring Reporting requirement

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

The EPA Waiver is not in effect.

PA DEP Central Office: Bureau of Point and Non-Point Source Management, 400 Market Street, Harrisburg, PA 17105-8774, Telephone: 717.787.8184.

PA0270768, PECO Energy Co., 2301 Market Street, Philadelphia, PA 19103-1338. Facility Name: PECO Energy Transmission and Distribution System. The proposed activity will occur in up to eight counties in southeast Pennsylvania.

Description of Proposed Activity: The application is for a new NPDES permit for proposed discharges associated with the application of pesticides. To ensure uninterrupted supply to its customers and also to maintain personnel safety, PECO needs to control vegetation that can interfere with equipment located in transmission and distribution right-of-ways (ROWs) and at substations within over 230 municipalities of **Bucks, Chester, Delaware, Lancaster, Lehigh, Montgomery, Philadelphia** and **York Counties** in Pennsylvania.

Applicators are required to follow product labeling instructions of pesticides, which may include provisions to reduce application doses and notify public water suppliers in the event applications are conducted near public water supply intakes. Certain pesticides require a shutdown of the public water supply intake for 48 hours if applied within 1/2 mile from any active drinking water supply intake. Applicators are required to coordinate with the operators of such drinking water treatment plants prior to treatment to avoid any shortages. Generally, the discharges associated with the pesticide applications are not expected to affect public water supplies.

PA DEP has made a tentative determination to issue the NPDES permit subject to the terms and conditions of the permit. An anti-degradation analysis has been completed to document that pesticide application activities in High Quality (HQ) or Exceptional Value (EV) watersheds will be conducted in a manner that minimizes adverse environmental effects. The proposed permit contains conditions that require implementation of Pest Management Measures, Recordkeeping and Annual Reporting Requirements, Corrective Action Documentation and Reporting, and a Pesticides Discharge Management Plan.

You may make an appointment to review the DEP files on this case by calling Dharmendra Kumar at 717.783.2288. You may submit written comments on the application and draft permit within 30 days to the address above. After the 30-day comment period, PA DEP will make a final determination on the issuance of the permit.

The EPA Waiver is not 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. 2312404, Sewerage, **Upper Providence Township Sewer Authority**, 935 North Providence Road, Media, PA 19063-1499.

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

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

WQM Permit No. WQG02091203, Sewerage, **Lower Makefield Township**, 1100 Edgewood Road, Yardley, PA 19067-1696.

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

Description of Action/Activity: A proposed sanitary sewer system extension to service 30 homes in the Edgewood Village area.

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

WQM Permit No. 2299408 Amendment 12-1, Sewerage, **Todd A. Librandi**, 93 Airport Drive, Middletown, PA 17057.

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

Description of Proposed Action/Activity: Improvements to the existing sewage treatment plant including effluent filtration and new chlorine contact tanks.

WQM Permit No. 2299409 Amendment 12-1, Sewerage, **Todd A. Librandi**, 93 Airport Drive, Middletown, PA 17057.

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

Description of Proposed Action/Activity: Improvements to the existing sewage treatment plant including effluent filtration and new chlorine contact tanks.

WQM Permit No. 6773421, Amendment 12-1, Sewerage, **GSP Management Company**, Frank T. Perano, PO Box 677, Morgantown, PA 19543.

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

Description of Proposed Action/Activity: Improvements to the existing dechlorination system, including the relocation of the chylorine injection points and dechlorination injection points at the Mountain View Terrace Mobile Home Park.

WQM Permit No. 6793410, Amendment 12-1, Sewerage, **ATG Properties, LLC**, Frank T. Perano, PO Box 677, Morgantown, PA 19543.

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

Description of Proposed Action/Activity: Improvements to the existing system; relocated dechlorination injection point, modify air supply lines and install monitoring / sampling manhole at the Brookhaven MHP.

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

WQM Permit No. 0412403, Sewerage, **Ambridge Borough Municipal Authority**, 600 Eleventh Street, Ambridge, PA 15003

This proposed facility is located in Ambridge Borough, **Beaver County**

Description of Proposed Action/Activity: Application for the construction and operation of a pump station.

WQM Permit No. 0285406-A4, Sewerage, **Pleasant Hills Authority**, 610 Old Clairton Road, Pittsburgh, PA 15236

This existing facility is located in South Park Township/Pleasant Hills Borough, **Allegheny County**

Description of Proposed Action/Activity: Application for permit amendment.

WQM Permit No. WQG026138, Sewerage, **PA Turnpike Commission**, 700 South Eisenhower Boulevard, Middletown, PA 17057

This proposed facility is located in Somerset Township, **Somerset County**

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

IV. NPDES Applications for Stormwater Discharges from MS4

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1507004-R	Hettie Herzog 1057 St. Matthews Road Chester Springs, PA 19425	Chester	West Vincent Township	Pickering Creek (HQ)
PAI01 231101-1	Quarry Center, LP 1940 Haverford Road Ste 102 Bryn Mawr, PA 19010	Delaware	Haverford Township	Naylor's Run/Cobbs Creek (WWF-MF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023912013	PPL Electric Utilities Clive Bagnall 2 North 9th St. GENN-3 Allentown, PA 18101	Lehigh	Upper Macungie Twp.	Breinig Run, HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024812010	PPL Electric Utilities Marc St. Amour 2 North 9th Street GENN-3 Allentown, PA 18101	Northampton	Allen Twp., Lehigh Twp., and Moore Twp.	Lehigh River, TSF, MF; Hokendauqua Creek, CWF, MF; Bushkill Creek, HQ-CWF, MF

Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. (412) 442.4315

<i>Permit No.</i>	<i>Applicant & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI050212003	Edgewater Properties, LP 3875 Old William Penn Highway Murrysville, PA 15668	Allegheny	Oakmont Borough	Plum Creek WWF
PAI056512006	Barry R. Sullivan PO Box 183 149 Fox Glove Lane Laughlintown, PA 15655	Westmoreland	Ligonier Township	Monastery Run Loyalhanna Creek (HQ-CWF)

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

PAG-12 CAFOs

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 Unites</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal / New</i>
Randy Weaver Smaltz Road Womelsdorf, PA 19567	Berks	0	541.8	Layers	N/A	New
Robert Stitt 136 Winding Lane Lewistown, PA 17044	Mifflin	47.5	362.15	Turkey	None	Renewal
Terry Hershey 573 Strasburg Rd Paradise, PA 17562	Lancaster	82	487.08	Swine	NA	R
Kenneth Gebhart Blue Berry Hill Farm 2950 Centennial Road Hanover, PA 17331	Adams	542.5	556.73	Swine	NA	Renewal

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17)

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

Permit No. 2912501, Public Water Supply.
 Applicant **McConnellsburg Borough Municipal Authority**
 Municipality Ayr Township
 County **Fulton**
 Responsible Official Mahlon Shimer, Chairman
 P O Box 218
 McConnellsburg, PA 17233
 Type of Facility Public Water Supply
 Consulting Engineer Laurence S Zimmermann, P.E.
 Gannett Flemming, Inc.
 PO Box 67100
 Harrisburg, PA 17106-7100
 Application Received: 5/31/2012
 Description of Action The project consists of installation of a booster pump adjacent to the existing PRV on Cito Road to provide water to the high pressure zone of the distribution system during dry periods.

Permit No. 3612515, Public Water Supply.
 Applicant **Valco Companies, Inc.**
 Municipality East Lampeter Township
 County **Lancaster**
 Responsible Official Jeremy Crum, Dep Operator
 1697 Swamp Pike
 Gilbertsville, PA 19525
 Type of Facility Public Water Supply
 Consulting Engineer Bruce Rader, P.E.
 Berks Surveying & Engineering, Inc.
 311 East Main Street
 Fleetwood, PA 19522

Application Received: 6/14/2012
 Description of Action Valco Bird in Hand-Installation of anion exchange for nitrate treatment.

Permit No. 3612520, Public Water Supply.
 Applicant **Valco Companies, Inc.**
 Municipality Leacock Township
 County **Lancaster**
 Responsible Official Robert Oliver
 2710 Division Highway
 New Holland, PA 17557

Type of Facility Public Water Supply
 Consulting Engineer Bruce Rader, P.E.
 Berks Surveying &
 Engineering, Inc.
 311 East Main Street
 Fleetwood, PA 19522

Application Received: 6/14/2012
 Description of Action Valco New Holland Headquarters-Installation of anion exchange for nitrate treatment.

Application No. 0111522 MA, Minor Amendment, Public Water Supply.
 Applicant **Section A Water Company**
 Municipality Carrol Valley Borough
 County **Adams**
 Responsible Official Dorothy Corbin, Chairman,
 Board of Directors
 P O Box 31
 Fairfield, PA 17320

Type of Facility Public Water Supply
 Consulting Engineer Jason A Reichard, P.E.
 C.S. Davidson, Inc
 50 West Middle Street
 Gettysburg, PA 17325

Application Returned: 7/9/2012
 Description of Action GWR 4-log treatment of viruses for EP 101.

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

Permit No. 1012502, Public Water Supply
 Applicant **Borough of Mars**
 Township or Borough Adams Township
 County **Butler**
 Responsible Official Michael Flemming
 Type of Facility Public Water Supply
 Consulting Engineer Steven H. Greenberg, P.E.
 KLH Engineers, Inc.
 5173 Campbells Run Road
 Pittsburgh, PA 15205

Application Received Date May 18, 2012

Description of Action Interconnect between Municipal Water Authority of Adams Township and Mars Borough and transmission main waterline relocation.

Permit No. 3712504, Public Water Supply
 Applicant **Pennsylvania American Water Company**
 Township or Borough Wayne Township
 County **Lawrence**
 Responsible Official David R. Kaufman
 Type of Facility Public Water Supply
 Consulting Engineer Scott E. Hilty, P.E.
 Pennsylvania American Water Co.
 300 Galley Road
 McMurray, PA 15317

Application Received Date May 25, 2012
 Description of Action Installation of corrosion inhibitor feed system at the Ellwood City Water Treatment Plant.

Permit No. 6112502, Public Water Supply
 Applicant **Polk Center**
 Township or Borough Polk Borough
 County **Venango**
 Responsible Official Nicholas Borgia
 Type of Facility Public Water Supply
 Consulting Engineer Milind Desai, P.E.
 1401 North 7th Street
 P. O. Box 2675
 Harrisburg, PA 17105-2675

Application Received Date June 20, 2012
 Description of Action Connect springs to the filtration plant at pretreatment buildings in Polk Center.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

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

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

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

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

Bryn Mawr Hospital, Lower Merion Township, **Montgomery County**. Bernard B. Beegle, Advanced GeoServices Corporation, 1055 Andrew Drive, Suite A West Chester, PA 19380, Jim Gould, Lewis Environmental, Inc., 155 Railroad Plaza, PO Box 639, Royersford, PA 19468 on behalf of Andrea Gilbert, Bryn Mawr Hospital, 103 South Bryn Mawr Avenue Bryn Mawr, PA 19010 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of unleaded gasoline. The current and future use of the site is a grass soil area in the vicinity of the hospital emergency room entrance. A summary of the Notice of Intent to Remediate was to have been published in the *Main Line Times* on April 12, 2012.

Deluxe Check Printers, Willistown Township, **Chester County**. Fredrick McCarthy, The Louis Berger Group, Inc., 412 Mount Kemble Avenue, PO Box 1946, Morristown, NJ 07962-1960, Jonathan Robertson, Deluxe Corporation, 3680 Victoria Street North, Shoreview, MN 55126 on behalf of Paul Aschkenasy, Blank Aschkenasy Properties, LLC, 300 Conshohocken State Road, Suite 360, West Conshohocken, PA 19428 has submitted a Notice of Intent to Remediate. Groundwater at the site

has been impacted with the release of chlorinated solvents. The proposed future use of the property will be non-residential office space. A summary of the Notice of Intent to Remediate was to have been reported in the *Daily Local News* on June 11, 2012.

9090 Gap Newport Road, New Garden Township, **Chester County**. Wesley Fitchett, P.G. Current Environmental, Inc., on behalf of PR New Garden/Chesco Limited Partnership and PR New Garden Limited, 200 South Broad Street, Philadelphia, PA 19107 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of leaded gasoline. The future use of the site will remain the same.

Johnston Property, Nether Township, **Delaware County**. Jeff Campbell, Shaw Group, Inc., 200 Horizon Center Boulevard, Trenton, NJ 08691, Spencer Waybrant, Shaw Group, Inc., 200 Horizon Center Boulevard, Trenton, NJ 08691, Jason Bryant, Meenan Oil, 8301 Lansdowne Avenue, Upper Darby, PA 19082 on behalf of Mark Johnston, 419 East County Club Lane, Wallington, Nether Township, PA 19086 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of no. 2 fuel oil.

Gordon Property, City of Philadelphia, **Philadelphia County**. Jeremy Bolyn, Environmental Maintenance Company Inc., 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Herbert Gordon, 2772 Red Gate Drive, Doylestown, PA 18902 has submitted a Notice of Intent to Remediate. Soil at the site will remain the same. The future use of the site will remain the same. A Notice of Intent to Remediate was to have been reported in the *Courier Times* on April 29, 2012.

Di Pintos Caterers, City of Philadelphia, **Philadelphia County**. Samuel W. Galenty, Environmental Consulting, Inc. 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406, Richard S. Werner, P.G., Environmental Consulting, Inc. 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Carmine DiPinto's, Jr, DiPinto's Caterers, 4070 Torresdale Avenue, Philadelphia, PA 19124 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The future use of the site will remain the same.

Webb Property Inc, City of Philadelphia, **Philadelphia County**. Stephen Brower, Environmental Standards, Inc. 1140 Valley Forge Road, PO Box 810, Valley Forge, PA 19136, Mark Haslett, Environmental Standards, Inc. 1140 Valley Forge Road, PO Box 810, Valley Forge, PA 19136 on behalf of Webb Properties, LLC, Webb Properties, LLC, 4850 Rhawn Street, Philadelphia, PA 19136 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of no. 2 fuel oil. The future use of the site will remain the same.

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

Baker 4H Well Site, Turnpike Road, Forest Lake Township, **Susquehanna County**. Michael Welch, Hawbaker Environmental, 1952 Waddle Road, Suite 203, State College, PA 16803 has submitted a Notice of Intent to Remediate on behalf of his client, Carrizo (Marcellus), LLC, P. O. Box 231, 251 Drain Lick Road, Drifting, PA 16834, concerning the remediation of soil found to have been impacted by untreated flowback water as a result of a release off containment, but within the permit boundary. The applicant proposes to remediate the site to meet

the Site-Specific Standard and the Background Standard for soil. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

Eastern Industries-Old Getty Pipeline Site, Martins Creek-Belvidere Road, Lower Mount Bethel Township, **Northampton County**. Robert P. Weaver, SAIC Energy, Environment, & Infrastructure, LLC, 6310 Allentown Boulevard, Harrisburg, PA 17112 has submitted a Notice of Intent to Remediate on behalf of his client, Stabler Development Company, 4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034, concerning the remediation of soil found to be impacted by an alleged historic release of petroleum (kerosene or diesel) from a former pipeline located on the north side of Martins Creek-Belvidere Road. The applicant proposes to remediate the site to meet the Statewide Health Standard for soil. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

Former Union Metal Site, 830 Crowe Road, Stroud Township, **Monroe County**. Mr. Dana J. Wagner, Liesch Associates Inc., 13400 15th North, Minneapolis, MN 55441 has submitted a Notice of Intent to Remediate on behalf of his client, Northwoods Commercial Properties, Inc., 230 Corporate Drive, Beaver Dam, WI 53916, concerning the background determination of groundwater found to have been impacted by VOCs (TCE-PCE). The applicant proposes to remediate the site to meet the Background Standard for groundwater. The current and future use of the property is non-residential-commercial/light industrial. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

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

Willard Seidel Residence, 4682 New Holland Road, Mohnton, PA 19540, Brecknock Township, **Berks County**. Mountain Research, 825 25th Street, Altoona, PA 16601, on behalf of Willard Seidel, 4682 New Holland Road, Mohnton, PA 19540, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with fuel oil. The site will be remediated to the Residential Statewide Health standard. Future use of the site is residential dwelling.

Former BP Terminal 4574, 901 Mountain Home Road, Sinking Spring, PA 19608, Sinking Spring Borough, **Berks County**. Antea Group, / Antea USA, Inc., 780 East Market Street, Suite 120, West Chester, PA 19382, on behalf of Atlantic Richfield Company, A BP Products North America Inc. Affiliated Company, 501 West Lake Park Boulevard, WL1-28, 160B, Houston, TX 77079 and Reading Terminals Corporation, PO Box 2621, Harrisburg, PA 17105, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with petroleum products. The site will remain a bulk petroleum storage facility and will be remediated to the Site-Specific standard.

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

Laurelton Elementary School, Hartley Township, **Union County**. Black Rock Environmental, LLC on behalf of Mifflinburg Area School District has submitted a Notice of Intent to Remediate soil and groundwater contaminated with #2 heating oil. The applicant proposes to remediate the site to meet the Statewide Health Standard.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit Application No. 101494. Waste Management of Pennsylvania, Inc., 1000 New Ford Mill Road, Morrisville PA 19067. This minor permit modification application seeks approval to install a temporary cap system as an operational feature in order to minimize the production of leachate and to minimize nuisance issues prior to the installation of the permanent final cover system at the Tullytown Resource Recovery Facility, a municipal waste landfill located at 200 Bordentown Road, Tullytown PA 19007, in the Borough of Tullytown and Falls Township, **Bucks County**. The application was received by Southeast Regional Office on June 11, 2012.

Permit Application No. 101076. Lower Merion Township, 75 East Lancaster Avenue, Ardmore PA 19003-2323. This minor permit modification application is to construct a system to collect and convey leachate, which may leak from the compactor loaded transport trailers, to a sanitary sewer. In addition, the application proposes to relocate the existing truck staging area and radioactive waste isolation area, "Holding Area II," to new locations within the permitted boundary at the Lower Merion Transfer Station, a municipal transfer facility located at 1300 North Woodbine Avenue in Lower Merion Township, **Montgomery County**. The application was received by the Southeast Regional Office on May 1, 2012.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS NEW SOURCES AND MODIFICATIONS

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

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

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

Persons wishing to receive a copy of a proposed Plan Approval or Operating Permit shall indicate interests to the Department regional office within 30 days of the date of this notice and shall file protests or comments on a proposed Plan Approval or Operating Permit within 30 days of the Department providing a copy of the proposed documents to persons or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first.

Interested persons may also request that hearings be held concerning a proposed Plan Approval or Operating Permit. A comment or protest filed with the Department regional office shall include a concise statement of the objections to the issuance of the Plan Approval or Operating Permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

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

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

PLAN APPROVALS

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

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

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

63-00968A: Markwest Liberty Midstream & Resources, LLC (1515 Arapahoe Street, Tower 1, Suite 1600, Denver, CO 80202) to install up to nine (9) 1,980 hp Waukesha P9390GSI rich burn engines with non-selective catalytic control to reduce NO_x, CO, VOC and formaldehyde emissions in **Washington County**.

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

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

24-016H: Keystone Powdered Metal Co. (251 State Street, Saint Marys, PA 15857) for an increase in emissions from greater utilization of an immersion cold cleaning degreaser machine at their facility in Saint Marys City, **Elk County**.

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

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

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

46-0278: Data Based Systems International, Inc. (DBSI) (1000 Adams Avenue, Audubon, PA 19403) for operation of six (6) diesel-fired emergency generator sets, each having an electrical production capacity 2.0 megawatts at their facility in Lower Providence Township,

Montgomery County. The plan approval is for a non-Title V, State-only facility. These were installed between 2008 and December 2011 and were previously exempted under the Department's Request for Determination (RFD) program. DBSI provides back-up electrical power to the medical industry during utility power outages and during electrical infrastructure maintenance and is applying to operate these engines more hours per year so as to be able to maintain the necessary back-up power supply that their customers demand. Aggregate NO_x emissions shall not exceed 24.56 tons in any 12 consecutive month period. The units are subject to the NSPS requirements found in 40 CFR 60, Subpart IIII. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-0026G: Global Packaging, Inc. (209 Brower Avenue, Oaks, PA 19456) for installation of a new flexographic printing press at its Oaks facility in Upper Providence Township, **Montgomery County**. This facility is a minor facility. The facility wide VOC emissions will stay below 25 tons per year. The combined HAP emissions will be below 25 tons per year. Each HAP emissions will stay below 10 tons per year. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

23-0004A: Covanta Delaware Valley, L.P. (10 Highland Avenue, City of Chester, PA 19013) for a project to use secondary effluent from the Chester DELCORA facility as make-up water for an existing cooling tower at their Delaware Valley facility. Covanta will treat the effluent with an ultrafiltration system (UF) and a reverse osmosis (RO) process to remove total dissolved solids (TDS) before circulating in an existing cooling tower at the facility in City of Chester, **Delaware County**. The cooling tower will be equipped with drift eliminators to reduce emissions of PM₁₀/PM_{2.5}. The overall project is expected to reduce PM₁₀/PM_{2.5} emissions with an annual limit of 2.39 tons per year. This facility is a Title V facility. The Plan Approval and Operating Permit will contain testing, monitoring and recordkeeping requirements and operating restrictions 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 Daniel Husted, New Source Review Chief—Telephone: 717-705-4863

06-05066I: Exide Technologies (P. O. Box 14294, Reading, PA 19612-4294) for their lead-acid battery recycling facility to include and implement control measures that will contribute to attainment of the 2008 Lead NAAQS in the North Reading Area, and modify existing Source ID 147—Refining Kettles at the their facility in Muhlenberg Township and Laureldale Borough, **Berks County**.

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

Plan Approval 06-05066I is to totally enclose certain existing buildings, add new control equipment, redirect

emissions from existing named sources to new or differently named control devices, eliminate some existing named control devices and modify existing Source ID 147—Refining Kettles. The company shall be subject to and comply with 40 CFR Part 63 Subpart X. 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 project will not trigger PSD or NSR requirements. The projected actual emission increases associated with the addition of two new refining kettles are 1.92 tpy of NO_x, 1.15 tpy of CO, 0.01 tpy of SO_x, 0.16 tpy of PM₁₀ and 1,640 tpy of CO_{2e}. Also, as a result of including and implementing the additional control measures of the proposed project, emissions of particulate matter and lead (Pb) emissions from the facility are expected to decrease.

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 below. 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, Air Quality 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, 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.

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

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

11-00356C: Peoples Natural Gas Company, LLC (1201 Pitt Street, Pittsburgh, PA 15221-2029) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (DEP) intends to issue Air Quality Plan Approval: PA-11-00356C to allow the installation and initial temporary operation of two new rich burn natural gas-fired compressor engines rated at 1,480 bhp each and controlled by three-way catalysts at the Laurel Ridge / Rager Mountain Compressor Station located in Jackson Township, **Cambria County**. One currently authorized natural gas-fired compressor engine rated at 1,340 bhp and one thermal oxidizer rated at 4.0 MMBtu/hr controlling emissions from dehydrators #1 and #2 are currently autho-

rized for temporary operation under PA-11-00356B and will be incorporated into this Plan Approval.

Potential to emit increases from the two new engines (including fugitive emissions) is estimated to be 5.72 tons of nitrogen oxides (NO_x), 5.72 tons of carbon monoxide (CO), 12.42 tons of volatile organic compounds (VOC), 1.96 tons of particulate matter (PM), 2.15 tons of total hazardous air pollutants (HAP), 0.42 tons of formaldehyde, and 18,414 tons of carbon dioxide equivalents (CO_{2e}) per year. Best available technology (BAT) for the proposed sources is combusting natural gas, rich burn combustion for each engine controlled by three-way catalysts, good combustion practices including the use of air to fuel ratio controllers and proper maintenance and operation. The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2, and 123.31; and Federal New Source Performance Standards (NSPS) including 40 CFR Part 60 Subpart JJJJ for spark ignition internal combustion engines. The reporting of greenhouse gas emissions in the form of CO₂ equivalent and on a mass basis has also been included in this Plan Approval. Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes NO_x, CO, and VOC emission limits, testing, work practice, monitoring, recordkeeping, and reporting conditions. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently submit either a Title V Operating Permit (TVOP) administrative amendment application or a revised TVOP renewal application as necessary in accordance with 25 Pa. Code Subchapters F and G.

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 Alan Binder, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-11-00356C) and a concise statement regarding the relevancy of the information or objections to issuance of the Plan Approval.

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

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

63-00969A: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street Tower 2, Suite 700, Denver, CO 80202-2126) to allow installation and initial temporary operation of eight new rich burn natural gas-fired compressor engines rated at 1,980 bhp each and controlled by three-way catalysts, and the increased throughput of a currently authorized dehydrator up to 130 MMscf/day at their Three Brothers Compressor Station in Smith Township, **Washington County**.

In accordance with 25 Pa. Code §§ 127.44—127.46, the Department of Environmental Protection (DEP) intends to issue Air Quality Plan Approval: PA-63-00969A to allow the installation and initial temporary operation of eight new rich burn natural gas-fired compressor engines rated at 1,980 bhp each and controlled by three-way catalysts, and the increased throughput of a currently authorized dehydrator up to 130 MMscf/day at the Three Brothers Compressor Station located in Smith Township, Washington County. Two currently authorized natural gas-fired compressor engines rated at 1,480 bhp each, one dehydrator (including reboiler) rated for 40 mmscf/day of natural gas, one gunbarrel separation tank with a capacity of 500

bbl, two condensate tanks with a capacity of 400 bbl each, and two produced water tanks with a capacity of 400 bbl each have previously been authorized for installation under GP5-63-00969.

Potential to emit from the facility (including currently authorized sources) is estimated to be 50.05 tons of nitrogen oxides (NO_x), 56.91 tons of carbon monoxide (CO), 43.22 tons of volatile organic compounds (VOC), 5.48 tons of particulate matter (PM), 4.73 tons of total hazardous air pollutants (HAP), 1.92 tons of formaldehyde, 1.02 tons of benzene, and 91,607 tons of carbon dioxide equivalents (CO₂e) per year. Best available technology (BAT) for the proposed sources is combusting natural gas, rich burn combustion for each engine controlled by three-way catalysts, good combustion practices including the use of air to fuel ratio controllers and proper maintenance and operation. The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2, and 123.31; and Federal New Source Performance Standards (NSPS) including 40 CFR Part 60 Subpart JJJJ for spark ignition internal combustion engines. The reporting of greenhouse gas emissions in the form of CO₂ equivalent and on a mass basis has also been included in this Plan Approval. Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes NO_x, CO, and VOC emission limits, testing, work practice, monitoring, recordkeeping, and reporting conditions. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

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 Alan Binder, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-63-00969A) and a concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

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

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

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

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

AMS: 11068A: Materials Processing Corp. (10551 Decatur Road, Philadelphia, PA 19154) to increase shredding rate capacity from 5000 lbs/hr (a 9,350 tons per year) to 12,000 lbs/hr (10,500 tons per year) of waste electronics scrap recycling plant in the City of Philadelphia, **Philadelphia County**. The process will consist of a shredder with an electric motor. Shredder emissions will vent to a baghouse. Potential emissions from the facility based on the plan approval emission limits are less than 3 tons per year of Particulate Matter less than 10 microns (PM₁₀). The plan approval will contain operating, testing, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

OPERATING PERMITS

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

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

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

36-05146: PPL Renewable Energy, LLC (2 North 9th Street, Allentown, PA 18101) for operation of two landfill gas-fired internal combustion engines at the Frey Farm-Creswell Landfill in Manor Township, **Lancaster County**. This is a renewal of the facility's Title V operating permit.

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

The subject facility has the potential-to-emit CO at a rate of 133 tpy, NO_x at 43 tpy, SO₂ at 43 tpy, PM at 19 tpy, VOCs at 7 tpy, and NMOCs at 8 tpy, and HAPs at 16 tpy. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

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

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

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

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

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

32-00230: Texas Eastern Transmission, L.P. (PO Box 1642, Houston, TX 77251) for operation of Armagh Compressor Station in West Wheatfield, **Indiana County**. This is a Title V application submittal due to facility emitting more than 100,000 tons/yr of greenhouse gas pollutants.

32-00059: GenOn Northeast Management Co. (121 Champion Way, Suite 200, Canonsburg, PA 15317) for operation of the Conemaugh Power Plant in West Wheatfield Township, **Indiana County**. This is a Title V (Acid Rain) operating permit renewal application submittal.

04-00699: NGC—d/b/a National Gypsum Co. (168 Shippingport Hill Road, Shippingport, PA 15077) for manufacturing gypsum products at their Shippingport Plant in Shippingport Borough, **Beaver County**. This is a Title V application submittal due to the facility emitting more than 100,000 tons/yr of greenhouse gas pollutants.

63-00936: Mark West Liberty Midstream & Resources LLC (1515 Arapahoe Street, Tower 1, Suite 1600, Denver, CO 80202) a Title V submittal is needed due to facility emitting more than 100,000 tons/yr of greenhouse gas pollutants at the Houston gas processing in Chartiers Township, **Washington County**.

30-00087: Emerald Coal Resources, LP (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370) for bituminous coal underground mining at the Emerald Mine in Franklin Township, **Greene County**. This is a Title V application submittal due to the facility emitting more than 100,000 tons/yr of greenhouse gas pollutants.

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

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

61-00147: PA DPW Mental Retardation Center—Polk Center (Route 62, Polk, PA 16342) for renewal of a Title V permit to operate a small Psychiatric Hospital in Polk Borough, **Venango County**. Polk Center is a small psychiatric hospital. The facility's major emission sources include, 1) Boiler 600 HP, 2) Boiler 600 HOP, 3) Boiler 600 HP, 4) Miscellaneous combustion units (2.5 MMBTU/Hr), 5) Existing emergency or stand by generators, 6) Degreaser Unit and 7) Kohler 1880 HP, Diesel Generator in at substation.

The potential emissions of the pollutants from the facility are, NO_x: 95.8 TPY (tons per year), VOC: 34.4, SO_x: 997.9, PM-10: 250.5 and CO: 105.5. Thus, the permit became Title V. The natural gas and diesel fuel electric generators (Source ID #101) and Kohler, 1880 HP, Diesel powered electric generator (Source ID #103) are subject to 40 CFR Part 63, Subpart ZZZZ and 40 CFR Part 60, Subpart IIII respectively.

62-00018: Warren State Hospital (33 Main Drive, North Warren, PA 16365-5001) for a Title V Operating Permit Re-issuance to operate a State Hospital Facility in Conewange Township, **Warren County**. The significant sources at this facility are a wood fired boiler, two (2) natural gas fired boilers, various small space and water heaters, and nine (9) emergency power generators. The conditions of the previous plan approvals and operating permit were incorporated into the renewal permit. The wood fired boiler is subject to 40 CFR 63, Subpart JJJJJJ pertaining to NESHAPs for Industrial, Commercial, and Institutional Boilers at Area Sources of HAP emissions. The newer emergency power generators are subject to 40 CFR 60, Subpart IIII. The potential emissions from this facility are as follows: 93.2 TPY PM₁₀; 53.5 TPY NO_x; 1.5 TPY SO₂; 168.5 TPY CO; and 17.4 TPY VOC.

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

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

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

09-00056: GE Betz, Inc. (4636 Somerton Road, Trevese, PA 19053) for renewal of a State Only Operating Permit in Bensalem Township, **Bucks County**. The renewal permits is for several combustion sources including boilers and generators, and a pilot plant. The facility no longer operates its Pilot Coil Coating Unit (Source ID 104), and therefore, has been removed from the list sources. No new sources have been added and there have been no changes to any of the existing sources. GE Betz, Inc. is categorized as a synthetic minor facility for NO_x emissions. The permit includes monitoring, record keeping and reporting requirements designed to address all applicable air quality requirements.

46-00224: Harleysville Mutual Insurance, Co. (355 Maple Avenue, Harleysville, PA 19438) for the renewal of a State Only, Synthetic Minor Operating Permit in Lower Salford Township, **Montgomery County**. The renewal permit is for two boilers, two emergency generators, and one hot water heater. This proposed renewal of the Operating Permit does not authorize any increase in air emissions of regulated pollutants above previously approved levels. The facility maintains a synthetic minor operating status by maintaining total NO_x emissions to less than 25 tons per year. The permit includes 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

48-00080: Belyea Co., Inc. (2200 Northwood Avenue, Easton, PA 18045-2208) plating and polishing facility for operation of a spray paint booth in Palmer Township, **Northampton County**. The proposed State-only Operating Permit contains other applicable requirements for emissions limitations, monitoring, recordkeeping, reporting and work practice standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

67-05084: York Wallcoverings, Inc. (2075 Loucks Road, York, PA 17404) for operation of a wallpaper manufacturing facility in West Manchester Township, **York County**.

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

Actual 2011 emissions at the facility are estimated to be 12.8 tons of VOCs and less than one ton each of PM₁₀, CO, SO_x, NO_x and combined 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 40 CFR Part 60, Subpart FFF—Standards of Performance for Flexible Vinyl and Urethane Coating and Printing.

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

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

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

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

67-03041: County Line Wrightsville Quarry (740 S Front Street, Wrightsville, PA 17368) produces various grades of crushed quartzite and products transit mixed concrete Wrightsville Borough, **York County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit renewal for the abovementioned facility. The estimated potential emissions of the facility are 45 tons of PM per year and 20 tons of PM-10 per year. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

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

Daniel C. Husted, New Source Review Chief, may be contacted at 717-705-4863, or at PA DEP Air Quality

Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

36-05115: MGS, Inc. (178 Muddy Creek Church Road, Denver, PA 17517) for the manufacturing and painting of trailer chassis in East Cocalico Township, **Lancaster County**. This is a renewal of the facility's State-only operating permit.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to renew an Air Quality Operating Permit for the abovementioned facility. The facility has annual emissions of approximately 5.90 tons of VOCs and 1.24 tons 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 both 25 Pa. Code §§ 129.52 and 129.63.

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

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

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

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

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

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

48-00080: Belyea Co., Inc. (2200 Northwood Avenue, Easton, PA 18045-2208) a plating and polishing facility for operation of a spray paint booth in Palmer Township, **Northampton County**. The proposed State-only Operating Permit contains other applicable requirements for emissions limitations, monitoring, recordkeeping, reporting and work practice standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

RACT - OP-65-000-853: ArcelorMittal Monessen LLC (345 Donner Avenue, Monessen, PA 15062)

In accordance with 25 Pa. Code §§ 127.42, 127.425 and 127.426, and 40 CFR 51.102, the Department of Environmental Protection (DEP) is providing notice that it in-

tends to conduct a Public Hearing on Thursday, August 30, 2012 at 1:00 p.m. Hearing will be held in Conference Rooms Waterfront A&B located at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. DEP proposes to issue a revised Reasonably Available Control Technology Operating Permit (RACT OP-65-000-853) to ArcelorMittal LLC for the Monessen Coke Plant located in Monessen, **Westmoreland County**. The Public Hearing is being conducted to accept testimony regarding the proposed revised RACT OP-65-000-853 and the proposed revision to Pennsylvania's State Implementation Plan (SIP). When issued, the revised RACT OP-65-000-853 will be submitted to the United States Environmental Protection Agency as a revision to Pennsylvania's SIP as codified at 40 CFR 52, Subpart NN. This Public Hearing is being held for the purpose of receiving comments on the proposed revised RACT OP-65-000-853 and the proposed SIP revision.

The Monessen Coke Plant is of a byproduct recovery design. Sources included two Coke Oven Gas Fired Boilers, Coal and Coke Handling, Coke Oven Batteries 1B and 2, Coke Quenching and a Byproduct Recovery Plant where ammonia, light oils (primarily benzene, toluene, xylene), tar, tar derivatives, heavy hydrocarbons, and

other chemical compounds are recovered from Coke Oven Gas. Emissions associated with Coke Oven Batteries 1B and 2 arise from Charging, Soaking, Pushing, and Combustion Stacks.

Only the allowable emissions of volatile organic compounds (VOCs) and nitrogen oxides (NO_x) from the Coke Oven Batteries 1B and 2 Combustion Stacks are affected by this proposed action. Allowable VOC and NO_x emissions from these sources were originally established by DEP based on the RACT Proposal submitted by Monessen, Inc. (a wholly owned subsidiary of Sharon Specialty Steel, Inc.) in 1994. The current owner, ArcelorMittal LLC, has requested that these allowables be revised. Permittee has provided the results of 14 years of stack tests, and a revised technical feasibility analysis for possible control of NO_x and VOC emissions. Based on the information provided, and the Department's analysis, revised limits for NO_x and VOC emissions from the Coke Oven Batteries 1B and 2 Combustion Stacks are being proposed as shown below. These revised emission limits are not the result of any reconstruction or modification to Coke Oven Batteries 1B and 2. No equipment changes are being sought by Permittee, and none will be authorized by this action.

<i>Emission Unit</i>	<i>1998 NO_x RACT</i>	<i>Proposed NO_x RACT</i>	<i>1998 VOC RACT</i>	<i>Proposed VOC RACT</i>
Coke Battery 1B Combustion Stack	60.7 lb/hr 286.0 tpy	81.5 lb/hr 357.0 tpy	0.3 lb/hr 1.0 tpy	5.0 lb/hr 21.9 tpy
Coke Battery 2 Combustion Stack	55.4 lb/hr 246 tpy	59.4 lb/hr 260.2 tpy	0.5 lb/hr 1.69 tpy	6.6 lb/hr 28.9 tpy

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public inspection during normal business hours at DEP, 400 Waterfront Drive, Pittsburgh, PA 15222. The public is invited to present testimony at the hearing and should contact Mr. John Poister at (412) 442-4000 to reserve a time to present testimony. Oral testimony will be limited to ten minutes for each presenter. Each group or organization is requested to designate one witness to present testimony on its behalf. Commenters shall provide two written copies of their remarks at the time of the hearings. Requests to provide oral testimony must be submitted to DEP on or before August 29, 2012.

Those who are unable to attend the hearing, but wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the proposed, revised RACT OP-65-000-853 and submittal of the proposed, revised RACT OP-65-00853 to EPA as a SIP revision, may submit the information to Barbara Hatch, Environmental Engineer Manager, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. All written comments must be received on or before September 10, 2012. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (specify RACT OP-65-00853) and a concise statements regarding the relevancy of the information or objections to issuance of the Title V Operating Permit.

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

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

N12-011: (SEPTA-Comly Bus Shop (Penn and Comly Streets, Philadelphia, PA 19149) for the operation of the following: two (2) 10.5 MMBtu/hr boiler, each firing natural gas or #2 fuel oil; one (1) 5.25 MMBtu/hr boiler firing natural gas or #2 fuel oil; one (1) 0.56 MMBtu/hr, one 65 kilowatt emergency generator firing natural gas, and stage 2 vapor recovery unit in the City of Philadelphia, **Philadelphia County**.

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

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

N12-015: (SEPTA-Woodland Trolley Shop, 4901 Woodland Avenue, Philadelphia, PA 19143) for installing two (2) each 7.91 MMBTU/hr, one (1) .42 MMBTU/hr boilers firing No. 2 and Natural gas, and one (1) Stage 2 Vapor Recovery Unit, one Trolley Spray Paint Booth, one (1) Baghouse, and a Spray can paint booth.

The operating permit will be issued under the 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting

information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

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

N12-029: US Postal Service (7500 Lindberg Boulevard Philadelphia, PA 19176) for the operation of a United States Postal Service in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include Three (3) Boilers less than 8 MMBTU/hr firing natural gas, One (1) Emergency generator firing diesel fuel oil, Six (6) Hot water and air heaters less than 0.5 MMBTU/hr firing natural gas, Fifty-two (52) heaters less than 100,000 BTU/hr firing natural gas.

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

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

OPERATING PERMITS

PUBLIC HEARINGS

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

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

RACT OP-65-000-853: (ArcelorMittal Monessen LLC, 345 Donner Avenue, Monessen, PA 15062) In ac-

cordance with 25 Pa. Code §§ 127.42, 127.425 and 127.426, and 40 CFR 51.102, the Department of Environmental Protection (DEP) is providing notice that it intends to conduct a Public Hearing on Thursday, August 30, 2012 at 1:00 p.m. The Hearing will be held in Conference Rooms Waterfront A&B located at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. DEP proposes to issue a revised Reasonably Available Control Technology Operating Permit (RACT OP-65-000-853) to ArcelorMittal LLC for the Monessen Coke Plant located in Monessen, **Westmoreland County**. The Public Hearing is being conducted to accept testimony regarding the proposed revised RACT OP-65-000-853 and the proposed revision to Pennsylvania's State Implementation Plan (SIP). When issued, the revised RACT OP-65-000-853 will be submitted to the United States Environmental Protection Agency as a revision to Pennsylvania's SIP as codified at 40 CFR 52, Subpart NN. This Public Hearing is being held for the purpose of receiving comments on the proposed revised RACT OP-65-000-853 and the proposed SIP revision.

The Monessen Coke Plant is of a byproduct recovery design. Sources included two Coke Oven Gas Fired Boilers, Coal and Coke Handling, Coke Oven Batteries 1B and 2, Coke Quenching and a Byproduct Recovery Plant where ammonia, light oils (primarily benzene, toluene, xylene), tar, tar derivatives, heavy hydrocarbons, and other chemical compounds are recovered from Coke Oven Gas. Emissions associated with Coke Oven Batteries 1B and 2 arise from Charging, Soaking, Pushing, and Combustion Stacks.

Only the allowable emissions of volatile organic compounds (VOCs) and nitrogen oxides (NO_x) from the Coke Oven Batteries 1B and 2 Combustion Stacks are affected by this proposed action. Allowable VOC and NO_x emissions from these sources were originally established by DEP based on the RACT Proposal submitted by Monessen, Inc. (a wholly owned subsidiary of Sharon Specialty Steel, Inc.) in 1994. The current owner, ArcelorMittal LLC, has requested that these allowables be revised. Permittee has provided the results of 14 years of stack tests, and a revised technical feasibility analysis for possible control of NO_x and VOC emissions. Based on the information provided, and the Department's analysis, revised limits for NO_x and VOC emissions from the Coke Oven Batteries 1B and 2 Combustion Stacks are being proposed as shown below. These revised emission limits are not the result of any reconstruction or modification to Coke Oven Batteries 1B and 2. No equipment changes are being sought by Permittee, and none will be authorized by this action.

<i>Emission Unit</i>	<i>1998 NO_x RACT</i>	<i>Proposed NO_x RACT</i>	<i>1998 VOC RACT</i>	<i>Proposed VOC RACT</i>
Coke Battery 1B	60.7 lb/hr	81.5 lb/hr	0.3 lb/hr	5.0 lb/hr
Combustion Stack	286.0 tpy	357.0 tpy	1.0 tpy	21.9 tpy
Coke Battery 2	55.4 lb/hr	59.4 lb/hr	0.5 lb/hr	6.6 lb/hr
Combustion Stack	246 tpy	260.2 tpy	1.69 tpy	28.9 tpy

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public inspection during normal business hours at DEP, 400 Waterfront Drive, Pittsburgh, PA 15222. The public is invited to present testimony at the hearing and should contact Mr. John Poister at (412)

442-4000 to reserve a time to present testimony. Oral testimony will be limited to ten minutes for each presenter. Each group or organization is requested to designate one witness to present testimony on its behalf. Commenters shall provide two written copies of their remarks at the time of the hearings. Requests to provide

oral testimony must be submitted to DEP on or before August 29, 2012.

Those who are unable to attend the hearing, but wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the proposed, revised RACT OP-65-000-853 and submittal of the proposed, revised RACT OP-65-00853 to EPA as a SIP revision, may submit the information to Barbara Hatch, Environmental Engineer Manager, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. All written comments must be received on or before September 10, 2012. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (specify RACT OP-65-00853) and a concise statement regarding the relevancy of the information or objections to issuance of the Title V Operating Permit.

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

11841603 and NPDES No. PA0235377 and GP12-11841603. AMFIRE Mining Company, LLC, (One Energy Place, Latrobe, PA 15650). To renew the permit for the Portage Plant in Portage Township, **Cambria County** and related NPDES permit. Includes renewal of Air Quality GPA/GP-12 Authorization. No additional discharges. The application was considered administratively complete on July 5, 2012. Application received: January 20, 2012.

14831301 and NPDES No. PA008966. Pennsylvania Mines, LLC, (2 North 9th Street, Allentown, PA 18101). To renew the permit for the Rushton Mine in Rush and Decatur Townships, **Centre County** and related NPDES permit for reclamation/water treatment only. No additional discharges. The application was considered administratively complete on July 5, 2012. Application received: October 27, 2011.

56841606 and NPDES No. PA0110507 and GP12-56841606, (Brothersvalley Coal Sales, Inc.). 3070 Stoystown Road, Stoystown, PA 15563). To renew the permit for the Scurfield Coal Preparation Plant in Brothersvalley Township, **Somerset County** and related NPDES permit. Includes authorization request for an Air Quality GPA/GP-12 General Permit based on annual raw coal throughput of 200,000 tons per calendar year. No additional discharges. The application was considered administratively complete on July 6, 2012. Application received: November 17, 2011.

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

3473SM8 and NPDES Permit No. PA0200590. M. B Energy, Inc. (175 McKnight Road, Blairsville, PA 15717). NPDES renewal application for the passive treatment of a discharge, located in Derry Township, **Westmoreland County**, affecting 15.5 acres. Receiving stream: unnamed tributary to Loyalhanna Creek, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: June 22, 2012.

03050103 and NPDES Permit No. PA0250691. Original Fuels, Inc. (P. O. Box 34, Punxsutawney, PA 15767). Revision application for additional acreage and a variance to conduct mining activities within 100 foot stream barrier and construct a stream crossing to an unnamed tributary to the Allegheny River for an existing bituminous surface mine, located in Madison Township, **Armstrong County**, affecting 163.5 acres. Receiving streams: unnamed tributary to Allegheny River and Allegheny River, classified for the following use: WWF. The potable water supply intake within 10 miles downstream from the point of discharge: Allegheny River. Revision application received: June 29, 2012.

03120101 and NPDES Permit No. PA0252204. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Application for commencement, operation and reclamation of a bituminous surface mine, located in Freeport Borough and South Buffalo Township, **Armstrong County**, affecting 111.6 acres. Receiving

streams: unnamed tributary to Buffalo Creek and Buffalo Creek, classified for the following use: TSF. The potable water supply intake within 10 miles downstream from the point of discharge: Harrison Township Water Authority. Application received: July 2, 2012.

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

33060104. MSM Coal Company, Inc. (P. O. Box 243, DuBois, PA 15801) Renewal of an existing bituminous surface mine in Knox Township, **Jefferson County** affecting 38.9 acres. Receiving streams: Unnamed tributary to Five Mile Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. This renewal is for reclamation only. Application received: July 5, 2012.

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

13-305-001GP12. Hazleton Shaft Corp., (P. O. Box 435, Hazleton, PA 18201), application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Pagnotti Enterprises, Inc. Surface Mining Permit No. 13743002C10 in Banks and Hazle Townships, **Carbon and Luzerne Counties**. Application received: June 20, 2012.

40-305-010GP12. HUD, Inc. t/a Emerald Anthracite II, (P. O. Box 27, Nanticoke, PA 18634), application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 40823205 in Hanover Township and Warrior Run Borough, **Luzerne County**. Application received: June 26, 2012.

Noncoal Applications Received

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

58060822. Douglas P. Pascoe, (2049 SR 2009), Hop Bottom, PA 18824), Stage I & II bond release of a quarry operation in New Milford Township, **Susquehanna County** affecting 2.0 acres, on property owned by Harry Squares, Damian LaRosa and Stephen Hedenus. Application received: June 11, 2012.

58960808. Terry Hunsinger, (588 Brown Road, Laceyville, PA 18623), Stage I & II bond release of a quarry operation in Rush Township, **Susquehanna County** affecting 4.0 acres on property owned by Terry, Charles and David Hunsinger. Application received: June 15, 2012.

7874SM2A1C9 and NPDES Permit No. PA0612880. Eastern Industries, Inc., (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034), correction to an existing NPDES for discharge of treated mine drainage from a quarry operation in North Whitehall Township, **Lehigh County** affecting 114.0 acres, receiving stream: Coplay Creek, classified for the following use: cold water fishes. Application received: June 20, 2012.

64940803. Daniel J. Kennedy, (479 Ash Street, Honesdale, PA 18631), Stage I & II bond release of a quarry operation in Berlin and Damascus Townships, **Wayne County** affecting 3.5 acres on property owned by Caroline Kennedy. Application received: June 26, 2012.

58020819. Robert Ross, (PO Box 162, Hop Bottom, PA 18824), Stage I & II bond release of a quarry operation in Lathrop Township, **Susquehanna County** affecting 1.0

acre on property owned by Dean & Karolina Fero. Application received: June 26, 2012.

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

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

E54-352. Sunesys, LCC, 185 Titus Avenue, War-rington, PA 18976, in West Brunswick Township, **Schuyl-kill County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain an aerial fiber optic line attached to existing wooden poles across the Little Schuylkill River (CWF, MF). The activity is associated with Sunesys-PennREN Fiber Optic Project. The project is located approximately 80 feet downstream of the SR 61 (Centre Turnpike) Bridge over the Little Schuylkill River (Auburn, PA Quadrangle, Latitude: 40°36'21.6"; Longitude: -76°1'46.9").

E35-439. Sunesys, LCC, 185 Titus Avenue, War-rington, PA 18976, in Clifton Township, **Lackawanna County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain an aerial fiber optic line attached to existing wooden poles across the Lehigh River (EV, MF). The activity is associated with Sunesys-PennREN Fiber Optic Project. The project is located immediately downstream of the SR 435 (Drinker Turnpike) Bridge over the Lehigh River (Thornhurst, PA Quadrangle, Latitude: 41°14'11.8"; Longitude: -75°30'2.4").

E40-732. Plymouth Township, 925 West Main Street, Plymouth, PA 18651, in Plymouth Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To place and maintain fill in the floodway fringe of Harvey's Creek for the purpose of constructing a secondary access road to the Tilbury Estates Development. The project is located immediately north of the intersection of East Poplar Street and Allen Street (Nanticoke, PA Quadrangle, Latitude: 41°13'22"; Longitude: -76°0'48.7").

E40-731. Earth Conservancy, 101 South Main Street, Ashley, PA 18706, in Hanover Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with the Askam Borehole Acid Mine Discharge Remediation Project:

1. To construct and maintain an on-stream settling pond having a surface area of approximately 1.33 acres and a depth of 10 feet in Nanticoke Creek, with a high-volume aeration/oxidizing unit at the pond inlet.

2. To construct and maintain a 570-foot long "high-flow" riprap-lined trapezoidal bypass channel around the settling pond, having an 18-foot bottom width and 1.5 to 1 side slopes.

3. To construct and maintain a 250-foot long channel change in Nanticoke Creek immediately upstream of the settling pond. The channel change consists of a riprap-lined trapezoidal channel, having an 18-foot bottom width and 1.5 to 1 side slopes.

The project will impact approximately 1.6 acres of wetlands and 800 feet of stream channel.

The project is located on the west side of Dundee Road immediately north of the S.R. 0029 Overpass (Wilkes-Barre West, PA Quadrangle, Latitude: 41°12'1"; Longitude: -75°57'58").

E64-294. Forrest Shafer, 1232 Crosstown Highway, Lakewood, PA 18439, in Preston Township, **Wayne County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 4-inch diameter PVC concrete encased sanitary sewer line crossing of a tributary to Equinunk Creek. The project is located immediately south of the intersection of SR 0370 (Crosstown Highway) and Reynolds Road (Orson, PA Quadrangle, Latitude: 41°51'8.4"; Longitude: -75°24'4.8").

E45-576. Sanofi Pasteur, Inc., Discovery Drive, Route 611, P. O. Box 187, Swiftwater, PA 18370, in Pocono Township, **Monroe County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 6-inch diameter steel gas pipeline attached to an existing utility bridge over Swiftwater Creek (EV) (Latitude: 41° 05' 38.1"; Longitude: -75° 19' 12.7") and to construct and maintain a 12-inch diameter steel gas pipeline attached to a second existing utility bridge over Swiftwater Creek (EV) and adjacent wetlands (Latitude: 41° 05' 38.6"; Longitude:

-75° 19' 23.4"). The project is located within the Sanofi Pasteur Campus on the south side of Laurel Drive (Mount Pocono, PA Quadrangle, Latitude: 41°05'38.1"; Longitude: -75°19'12.7").

E64-293. William C. & Julia C. Roudi, 3 Driftwood Road, Parlin, NJ 08859, in Lehigh Township, **Wayne County**, U.S. Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a 20-foot by 20-foot dock on precast concrete piers in Pocono Peak Lake (EV). The project is located at 15 G Place at Pocono Springs Estates (Sterling, PA Quadrangle, Latitude: 41°16'50"; Longitude: -75°24'07").

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

E41-631. Borough of Jersey Shore, Randall K. Webster. Thompson Street Park, in Borough of Jersey Shore, **Lycoming County**, ACOE Baltimore District (Jersey Shore, PA Quadrangle N: 41°12'6.4"; W: -77°15'33).

To construct and maintain: 1) a new 10,990 square foot playground by replacing the existing grass with a wood mulch play surface and its associated gravel encased perforated pipe underdrain system creating a 5,021 cubic feet (CF) cut in the left 100 year-year floodplain; 2) an 18-foot by 24-foot open-sided pavilion creating an fill of 3.7 CF in the left 100 year-year floodplain; 3) a new 22.5-foot by 25-foot concrete block restroom with associated flood vents creating a fill of 525 CF in the left 100-year floodplain; 4) the proposed fill and sidewalks around the new buildings will produce a fill of 2,009 CF in the left 100-year floodplain of Lawshee Run; 5) Install a 4-inch pipe outfall with subsurface concrete end wall in the left bank of Lawshee Run for subsurface draining of the playground. This project proposes to directly impact 2 linear feet of Lawshee Run, which is classified as a Warm Water Fishery.

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

E25-748, Erie County Convention Center Authority, 809 French Street, Erie, PA 16501. Sea Wall & Stream Enclosure, in City of Erie, **Erie County**, ACOE Pittsburgh District (Erie North, PA Quadrangle N: 42°, 8', 4"; W: -80°, 5', 29").

To construct and maintain approximately 900 feet of steel sheet pile seawall and an approximately 500 feet long enclosure of an unnamed tributary to Presque Isle Bay (WWF) as part of the redevelopment of the former GAF bay front property within Lake Erie's Presque Isle Bay at a point nearly 1200 feet west of the State Street and Bayfront Parkway intersection.

E33-247, PA DOT, District 10-0, 2550 Oakland Ave., PO Box 429, Indiana, PA 15701. SR 0830 Section 552 across Beaverdam Run, in Washington Township, **Jefferson County**, ACOE Pittsburgh District (Falls Creek, PA Quadrangle N: 41°, 10', 37.0"; W: -78°, 50', 42.0").

To remove the existing concrete t-beam bridge and construct and maintain a 58.8 foot single span steel beam bridge with an out to out width of 39.4 feet along SR 0830 Segment 0210 offset 0012 across Beaverdam Run (HQ-CWF) permanently filling 0.099 acre of palustrine emergent (PEM) wetland and 0.022 acre of palustrine scrub shrub (PSS) wetland, approximately 1/5 mile west of Rockdale located in Washington Township, Jefferson County. Permittee will debit Dubois-Jefferson wetland mitigation bank for permanent wetland impacts.

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

E5929-032: SWEPI LP, 190 Thorn Hill Road, Warrendale, PA 15086, Charleston and Richmond Townships, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) temporary road crossings using wood mat bridges, a 10 inch diameter fresh waterline, a 24 inch diameter natural gas line, and a fiber optic cable impacting 4,200 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Crooked Creek, PA Quadrangle 41°47'21"N 77°10'53"W);

2) a temporary road crossing using a wood mat bridge, a 10 inch diameter fresh waterline, a 24 inch diameter natural gas line, and a fiber optic cable impacting 769 square feet of a palustrine emergent (PEM) wetland (Crooked Creek, PA Quadrangle 41°47'18"N 77°10'43"W);

3) a temporary road crossing using a wood mat bridge impacting 429 square feet of a palustrine emergent (PEM) wetland (Crooked Creek, PA Quadrangle 41°47'13"N 77°10'32"W);

4) a temporary road crossing using a wood mat bridge, a 10 inch diameter fresh waterline, a 24 inch diameter natural gas line, and a fiber optic cable impacting 1,354 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Crooked Creek, PA Quadrangle 41°47'11"N 77°10'25"W);

5) a temporary road crossing using a wood mat bridge, a 10 inch diameter fresh waterline, a 24 inch diameter natural gas line, and a fiber optic cable impacting 761 square feet of an exceptional value palustrine scrub-shrub (EV-PSS) wetland (Crooked Creek, PA Quadrangle 41°46'59"N 77°10'05"W);

6) a temporary road crossing using a wood mat bridge, a 10 inch diameter fresh waterline, a 24 inch diameter natural gas line, and a fiber optic cable impacting 1,426 square feet of an exceptional value palustrine scrub-shrub (EV-PSS) wetland (Crooked Creek, PA Quadrangle 41°46'46"N 77°09'58"W);

7) a 10 inch diameter fresh waterline, a 24 inch diameter natural gas line, and a fiber optic cable impacting 590 square feet of a palustrine emergent (PEM) wetland (Crooked Creek, PA Quadrangle 41°46'50"N 77°10'00"W);

8) a 10 inch diameter fresh waterline, a 24 inch diameter natural gas line, and a fiber optic cable impacting 712 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Crooked Creek, PA Quadrangle 41°46'39"N 77°10'07"W);

9) a temporary road crossing using a wood mat bridge, a 10 inch diameter fresh waterline, a 24 inch diameter natural gas line, and a fiber optic cable impacting 3,346 square feet of a palustrine emergent (PEM) wetland (Crooked Creek, PA Quadrangle 41°46'33"N 77°10'17"W).

The project will result in 13,587 square feet (0.31 acre) of temporary wetland impacts all for the purpose of installing a fresh waterline, a natural gas line, a fiber optic cable, and associated access roads in Charleston and Richmond Townships, Tioga County.

E5829-032: PVR NEPA Gas Gathering, LLC, 100 Penn Tower Suite 201/202, Williamsport, PA; Lathrop and Lenox Townships, and Hop Bottom Borough, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. a temporary timber mat crossing impacting 111 lineal feet of unnamed tributary to Martins Creek (Hop Bottom, PA Quadrangle; Lat. 41° 41' 37", Long. -75° 46' 55");

2. an 8 inch diameter natural gas pipeline and timber mat crossing impacting 8,380 square feet (0.19 acre) of a PEM wetland (Auburn Center, PA Quadrangle; Lat. 41° 41' 48", Long. -75° 46' 38");

3. an 8 inch diameter natural gas pipeline and temporary timber mat crossing impacting 58 lineal feet of unnamed tributary to Martins Creek (Hop Bottom, PA Quadrangle; Lat. 41° 41' 48", Long. -75° 46' 38");

4. an 8 inch diameter natural gas pipeline and temporary timber mat crossing impacting 65 lineal feet of unnamed tributary to Martins Creek (Hop Bottom, PA Quadrangle; Lat. 41° 41' 48", Long. -75° 46' 36");

5. an 8 inch diameter natural gas pipeline and temporary timber mat crossing impacting 591 lineal feet of unnamed tributary to Martins Creek (Hop Bottom, PA Quadrangle; Lat. 41° 42' 02", Long. -75° 46' 11");

6. an 8 inch diameter natural gas pipeline and temporary timber mat crossing impacting 97 lineal feet of unnamed tributary to Martins Creek (Hop Bottom, PA Quadrangle; Lat. 41° 42' 02", Long. -75° 46' 13");

7. an 8 inch diameter natural gas pipeline crossing impacting 56 lineal feet of Martins Creek (Hop Bottom, PA Quadrangle; Lat. 41° 41' 59", Long. -75° 46' 02");

8. an 8 inch diameter natural gas pipeline crossing impacting 31 lineal feet of unnamed tributary to Martins Creek (Hop Bottom, PA Quadrangle; Lat. 41° 41' 59", Long. -75° 46' 00");

9. an 8 inch diameter natural gas pipeline crossing impacting 31 lineal feet of unnamed tributary to Martins Creek (Hop Bottom, PA Quadrangle; Lat. 41° 41' 58", Long. -75° 45' 57");

10. an 8 inch diameter natural gas pipeline crossing impacting 57 lineal feet of unnamed tributary to Martins Creek (Hop Bottom, PA Quadrangle; Lat. 41° 41' 57", Long. -75° 45' 56");

11. a timber mat crossing impacting 534 square feet (0.01 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; Lat. 41° 42' 00", Long. -75° 45' 41");

12. an 8 inch diameter natural gas pipeline and timber mat crossing impacting 741 square feet (0.02 acre) of a PFO wetland (Hop Bottom, PA Quadrangle; Lat. 41° 41' 46", Long. -75° 45' 41");

13. an 8 inch diameter natural gas pipeline and timber mat crossing impacting 75 lineal feet of unnamed tributary to Martins Creek (Hop Bottom, PA Quadrangle; Lat. 41° 41' 38", Long. -75° 45' 39");

14. a timber mat crossing impacting 2,420 square feet (0.06 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; Lat. 41° 41' 38", Long. -75° 45' 18");

15. an 8 inch diameter natural gas pipeline and timber mat crossing impacting 2,420 square feet (0.06 acre) of a PEM wetland (Auburn Center, PA Quadrangle; Lat. 41° 41' 16", Long. -75° 45' 00");

16. an 8 inch diameter natural gas pipeline and timber mat crossing impacting 37 lineal feet of unnamed tributary to Willow Brook (Hop Bottom, PA Quadrangle; Lat. 41° 41' 16", Long. -75° 44' 59");

The Taylor 8" Lateral Unit 1H Natural Gas gathering line project will convey natural gas from the Taylor well pad and convey it to the existing Korban to Phelps Natural Gas pipeline located in Lathrop Township, Susquehanna County and to existing the Transco Gas Transmission Line in Dallas Township, Luzerne County. The project will result in 1,033 linear feet (6,525 square feet) of temporary stream impacts and a total of 0.50 acre (21,883 square feet) of wetland impacts all for the purpose of conveyance of natural gas from the Marcellus Shale to market.

Central Office: Bureau of Waterways Engineering and Wetlands, 400 Market Street, Floor 3, PO Box 8460, Harrisburg, PA 17105-8460

MB9915-0001. First Pennsylvania Resource LLC, 1738 E. Third Street, #175, Williamsport, PA 17701. Statewide Coverage, ACOE Baltimore, Philadelphia and Pittsburgh Districts.

An application to operate aquatic resource mitigation banks within the Commonwealth of Pennsylvania has been received. A draft instrument has been submitted to the ACOE Districts and PA DEP detailing the operations and development of mitigation banks sites across the Commonwealth. The application is being concurrently process by the ACOE in accordance with the Federal mitigation rule requirements. The application details the establishment of the bank sites, financial assurances, long term ownerships and maintenance as well as other aspects of mitigation bank development as required in the Federal rules.

The applicant intends to construct, restore and/or enhance aquatic resources for the purpose of selling mitiga-

tion credits to meet State and Federal compensatory mitigation requirements.

MB9915-0001a. First Pennsylvania Resource, 1738 E. Third Street, Williamsport, PA 17701. Harrison Township, **Potter County**, ACOE Baltimore District.

To construct the Upper Susquehanna River Mitigation Bank Site consisting of restoring 1,942 linear feet of stream and associated floodplains and wetlands. The project may provide compensatory mitigation credits within the PA State Water Plan Subbasin 04 provided application MB9915-0001 is approved. The restoration activity will vary along the course of the stream depending upon conditions, approximately 16 acres of floodplains will be reestablished and/or re-forested and 0.5 acre of wetlands will be re-forested. Additional uplands plantings are proposed to re-forest areas adjacent to the floodplain. Location Decimal Degrees: 41.942717 N, -77.623021 W.

MB9915-0001b. First Pennsylvania Resource, 1738 E. Third Street, Williamsport, PA 17701. Anthony Township, **Lycoming County**, ACOE Baltimore District.

To construct the Headwaters of Larrys Creek Mitigation Bank Site consisting of restoring 1,644 linear feet of stream and associated floodplains and wetlands. The project may provide compensatory mitigation credits within the PA State Water Plan Subbasin 10 provided application MB9915-0001 is approved. The restoration activity will vary along the course of the stream depending upon conditions, approximately 18.49 acres of floodplains will be reestablished and/or re-forested and 4.93 acres of wetlands will be re-forested. Additional uplands plantings are proposed to re-forest areas adjacent to the floodplain. Location Decimal Degrees: 41.306455 N, -77.189276 W.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users

may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0032166 (Sewage)	Delaware Valley School District STP 236 Rte 6/209 Milford, PA 18337	Pike County Westfall Township	Delaware River (1-D)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0114057 (Sewage)	White Deer Run Inc. STP PO Box 97 Allenwood, PA 17810-0097	Union County	White Deer Hole Creek (10-C)	Y

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

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

NPDES Permit No. PAS222204, Storm Water, SIC Code 2542, **Consolidated Storage Co. Inc.**, 225 Main Street, Tatamy, PA 18085-0429.

This proposed facility is located in Tatamy Borough, **Northampton County**.

Description of Proposed Action/Activity: Issuance of a new NPDES Permit for an existing discharge of Storm Water. The prior site permit expired without being transferred.

Northwest Regional Office: Regional Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, Telephone: 814.332.6942.

PA0028428, Sewage, SIC Code 4952, **Brockway Area Sewer Authority**, 501 Main Street, Brockway, PA 15824-1240. Facility Name: Brockway Area WWTP. This existing facility is located in Brockway Borough, **Jefferson County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage. This is the fourth Draft NPDES Permit due to the acceptance of natural gas-related wastewaters at the facility.

The receiving stream, the Little Toby Creek, is located in State Water Plan watershed 17-A and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.5 MGD.

<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>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6	XXX	XXX	9
CBOD ₅	237	355	XXX	19.0	28.5	38.0
Total Suspended Solids	375	562	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	81	XXX	XXX	6.5	XXX	13.0
Nov 1 - Apr 30	243	XXX	XXX	19.5	XXX	39.0

Parameters	Mass (lbs/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Total Dissolved Solids	17,574	29,143 Daily Max	XXX	4,274	XXX	7,960
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	228	XXX	456
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
Chloride	Report	XXX	XXX	Report	XXX	Report
Gross Alpha (pCi/L)	Report	XXX	XXX	Report	XXX	Report
Radium 226/228, Total (pCi/L)	Report	XXX	XXX	Report	XXX	Report

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

- Requirement to Use eDMR System
- Drilling Waste Volume
- Receipt of Residual Waste
- Solids Management

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

The EPA Waiver is not in effect

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

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

WQM Permit No. 4010402A-1, Sewerage, **Eagle Rock Community Association, Inc.**, 1 Country Club Drive, Hazle Township, PA 18202.

The proposed facility is located in Hazle Township, **Luzerne County**.

Description of Proposed Action/Activity: This project involves revisions to the size and location of the Mountain View Interceptor sewer.

WQM Permit No. 4009405-A1, Sewerage, **Eagle Rock Resort Company**, 1 Country Club Drive, Hazle Township, PA 18202.

This proposed facility is located in Hazle Township, **Luzerne County**.

Description of Proposed Action: Issuance of Clean Water Management Permit for the amendment of WQM Permit No. 40094005 to revise the size, location and terminal discharge point of the Butler Addition Interceptor Sewer.

WQM Permit No. 4009407-A1, Sewerage, SIC Code 4952, **Eagle Rock Resort Company**, 1 Country Club Drive, Hazle Township, PA 18202.

This proposed facility is located in Black Creek and Hazle Townships, **Luzerne County**.

Description of Proposed Action/Activity: Issuance of an amended Water Quality Management Permit for sewage collection and conveyance facilities in the Ridge View, Ridge View West, North Ridge, Valley View & JA East sections and the Valley View Interceptor sewer.

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

WQM Permit No. 3112402, Sewerage, **Huntingdon Borough**, 530 Washington Street, Huntingdon, PA 16652.

This proposed facility is located in Huntingdon Borough, **Huntingdon County**.

Description of Proposed Action/Activity: Permit approval for the replacement of the existing 20" diameter combined sewer with a new 21" diameter PVC pipe and construction of a new 18" diameter HDPE storm sewer with an endwall for discharging to Stone Creek to replace the existing 10" storm sewer.

WQM Permit No. WQG02221201, Sewerage, **East Hanover Township**, 8848 Jonestown Road, Grantville, PA 17028.

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

Description of Proposed Action/Activity: Permit approval for the construction / operation of the Pheasant Road Sewer Extension.

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

WQM Permit No. 5701401, Sewage, SIC Code 4952, **Davidson Township Sewer Authority** Sullivan County, 32 Michelle Road, Sonestown, PA 17758-5358.

This existing facility is located in Davidson Township, **Sullivan County**.

Description of Proposed Action/Activity: Replacement of the existing sand filtration system and the recirculation pump station wet well of the treatment plant. The project also consists of replacing the existing chlorine contact tank.

WQM Permit No. 02171201, SIC Code 1623, **Exit 101 LLC**, 1018 Second Street, Encinitas, CA 92024.

This proposed facility is located in Sandy Township, **Clearfield County**.

Description of Proposed Action/Activity: Construction of 447 L.F. 8" SDR-35 PVC gravity sewer line, 3,400 L.F. 4" DR 13.5 HDPE force main, a pump station, and other related appurtenances to serve sanitary wastewater generated from the hotel and the restaurant.

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

WQM Permit No. 2611402, Sewerage, **PADCNR**, 400 Market Street, Harrisburg, PA 17101

This proposed facility is located in Ohiopyle Borough, **Fayette County**

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

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

WQM Permit No. WQG018843, Sewage, **Elizabeth Godden & Doug & Molly Kratz**, 113 Dutch Hill Road, Warren, PA 16365.

This proposed facility is located in Pine Grove Township, **Warren County**.

Description of Proposed Action/Activity: Issuance of a new permit for a Single Residence Sewage Treat Plant.

WQM Permit No. 2489202, Industrial **Waste Amendment No. 7**, **Veolia ES Greentree Landfill, LLC**, 635 Toby Road, Kersey, PA 15846.

This existing facility is located in Fox Township, **Elk County**.

Description of Proposed Action/Activity: This permit is for an amendment of Water Quality Management (WQM) part II permit number 2489202 to add additional Industrial Wastes treatment facilities.

WQM Permit No. 4292405, Sewage, **Amendment No. 1**, **Mount Jewett Regional Sewer Authority**, P. O. Box 680, 1 Center Street, Mt. Jewett, PA 16740-0680.

This existing facility is located in Mount Jewett Borough, **McKean County**. Description of Proposed Action/Activity: This permit approves the modification/operation of sewerage wastewater facilities

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1507009-R	W. Ronald Reid 480 Christine Road Nottingham, PA 19362	Chester	West Nottingham Township	Black Run (EV/MF)
PAI01 1507012-R	Chester County Fund, Inc. 615 Willowbrook Lane West Chester, PA 19382	Chester	East Whiteland Township	Valley Creek (EV)
PAI01 151112A-1	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010	Chester	West Brandywine Township	Indian Run Creek (HQ)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023911018	City of Allentown 641 South 10th Street, 3rd Floor Allentown, PA 18103-3173	Lehigh	City of Allentown	Little Lehigh Creek, HQ-CWF, MF

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI021312003	Grant Homes, Inc. P. O. Box 287 Brodheads ville, PA 18322	Carbon	Mahoning Twp.	UNT to Mahoning Creek, EV

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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI045310001	Robert J White Fox Hill Wind 86 Baltimore St Ste 300 Cumberland MD 21502	Potter	Hector & Ulysses Townships	Genesee River CWF Jones Run Trib, Pine Creek HQ Cushing Hollow Run Trib, Genesee Fork of Pine Creek HQ Barn Brook Trib, Pine Creek HQ California Creek, Genesee Fork HQ Lehman Hollow, Genesee Fork HQ

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 & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bedminster Township Bucks County	PAG0200 0912039	Plumstead Baseball Association PO Box 473 Plumsteadville, PA 18949	Tohicken Creek (CWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Newtown Township Bucks County	PAG0200 0911037	Wen-Hamilton 21 Rt 31 North, Ste B-8 Pennington, NJ 08534	Newtown Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warrington Township - Bucks County Horsham Township - Montgomery County	PAG0200 0911062	PA Department of Transportation District 6-0 7000 Geerdes Boulevard King of Prussia, PA 19406-1525	Little Neshaminy Creek (WWF-MF); Mill Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Chichester Township Delaware County	PAG0200 2312006	Noreland Development, LLC 111 Presidential Blvd, Ste 209 Bala Cynwyd, PA 19004	Tributary Marcus Hook Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Hanover Township Montgomery County	PAG0200 4603219-R	Timothy Hendricks 345 Main Street Harleysville, PA 19438	Swamp Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Hanover Township Montgomery County	PAG0200 4606157-R	Leonard DelGrippo, Jr. 2965 West Germantown Pike PO Box 243 Fairview Village, PA 19409	Swamp Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Towamencin Township Montgomery County	PAG0200 4612040	Robert Ford 1090 Troxel Road Lansdale, PA 19446	Perkiomen Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Limerick Township Montgomery County	PAG0200 4612023	Daniel Kerr 646 West Ridge Pike Royersford, PA 19468	Unnamed Tributary Schuylkill River (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Whitemarsh Township Montgomery County	PAG0200 4612024	Bruce G. Horrocks 616 Germantown Pike Lafayette Hill, PA 19444	Spring Mill Creek (CWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Hatfield Borough Montgomery County	PAG0200 4612028	Walt McKdennia 2700 Clemens Road PO Box 902 Hatfield, PA 19440	Unnamed Tributary Skippack Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bedminster Township Bucks County	PAG0200 0912039	Plumstead Baseball Association PO Box 473 Plumsteadville, PA 18949	Tohicken Creek (CWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Newtown Township Bucks County	PAG0200 0911037	Wen-Hamilton 21 Rt 31 North, Ste B-8 Pennington, NJ 08534	Newtown Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warrington Township - Bucks County Horsham Township - Montgomery County	PAG0200 0911062	PA Department of Transportation District 6-0 7000 Geerdes Boulevard King of Prussia, PA 19406-1525	Little Neshaminy Creek (WWF-MF); Mill Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Plumstead Township Bucks County	PAG0200 0905014-R	Carriage Hill, JV, LLC 124 Cedar Avenue Conshohocken, PA 19428	Unnamed Tributary North Branch Neshaminy Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Plumstead Township Bucks County	PAG0200 0910051-R	Plough Lane Associates, LLC 4030 Skyrun Drive, Suite H Doylestown, PA 18901	Unnamed Tributary Pine Run (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Falls Township Bucks County	PAG0200 090011022	Atlantic Precast Concrete 8900 Old Route 13 Tullytown, PA 19007	Martin's Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Chichester Township Delaware County	PAG0200 2312006	Noreland Development, LLC 111 Presidential Blvd, Ste 209 Bala Cynwyd, PA 19004	Tributary Marcus Hook Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Hanover Township Montgomery County	PAG0200 4603219-R	Timothy Hendricks 345 Main Street Harleysville, PA 19438	Swamp Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Hanover Township Montgomery County	PAG0200 4606157-R	Leonard DelGrippe, Jr. 2965 West Germantown Pike PO Box 243 Fairview Village, PA 19409	Swamp Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Towamencin Township Montgomery County	PAG0200 4612040	Robert Ford 1090 Troxel Road Lansdale, PA 19446	Perkiomen Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Limerick Township Montgomery County	PAG0200 4612023	Daniel Kerr 646 West Ridge Pike Royersford, PA 19468	Unnamed Tributary Schuylkill River (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Whitemarsh Township Montgomery County	PAG0200 4612024	Bruce G. Horrocks 616 Germantown Pike Lafayette Hill, PA 19444	Spring Mill Creek (CWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Hatfield Borough Montgomery County	PAG0200 4612028	Walt McKdennia 2700 Clemens Road PO Box 902 Hatfield, PA 19440	Unnamed Tributary Skippack Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Old Forge Borough, Lackawanna County	PAG02003509015R	John Giambra 144 Crystal Creek Rd. West Pittston, PA 18643	Lackawanna River, CWF, MF	Lackawanna Co. Cons. Dist. 570-281-9495
South Abington Twp., Lackawanna County	PAG02003507013R	Richard Florey 1170 Winola Rd. Clarks Summit, PA 18411	South Branch Tunkhannock Creek, CWF, MF	Lackawanna Co. Cons. Dist. 570-281-9495
Whitehall Twp., Lehigh County	PAG02003912001	MAA Ambe Foods, LLC Hiren Patel 160 Main St. Slatington, PA 18080	Jordan Creek, TSF, MF	Lehigh Co. Cons. Dist. 610-391-9583

NOTICES

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Salem Twp., Luzerne County	PAG02004012001	Paul Dagostin 137 Bomboy Lane Berwick, PA 18603	Susquehanna River, WWF, MF	Luzerne Co. Cons. Dist. 570-674-7991
Wilkes-Barre Twp., Plains Twp., Wilkes-Barre City, Luzerne County	PAG02004012006	Locust Real Estate, LTD Kaare Birkeland 295 Center Point Blvd. Pittston, PA 18640	Coal Brook, CWF, MF	Luzerne Co. Cons. Dist. 570-674-7991
Allen Twp., Northampton County	PAR10U180R	Louis Tepes Jr. Tepes Construction 3185 Center Rd. Northampton, PA 18067	Lehigh River, CWF, MF	Northampton Co. Cons. Dist. 610-746-1971
Middletown Twp., Susquehanna County	PAG02005812003	Pennsy Supply Inc. P. O. Box 3331 1001 Paxton St. Harrisburg, PA 17105	Middle Branch Wyalusing Creek, CWF, MF	Susquehanna Co. Cons. Dist. 570-278-4600
Eaton Twp., Wyoming County	PAG02006612002	Peoples State Bank 76 Church St. Wyalusing, PA 18853	Susquehanna River, WWF, MF	Wyoming Co. Cons. Dist. 570-836-2589

*Northcentral Region: Waterways & Wetlands Program Manager, 208 W Third Street, Williamsport, Pa 17701
570.327.3636*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Athens Township Bradford County	PAG02000812023	Tom Sawyer Visions Hotels 383 E 2nd St Corning NY 14830	Chemung River WWF	Bradford County Conservation District Stoll Natural Resource Center 200 Lake Rd Ste E Towanda PA 18848 (570) 265-5539 X 120
Standing Stone Twp Bradford County	PAG02000812025	Dan Ertel Eureka Resources LLC 451 Pine St Williamsport PA 17701	King Creek WWF	Bradford County Conservation District Stoll Natural Resource Center 200 Lake Rd Ste E Towanda PA 18848 (570) 265-5539 X 120
College-Ferguson Townships & State College Borough Centre County	PAG02001410021R	PA Dept of Transportation District 2-0 PO Box 342 Clearfield PA 16830	Slab Cabin Run & an UNT to Slab Cabin Run CWF, MF	Centre County Conservation District 414 Holmes Ave Suite 4 Bellefonte PA 16823 Phone: (814) 355-6817
Ferguson Township Centre County	PAG02001412009	Keith Cooper DGKC Properties LLC 701 Creekside Ln Lititz PA 17543	Big Hollow Run CWF	Centre County Conservation District 414 Holmes Ave Suite 4 Bellefonte PA 16823 Phone: (814) 355-6817
College Twp Centre County	PAG02001412010	Gregg Protch McDonald's USA LLC 1000 Omega Dr Ste 1390 Pittsburgh PA 15205	UNT to Spring Creek CWF	Centre County Conservation District 414 Holmes Ave Suite 4 Bellefonte PA 16823 Phone: (814) 355-6817

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Chester Hill Boro Clearfield County	PAG02001712008	Philipsburg Osceola Area School District 200 Short St Philipsburg PA 16866	UNT Moshannon Creek TSF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield PA 16830 Phone: (814) 765-2629
Lawrenceville Boro Tioga County	PAG02005910003R	Terra Aqua Resource Mgmt 1000 Commerce Park Dr Ste 201 Williamsport PA 17701	Tioga River WWF	Tioga County Conservation District 50 Plaza Ln Wellsboro PA 16901 (570) 724-1801 Ext. 5
Covington Twp Tioga County	PAG02005912001	Tri State Trucking William Robinson 16064 Route 6 Mansfield PA 16933	Tioga River CWF	Tioga County Conservation District 50 Plaza Ln Wellsboro PA 16901 (570) 724-1801 Ext. 5
Adams Township Butler County	PAG02001007011R	Taylor Ridge Associates Attn: Donald Rodger 215 Executive Drive, Suite 300 Cranberry Township PA 16033	UNT Breakneck Creek WWF	Butler County Conservation District 724-284-5270
Summit Township Erie County	PAG02002512001(1)	Tresler-Rae-Dahlkemper Partnership 3655 Davison Avenue Harborcreek PA 16421	Elk Creek CWF; MF	Erie County Conservation District 814-825-6403
Fairview Township Erie County	PAG02002512006	Joel Muzyka PO Box 8857 Erie PA 16505	UNT Trout Run CWF; MF	Erie County Conservation District 814-825-6403
City of Erie Erie County	PAG02002511027(1)	Erie Insurance Group 100 Erie Insurance Place Erie PA 16530-1104	Millcreek to Presque Isle Bay WWF	Erie County Conservation District 814-825-6403
Borough of Edinboro Erie County	PAG02002512010	Edinboro University 210 Meadville Street Edinboro PA 16444	Conneauttee Creek TSF	Erie County Conservation District 814-825-6403
Emlenton Borough & Scrubgrass Township Venango County	PAG02006112004	PennDOT, District 1-0 Attn: Donald Hall 255 Elm Street, PO Box 393 Oil City PA 16301	UNT Allegheny River WWF	Venango County Conservation District 814-676-2832

General Permit Type—PAG-3

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Douglass Township Berks County	PAR203608	Stainless, LLC 1535 Manatawny Road Pine Forge, PA 19548	Manatawny Creek / CWF, MF	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Spring Garden Twp / York City York County	PAR113530	Metso Minerals Industries, Inc. 2715 Pleasant Valley Road P. O. Box 15043 York, PA 17405-7043	UNT to Codorus Creek and Codorus Creek / WWF, MF	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Clinton Township Lycoming County	PAR314819	Halliburton Energy Service Inc. PO Box 42810 Mc91-1ne 16k Houston, TX 77242-2810	Turkey Run - 10-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
South Williamsport Borough Lycoming County	PAR114819	Drill String Services, Inc. PO Box 1537 Morgan City, LA 70381	Hagermans Run - 10C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Lawrence Township Clearfield County	PAR214822	E.M. Brown, Inc. 329 Mount Joy Road, PO Box 767 Clearfield, PA 16830-2926	UNT to West Branch Susquehanna River - 8-B	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Freehold Township Warren County	PAR228341	Briggs Transport Inc 24 Huntley Road Bear Lake, PA 16402	Deek Creek 16-B	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
City of Erie Erie County	PAR208327	United Brass Works, Inc. 714 South Main Street, Randleman, NC 27317	Municipal Storm Sewers to Lake Erie (Poplar St. outfall) 15	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

General Permit Type—PAG-4

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Pine Grove Township Warren County	PAG041076	Elizabeth Godden, Doug & Molly Kratz 113 Dutch Hill Road Warren, PA 16365	Unnamed Tributary to the Akeley Run 16-B	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

General Permit Type—PAG-7

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Earl Township Lancaster County	PAG073507	New Holland Borough 436 East Main Street New Holland, PA 17557	New Holland Borough Wastewater Treatment Plant 555 South Custer Avenue New Holland, PA 17557	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

*General Permit Type—PAG-8**Facility Location:
Municipality &
County**Permit No.**Applicant Name &
Address**Site Name & Location**Contact Office &
Phone No.*

Pottstown
Wastewater
Treatment Plant,
Montgomery
County, Borough of
Pottstown

PAG080005

Pottstown Borough
Authority
100 East High Street
Pottstown, PA 19464

Southeast Region
Clean Water Program
2 E. Main Street
Norristown, PA 19401
484-250-5970

North Annville
Township
Lebanon County

PAG083504

Township of Annville
P. O. Box 320
Annville, PA 17003

Annville Township
WWTP
P. O. Box 320
Annville, PA 17003

DEP-SCRO
909 Elmerton Avenue
Harrisburg, PA
17110-8200
717-705-4707

*General Permit Type—PAG-8 (SSN)**Facility Location:
Municipality &
County**Permit No.**Applicant Name &
Address**Site Name & Location**Contact Office &
Phone No.*

Lower Mount
Bethel Township,
Northampton
County

PAG08-2203
PAG07-0003
PAG08-0008
PAG08-3501
PAG08-0002
PAG08-3535
PAG08-3551
PAG08-3517
PAG08-9903
PAG08-3596
PAG08-3510
PAG08-2211
PAG08-3506
PAG08-3522
PAG08-3515
PAG08-3502
PAG08-9904
PAG08-3547
PAG08-0006
PAG08-3540
PABIG-9903
PAG08-3600
PAG08-3565
PAG07-3508
PAG07-0005
PAG08-0003
PAG08-3825
PAG08-0004
PAG08-3518
PAG08-9905
PAG08-3556
PAG08-0018
PAG08-3573
PAG08-3597
WMGR-099
PAG08-0011
PAG08-3567
PAG08-2219
PAG08-3573
PAG08-0021

Synagro
1605 Dooley Rd.
P. O. Box B
Whiteford, MD 21160

Pete Keifer Farm
4621 Mt. Pleasant Rd.
Bangor, PA 18013

PA DEP NERO
2 Public Square
Wilkes-Barre, PA
18701-1915
570-826-2511

*Facility Location:
Municipality &
County*

Lower Mount
Bethel Township,
Northampton
County

Permit No.

PAG08-2203
PAG07-0003
PAG08-0008
PAG08-3501
PAG08-0002
PAG08-3535
PAG08-3551
PAG08-3517
PAG08-9903
PAG08-3596
PAG08-3510
PAG08-2211
PAG08-3506
PAG08-3522
PAG08-3515
PAG08-3502
PAG08-9904
PAG08-3547
PAG08-0006
PAG08-3540
PABIG-9903
PAG08-3600
PAG08-3565
PAG07-3508
PAG07-0005
PAG08-0003
PAG08-3825
PAG08-0004
PAG08-3518
PAG08-9905
PAG08-3556
PAG08-0018
PAG08-3573
PAG08-3597
WMGR-099
PAG08-0011
PAG08-3567
PAG08-2219
PAG08-3573
PAG08-0021

*Applicant Name &
Address*

Synagro
1605 Dooley Rd.
P. O. Box B
Whiteford, MD 21160

Site Name & Location

Lonny Miller Farm
8860 N. Delaware Dr.
Bangor, PA 18013

*Contact Office &
Phone No.*

PA DEP NERO
2 Public Square
Wilkes-Barre, PA
18701-1915
570-826-2511

Dickinson Township
Cumberland County

PAG083597

The Harrisburg
Authority
1662 South Cameron
Street
Harrisburg, PA 17104

Jason Jones Farm
931 West Old York Road
Carlisle, PA 17015

DEP-SCRO
909 Elmerton Avenue
Harrisburg, PA
17110-8200
717-705-4707

General Permit Type—PAG-10

*Facility Location:
Municipality &
County*

Springville
Township
Susquehanna
County

Permit No.

PAG102233

*Applicant Name &
Address*

Williams Field Services
Company, LLC
(Lynn Pipeline Project)
1605 Coraopolis Heights
Road
Moon Township, PA
15108-4310

Receiving Water / Use

Meshoppen Creek and
Unnamed Tributary to
Meshoppen Creek - 4-G

*Contact Office &
Phone No.*

DEP Northeast Regional
Office
Clean Water Program
2 Public Square,
Wilkes-Barre, PA
18701-1915
570.826.2553

Dimock Township
Susquehanna
County

PAG102232

Williams Field Services
Company, LLC
(Nagle WC Pipeline
Project)
1605 Coraopolis Heights
Road
Moon Township, PA
15108-4310

Burdick Creek and
Unnamed Tributary to
White Creek - 4-G

DEP Northeast Regional
Office
Clean Water Program
2 Public Square,
Wilkes-Barre, PA
18701-1915
570.826.2553

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Lapotofsky Pipeline Springville Township Susquehanna County	PAG102236	Williams Field Service Co. LLC 1605 Coraopolis Heights Road Moon Township, PA 15108-4310	Monroe Creek Cold Water Fishes, Migratory Fishes Watershed 4-F	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2553
Harford Township Susquehanna County	PAG102234	Williams Field Service Co. LLC 1605 Coraopolis Heights Road Moon Township, PA 15108-4310	Butler Creek, Nine Partners Creek and Unnamed Tributary to Butler Creek Cold Water Fishes—Migratory Fishes—Watersheds 4-F	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2553
Garrison Road Pipeline Project Springville Township Susquehanna County	PAG102235	Williams Field Service Co. LLC 1605 Coraopolis Heights Road Moon Township, PA 15108-4310	Monroe Creek and Pond Brook—Cold Water Fishes—Migratory Fishes—Watersheds 4-F and 4-G	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2553
Brooklyn Township Susquehanna County	PAG102238	Williams Field Service Co. LLC (Lindaville Pipeline) 1605 Coraopolis Heights Road Moon Township, PA 15108	Unnamed Tributary of Horton Creek and Horton Creek—4-F	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2553
Springville Township Susquehanna County	PAG102239	Williams Field Service Co. LLC (Heitzenroder Pipeline) 1605 Coraopolis Heights Road Moon Township, PA 15108	Unnamed Tributary to Thomas Creek & Thomas Creek 4-G	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2553
Bridgewater & Brooklyn Townships Susquehanna County	PAG102237	Williams Field Service Co. LLC (Wells Pipeline) 1605 Coraopolis Heights Road Moon Township, PA 15108	Unnamed Tributary to Meshoppen Creek—4-G	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2553
Bridgewater and Dimock Townships Susquehanna County	PAG102229	Williams Field Services Company, LLC 1605 Coraopolis Heights Road Moon Township, PA 15108-4310	Unnamed Tributaries to Meshoppen Creek 04G	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2553
Harford and Lenox Townships Susquehanna County	PAG102242	Williams Field Services Company, LLC 1605 Coraopolis Heights Road Moon Township, PA 15108-4310	Tower Branch and Nine Partners Creek / CWF-MF (04F)	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2553

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Lenox Township Susquehanna County	PAG102241	Williams Field Services Company, LLC 1605 Coraopolis Heights Road Moon Township, PA 15108-4310	Tower Branch, Partners Creek, Sterling Brook and Nine Partners Creek / CWF-MF (04F)	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2553
Springville Township Susquehanna County	PAG102240	Williams Field Services Company, LLC 1605 Coraopolis Heights Road Moon Township, PA 15108-4310	North Branch Meshoppen Creek, Thomas Creek and Unnamed Tributary to Thomas Creek / CWF-MF (04G)	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2553

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

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

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

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

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

CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Goss Family Farm 123 Decatur Road McClure, PA 17841	Mifflin	397	947	Swine	NA	Approved
Mike Boyer 255 Lake Meade Road East Berlin, PA 17316	Adams	15	704.04	Turkeys	NA	Approved
Denise and Dennis Staub 904 Germany Road East Berlin, PA 17316	Adams	4	433.87	Turkey	NA	Approved
John Wanner 5800 Wanner Rd Narvon Pa 17555	Lancaster	683.2	1135.63	Dairy	HQ	A

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 5012503 MA, Minor Amendment, Public Water Supply.

Applicant	Newport Borough Water Authority
Municipality	Howe Township
County	Perry
Responsible Official	Barbara Hart, Chairman 231 Market Street Newport, PA 17074
Type of Facility	Gas chlorinator Replacement at Well 10-14.
Consulting Engineer	Max E Stoner, P.E. Glacé Associates, Inc. 3705 Trindle Rd Camp Hill, PA 17011
Permit to Construct Issued:	6/27/2012

Permit No. 2212504 MA, Minor Amendment, Public Water Supply.

Applicant	Mountainview Thoroughbred Racing Association
Municipality	East Hanover Township

County	Dauphin
Responsible Official	Dihn Vu 777 Hollywood Boulevard Grantville, PA 17028
Type of Facility	New 350,000-gallon storage tank and replacement of water mains.
Consulting Engineer	Kevin A. Marmas, P.E. McCarthy Engineering Associates, Inc. 1121 Snyder Road West Lawn, PA 19609
Permit to Construct Issued:	6/28/2012

Permit No. 2112509 MA, Minor Amendment, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc.
Municipality	Monroe Township
County	Cumberland
Responsible Official	Patrick R. Burke, Regional Manager, Northeast & Central Operations One Aqua Way White Haven, PA 18661
Type of Facility	Various well pump and pumping station modifications.
Consulting Engineer	William A. LaDieu, P.E. CET Engineering Services, GHD 1240 N. Mountain Road Harrisburg, PA 17112
Permit to Construct Issued:	6/25/2012

Permit No. 5012505 MA, Minor Amendment, Public Water Supply.

Applicant	Duncannon Borough
Municipality	Duncannon Borough
County	Perry
Responsible Official	Tanuya Matter, Borough Manager 428 High Street Duncannon, PA 17020
Type of Facility	Chlorine contact pipe installation.
Consulting Engineer	Max E Stoner, P.E. Glacé Associates, Inc. 3705 Trindle Rd Camp Hill, PA 17011
Permit to Construct Issued:	6/25/2012

Operations Permit issued to: **City Of Lebanon Authority**, 7380010, North Lebanon Township, **Lebanon County** on 7/3/2012 for the operation of facilities approved under Construction Permit No. 3809502 MA.

Operations Permit issued to: **City of Lebanon Authority**, 7380010, North Lebanon Township, **Lebanon County** on 7/3/2012 for the operation of facilities approved under Construction Permit No. 3809504 MA.

Operations Permit issued to: **E & Y Farm Apartments**, 3060129, Richmond Township, **Berks County** on 7/3/2012 for the operation of facilities approved under Construction Permit No. 0609510 MA.

Operations Permit issued to: **City of Lebanon Authority**, 7380010, Swatara Township, **Lebanon County** on 7/3/2012 for the operation of facilities approved under Construction Permit No. 3809511 MA.

Operations Permit issued to: **City of Lebanon Authority**, 7380010, Lebanon, **Lebanon County** on 7/3/2012 for the operation of facilities approved under Construction Permit No. 3810504 MA.

Operations Permit issued to: **Country View Manor Park, LLC**, 7670129, Washington Township, **York County** on 6/25/2012 for the operation of facilities approved under Construction Permit No. 6711509 MA.

Operations Permit issued to: **Pfautz Rentals, LP (Pfautz Apartments)**, 7500024, Penn Township, **Perry County** on 6/29/2012 for the operation of facilities approved under Construction Permit No. 5011509 MA.

Operations Permit issued to: **Pfautz Rentals, LP (Pfautz Heights)**, 7500030, Penn Township, **Perry County** on 6/29/2012 for the operation of facilities approved under Construction Permit No. 5011510 MA.

Operations Permit issued to: **Weber Properties**, 7380027, Jackson Township, **Lebanon County** on 6/20/2012 for the operation of facilities approved under Construction Permit No. 3811517.

Operations Permit issued to: **New Danville Six Pack, Inc.**, 7360669, Pequea Township, **Lancaster County** on 7/3/2012 for the operation of facilities approved under Construction Permit No. 3612503.

Operations Permit issued to: **Twin Maples MHP**, 7380027, Jackson Township, **Lebanon County** on 6/20/2012 for the operation of facilities approved under Construction Permit No. 3811511 MA.

Operations Permit issued to: **Williams Grove Associates**, 7210034, Monroe Township, **Cumberland County** on 6/29/2012 for the operation of facilities approved under Construction Permit No. 2112508 MA.

Operations Permit issued to: **Stockham's Village Inc.**, 7010024, Reading Township, **Adams County** on 6/21/2012 for the operation of facilities approved under Construction Permit No. 0111514 MA.

Operations Permit issued to: **Conodoquinet Mobile Estates**, 7210061, Lower Mifflin Township, **Cumberland County** on 6/25/2012 for the operation of facilities approved under Construction Permit No. 2112505.

Operations Permit issued to: **PA Department of Corrections—Camp Hill State Correctional Institute**, 7210046, Lower Allen Township, **Cumberland County** on 7/6/2012 for the operation of facilities approved under Construction Permit No. 2112510 MA.

Operations Permit issued to: **Keystone Mobile Homes, Inc.**, 3060061, Exeter Township, **Berks County** on 7/3/2012 for the operation of facilities submitted under Application No. 0612504 MA.

Operations Permit issued to: **Borough of Gratz**, 7220005, Gratz Borough, **Dauphin County** on 7/6/2012 for the operation of facilities submitted under Application No. 2212505.

Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448

Permit No. MA-1498504—Operation Public Water Supply.

Applicant	Martha's Furnace Mobile Home Park
[Township or Borough]	Huston Township
County	Centre
Responsible Official	Mr. David L. Burns Martha's Furnace Mobile Home Park P. O. Box 6 Boalsburg, PA 16827
Type of Facility	Public Water Supply
Consulting Engineer	N/A
Permit Issued	July 5, 2012
Description of Action	Operation of the recently installed greensand filter units.
Permit No. 5912501—Operation Public Water Supply.	
Applicant	Lawrenceville Exxon
[Township or Borough]	Lawrence Township
County	Tioga
Responsible Official	Mr. Gurparkash Sandhoo Sandhoo's, Inc. 13305 Route 49 Lawrenceville, PA 16929
Type of Facility	Public Water Supply
Consulting Engineer	N/A
Permit Issued	July 5, 2012
Description of Action	Operation of the recently constructed treatment facilities at Lawrenceville Exxon, including a softening system (Culligan High Efficiency Twin Softener, model HE-14") and a reverse osmosis system (Culligan Matrix, model M2-5), with DOW, Filmtec FT30 membranes.
Permit No. Minor Amendment—Construction Public Water Supply.	
Applicant	Orangeville Municipal Water Authority
[Township or Borough]	Orangeville Borough
County	Columbia
Responsible Official	Neil Kipp, Council President Orangeville Municipal Water Authority 301 Mill Street P. O. Box 176 Orangeville, PA 17859
Type of Facility	Public Water Supply
Consulting Engineer	Kenneth R. Estep, P.E. Mid-Penn Engineering 2049 West Market Street Lewisburg, PA 17837
Permit Issued	July 5, 2012
Description of Action	Construction of a new water storage tank to replace an existing water storage reservoir that serves the Borough of Orangeville in Columbia County.

Hamilton Township Municipal Authority (Public Water Supply), Tioga County: On June 29, 2012, the Safe Drinking Water Program approved the Source Water Protection (SWP) plan Hamilton Township 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).

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

Operation Permit issued to **Vlasion, Inc.**, PWSID #6250042, Fairview Township, **Erie County**. Permit Number 2593501-MA1, issued July 6, 2012 for the operation of 4-Log treatment of viruses for Entry Point 100. This action is taken under the requirements of the Groundwater Rule.

Permit No. 2411502	Public Water Supply
Applicant	Jay Township Water Authority
Township or Borough	Jay Township
County	Elk
Type of Facility	Public Water Supply
Consulting Engineer	Peter C. Buss, P.E. Gibson-Thomas Engineering Company P. O. Box 853 1004 Ligonier Street Latrobe, PA 15650
Permit to Construct Issued	July 6, 2012

Interim Operation Permit issued to **Erie City Water Authority**, PWSID #6250028, Millcreek Township, **Erie County**. Permit Number 2510505 Interim Operation issued July 4, 2012 for the interim operation of the Richard S. Wasielewski Water Treatment Plant. This permit is issued in response to your request to operate on an interim basis to supplement production from your Chestnut Street Treatment Plant while completing the upgrades to the Richard S. Wasielewski Water Treatment Plant.

Emergency Operation Permit issued to **Gregory A. Kasemer d/b/a Fountain House Mobile Home Park**, PWSID #6200044, Woodcock Township, **Crawford County** on July 3, 2012. This permit is issued for the construction and operation of the temporary interconnection between the two distribution systems within the mobile home park. This permit expires on October 1, 2012.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submis-

sion 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:

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

Janssen Research & Development LLC, Lower Gwynedd Township, **Montgomery County**. Heath A. Brown, Environmental Standards, 1140 Valley Forge Road, PO Box 810, Valley Forge, PA 19482, Nic Di Carlo, Lewis Environmental Group, 155 Railroad Plaza, P. O. Box 639, Royersford, PA 19468 on behalf of David G. Link, Janssen Research & Development, LLC, Welsh & McKean Road, P. O. Box 776, Springhouse, PA 19477 has submitted a 90 day Final Report concerning remediation of site soil contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

DiPinto's Caterers, City of Philadelphia, **Philadelphia County**. Richard S. Werner, Environmental Consulting, Inc. 2002 Renaissance Boulevard, King of Prussia, PA 19406 on behalf of Carmine DiPinto, Jr. DiPinto's Caterers, 4070 Torresdale Avenue, Philadelphia, PA 19124 has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel and no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Gordon Property, City of Philadelphia, **Philadelphia County**. Jeremy W. Bolyn, Environmental Maintenance, 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Herbert Gordon, 2772 Red Gate Drive, Philadelphia, PA 18902 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Shewen Residence, Westtown Township, **Chester County**. Frank Lynch, EnviroLink, Inc. 165 Daleville

Road, Cochranville, PA 19330, John Kosmowsky, Erie Insurance, 1400 North Providence Road, Media, PA 19063 on behalf of Bill Shehwen, 1409 Carroll Brown Way, West Chester, PA 19382 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Exelon Corporation Condensate Tank KIPC, Falls Township, **Bucks County**. Colleen Costello, Langan Engineering and Environmental Services, Inc., 2700 Kelly Road, Suite 200, Warrington, PA 18976, Kathleen Mayher, United States Steel Corporation, 600 Grant Street, Pittsburg, PA 15219 on behalf of Dale Davis, Exelon Generation - Fairless Hills Generation Station, 990n Steel Road South, Fairless Hills, PA 19030 has submitted a Final Report concerning remediation of site soil contaminated with inorganics. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Fowles Residence, Buckingham Township, **Bucks County**. Jeffery A. Warmkessel, P.G., Center Pont Tank Services, Inc., 536 East Ben Franklin Highway, Douglassville, PA 19518, Ty Gawlik, State Farm Insurance Company, PO Box 8061, Ballston Spa, NY 12020 on behalf of Patrick Fowles, 3615 Indian Springs Road, Buckingham, PA 18901 has submitted a Final Report concerning remediation of site groundwater and soil contaminated with other organics. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Bryn Mawr Hospital, Lower Merion Township, **Montgomery County**. Bernard B. Beegle, Advance Geoservices Corporation, 1055 Andrew Drive, Suite A, West Chester, PA 19380, Jim Gould, Lewis Environmental, Inc., 155 Railroad Plaza, PO Box 639, Royersford, PA 19468 on behalf of Andrea Gilbert, Bryn Mawr Hospital, 103 South Bryn Mawr Avenue, Bryn Mawr, PA 19010 submitted a Final Report concerning remediation of site soil contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Grays Ferry Shop Center, City of Philadelphia, **Philadelphia County**. Bill Schmidt, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19102 on behalf of Arnold Lurie, Korman Commercial Properties, 2 Neshaminy Interplex, Suite 305, Trevese, PA 19053 has submitted a Cleanup Plan/Remedial Investigation Report and Final Report concerning remediation of site groundwater and soil contaminated with lead and pah's. The report is intended to document remediation of the site to meet the Site Specific Standard.

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

Eastern Industries-Old Getty Pipeline Site, Martins Creek-Belvidere Road, Lower Mount Bethel Township, **Northampton County**. Robert P. Weaver, SAIC Energy, Environment, & Infrastructure, LLC, 6310 Allentown Boulevard, Harrisburg, PA 17112 has submitted a Final Report on behalf of his client, Stabler Development Company, 4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034, concerning the remediation of soil found to be impacted by an alleged historic release of petroleum (kerosene or diesel) from a former pipeline located on the north side of Martins Creek-Belvidere Road. The report was submitted to document attainment of the Statewide Health Standard for soil. A public notice regarding the

submission of the Final Report was expected to have been published in *The Express Times* on or about July 3, 2012.

Mulik Residence, 600 McIntosh Lane, West Penn Township, **Schuylkill County**. Patrick Crawford, Crawford Environmental Services, LLC, 195 Proudfoot Drive, Birdsboro, PA 19508 has submitted a Final Report on behalf of his clients, Kim and Stephen Mulik, 600 McIntosh Lane, Andreas, PA 18211, concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a release from the overfill of a 275-gallon aboveground storage tank. The report was submitted to document attainment of the Residential Statewide Health Standard for soil. A public notice regarding the submission of the Final Report was published in *The Times News, LLC* on 2/17/2012.

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

Former BP Terminal 4574, 901 Mountain Home Road, Sinking Spring, PA 19608, Sinking Spring Borough, **Berks County**. Antea Group, / Antea USA, Inc., 780 East Market Street, Suite 120, West Chester, PA 19382, on behalf of Atlantic Richfield Company, A BP Products North America Inc. Affiliated Company, 501 West Lake Park Boulevard, WL1-28, 160B, Houston, TX 77079 and Reading Terminals Corporation, PO Box 2621, Harrisburg, PA 17105, submitted a Remedial Investigation Report concerning site soils and groundwater contaminated with petroleum products. The site is being remediated to the Site-Specific standard.

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:

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

Green Meadows MHP, Simone Residence, 349 Radio Road, Elizabethtown, PA 17022, Mount Joy Township, **Lancaster County**. Patriot Environmental Management, LLC, PO Box 629, Douglassville, PA 19517, on behalf of Shelly Oil Company, 325 Hershey Road, Green Meadows Associates, 113 South Market Street; and Tina Simone, 349 Radio Road; all of Elizabethtown, PA 17022, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health standard, and was approved by the Department on July 2, 2012.

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

Goodman Tank Lines, Intersection on Interstate 99 Northbound on ramp and North Atherton Street, Patton Township, **Centre County**. Mountain Research LLC, 825 25th Street, Altoona, Pa 16601 on behalf of Penn Dot District 2-0, 1054 Ridge Road, Mill Hall, Pa 17751 has submitted a Final Report concerning the remediation of site soils contaminated with unleaded gasoline compounds including Benzene, Toluene, Ethylbenzene, Xylenes, Cumene, Naphthalene, Methyl-tert-butyl-ether (MTBE), 1,2,4-Trimethylbenzene, and 1,3,5-Trimethylbenzene. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on June 20, 2012.

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

Windward Petroleum Spill Site, Punxsutawney Borough, **Jefferson County**. EnvironTrac, Ltd., 176 Thorn Hill Road, Warrendale, PA 15086 on behalf of Windward Petroleum, 1064 Goffs Falls Road, Manchester, NH 03103 has submitted a Final Report concerning the remediation of site soil contaminated with 1,2,4-Trimethylbenzene and 1,3,5-Trimethylbenzene. The site was remediated within 90 days of the release. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 2, 2012.

Erie Enterprises, Inc. Asphalt Spill, Oil Creek Township, **Venango County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412 on behalf of Erie Enterprises, Inc., 3766 Sharon-New Castle Road, West Middlesex, PA 16159 has submitted a Final Report concerning the remediation of site soil contaminated with Acenaphthene, 2,4-Dinitrophenol, Acenaphthylene, 2,2-Dinitrotoluene, Anthracene, 2,6-Dinitrotoluene, Benzo[a]anthracene, Di-n-octylphthalate, Benzo[a]pyrene, bis[2-Ethylhexyl]phthalate, Benzo[b]-fluoranthene, Fluoranthene, Benzo[g,h,i]perylene, Fluorene, Benzo[k]fluoranthene, Hexachloro-1,3-butadiene, Benzyl alcohol, Hexachlorobenzene, 4-Bromophenylphenyl ether, Hexachlorocyclopentadiene, Butylbenzylphthalate, Hexachloroethane, 4-Chloro-3-methylphenol, Indeno[1,2,3-cd]pyrene, 4-Chloroaniline, Isophorone, bis[2-Chloroethoxy]methane, 2-Methylnaphthalene, bis[2-Chloroethyl] ether, 2-Methylphenol[o-Cresol], bis[2-Chloroisopropyl] ether, 3&4-Methylphenol[m&p Cresol], 2-Chloronaphthalene, Naphthalene, 2-Chlorophenol, 2-Nitroaniline, 4-Chlorophenylphenyl ether, 3-Nitroaniline, Chrysene, 4-Nitroaniline, Dibenz[a,h]anthracene, Nitrobenzene, Dibenzofuran, 2-Nitrophenol, 1,2-Dichlorobenzene, 4-Nitrophenol, 1,3-Dichlorobenzene, N-Nitroso-di-n-propylamine, 1,4-Dichlorobenzene, N-Nitrosodiphenylamine, 3,3'-Dichlorobenzidine, Pentachlorophenol, 2,4-Dichlorophenol, Phenanthrene, Diethylphthalate, Phenol, 2,4-Dimethylphenol, Pyrene, Dimethylphthalate, 1,2,4-Trichlorobenzene, Di-n-butylphthalate, 2,4,5-Trichlorophenol, 4,6-Dinitro-2-methylphenol, and 2,4,6-Trichlorophenol. The site was remediated within 90 days of the spill. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 2, 2012.

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

Gilpatrick Residence, 1042 Rockville Road, Borough of South Fork, **Cambria County**. Crawford Environmental Services, 195 Proudfoot Drive, Birdsboro, PA 19508 on behalf of Ryan Gilpatrick, 1042 Rockville Road, South Fork, PA 15954 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with fuel oil. The Final report demonstrated attainment of the State-wide Health Standard and was approved by the Department on July 10, 2012.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Draft permits issued, revised or withdrawn 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.

Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481

PAD005033055. General Electric Transportation System Inc., 2901 East Lake Road, Erie, PA 16351, Lawrence Park Township, **Erie County**. General Electric Transportation Systems in Erie is seeking to renew their current Hazardous Waste TSD permit for storage. The existing permit expires December 19, 2012. The draft renewal permit was issued on July 2, 2012.

RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit No. WMGR134. EME Homer City Generation, L.P., 1750 Power Plant Road, Homer City, PA 15748. The permit is for beneficial use of synthetic gypsum when mixed with coal ash to enhance compaction of fine coal refuse at a coal refuse disposal site. The permit was issued by Central Office on June 14, 2012.

This notice was originally published on June 30, 2012 under "Applications." Today's notice republishes the notice under "Actions."

Persons interested in reviewing the general permit may contact Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE

Registration issued Under the Solid Waste Management Act; the Residual Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701

General Permit Registration No. WMGR123NC012. Seneca Resources Corporation, West Hill Road, Covington, PA 16915. Registration to operate under General Permit No. WMGR123 for storage and reuse of gas well frac water and production water. The registration was approved by NorthCentral Regional Office on June 13, 2012.

This notice was originally published on June 30, 2012 under "Applications." Today's notice republishes the notice under "Actions."

Persons interested in reviewing the general permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permit Issued Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

Permit No. 400558. Covanta Plymouth Renewable Energy Limited Partnership, 1155 Conshohocken Road, Conshohocken PA 19428. This permit is for the reissuance form Montenay Montgomery Limited Partnership to Covanta Plymouth Renewable Energy, LP for the facility used to be known as "Montenay Resource Recovery Facility," the new facility's name is "Covanta Plymouth Renewable Energy, LP", a municipal waste resource recovery facility located in Plymouth Township, **Montgomery County**. The permit was issued by the Southeast Regional Office on May 2, 2012.

Actions Taken Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

Ardrossan Estate Tract C Quarry, located at the intersection of Newtown and Darby-Paoli Roads in Radnor Township, **Delaware County**. A request is approved for final closure certification for the former quarry located on Tract C at the Ardrossan Farm in Radnor Township, Delaware County. Since the quarry was never permitted as a landfill, there is no permit to revoke, nor is there any bond to release. The final closure certification is warranted for this site pursuant to the requirements of 25 Pa. Code 271.342. This request was approved by the Southeast Regional Office on May 15, 2012

Application received Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701

Permit Application No. 100904. Centre County Recycling and Refuse Authority, 253 Transfer Road, Bellefonte, PA 16823, College Township, **Centre County**. Application for the renewal of 10 year waste management permit for the operation of the Dale Summit Transfer Station. The application was received by Northcentral Regional Office on July 5, 2012.

Comments concerning the application should be directed to Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Persons interested in obtaining more information about the permit application may contact the Williamsport Regional Office, (570) 327-3740. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

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

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

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

GP3-15-0064: Simonds Excavating, Inc. (301 Shepard Road, Sayre, PA 18840) on July 9, 2012, to operate a portable nonmetallic mineral processing plant in Tredyffrin Township, **Chester County**.

GP9-15-0016: Simonds Excavating, Inc. (301 Shepard Road, Sayre, PA 18840) on July 9, 2012, to operate a diesel/#2 fuel fired internal combustion engines in Tredyffrin Township, **Chester County**.

GP14-15-0096: Veterinary Referral Center (340 Lancaster Avenue, Malvern, PA 19355) on July 2, 2012, to operate one (1) animal crematory rated at 75 lb/hr 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

58-399-041GP5: WPX Energy Appalachia LLC (6000 Town Center Boulevard, Suite 300, Canonsburg, PA 15317-5834) on June 29, 2012, to construct and operate one (1) IC Engine and one (1) dehy/reboiler at their Depue Natural Gas Compressor Station site in Franklin Township, **Susquehanna County**.

58-399-042GP5: WPX Energy Appalachia LLC (6000 Town Center Boulevard, Suite 300, Canonsburg, PA 15317-5834) on June 29, 2012, to construct and operate one (1) IC Engine and one (1) dehy/reboiler at their Carrar Natural Gas Compressor Station site in Liberty Township, **Susquehanna County**.

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

Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226

GP5-65-01018: Great Oak Energy, Inc. (637 Allegheny Avenue, PO Box 445, Oakmont, PA 15139) on July 5, 2012, to operate one (1) natural gas-fired engine rated at 465 bhp controlled by a three way catalyst at their Valero Compressor Station in Salem Township, **Westmoreland County**.

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

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

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

05-05007A: Texas Eastern Transmission, LP (PO Box 1642, Houston, Texas 77251-1642) on June 29, 2012, to impose a federally enforceable facility VOC cap of 47 tpy VOC on Source 044A, Area Fugitive Emissions, along with recordkeeping, reporting, and work practice conditions, at the Bedford Compressor Station in Bedford Township, **Bedford 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

04-00227B: IPSCO Koppel Tubulars LLC (PO Box 410, Ambridge, PA 15003) on July 9, 2012, to modify existing burners to accommodate oxy/fuel firing and install additional oxy/fuel burner capacity to the existing Rotary Hearth Furnace at the Ambridge Plant in Harmony Township, **Beaver County**. A total of 116 MMBtu/hr of heat input will be replaced and an additional 40 MMBtu/hr will be added to the Rotary Hearth Furnace.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

07-03055A: Advanced Metals Processing—PA LLC (129 South Sparks Street, Suite 1, State College, PA 16801-3913) on July 5, 2012, for a nonferrous metal delacquering oven at their facility in Hollidaysburg Borough, **Blair County**. The plan approval was extended.

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

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

65-00966A: Greensburg Thermal, LLC (755 Opossum Lake Road, Carlisle, PA, 17015) on July 6, 2012, for a plan approval extension, with an expiration date of January 6, 2013, to extend the period of temporary operation of sources and controls authorized under Plan Approval PA-65-00966A at the SCI Greensburg steam plant located in Hempfield Township, **Westmoreland County**. The plan approval has been extended.

30-00195: Equitrans, L.P. (625 Liberty Avenue, Pittsburgh, PA 15222) on June 28, 2012, for a plan approval minor modification to reflect that the initial period of temporary operation to facilitate shakedown of sources and air cleaning devices at the facility commenced on June 28, 2012. Pursuant to 25 Pa. Code § 127.12b(d), this temporary operation period is valid for a limited time not to exceed 180 days but may be extended for additional limited periods, each not to exceed 180 days. The Plan Approval will expire on December 28, 2012. The Jefferson Compressor Station is a natural gas transmission station located in Jefferson Township, **Greene County**. The plan approval has been extended.

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

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

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

62-00141: National Fuel Gas Supply Corp.—Roystone Compressor Station (P. O. Box 2081, Erie, PA 16512) on June 27, 2012, to issue a Title V Operating Permit to operate a Natural Gas Compressor Station, at Star Route Box 574, Sheffield Township, Warren County. The following potential emissions of criteria pollutants cause this facility to be a major source. 185 TPY CO, 411 TPY NO_x, and 25 TPY VOCs

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

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

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

09-00037: CMS Gilbreth Packaging Systems, Inc. (3001 State Road, Croydon, PA 19021) on July 10, 2012, for renewal of a facility-wide Operating Permit in Bristol Township, **Bucks County**. The facility's emission points include a large 10-station rotogravure printing press, a small 4-station rotogravure printing press, a small 7-station flexographic printing press, various seaming machines, and an automated parts washer, which have the potential to emit major levels of Volatile Organic Compounds (VOC) prior to the Regenerative Thermal Oxidizer; however, with this renewal, CMS Gilbreth is capping VOC emissions to below the major level threshold of 25 tons per year VOC. The facility is an area source for Hazardous Air Pollutants (HAP). There are no new sources at the facility and no new applicable regulations in this permit. The facility is subject to the recordkeeping requirements of 40 CFR Part 63 Subpart KK—National Emission Standards for Hazardous Air Pollutants in the Printing and Publishing Industry because the facility commits to the facility-wide HAP cap. The printing presses are subject to the requirements of 25 Pa. Code § 129.67 Graphic Arts Systems and 25 Pa. Code § 129.52 Surface Coating Operations. Sources at the facility are not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64, and the facility is not subject to the Greenhouse Gas Requirements pursuant to the GHG Tailoring Rule, 40 CFR Parts 51, 52, 70, and 71, et al. The renewal permit will include 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

45-00015: Tarheel Quarry LLC (P. O. Box 900, Caughtbaugh Road, Blakeslee, PA 18610) on July 10, 2011, for mining and quarry operations in Tobyhanna Township, **Monroe County**. The renewal Permit contains applicable requirements for emissions limitations, monitoring, recordkeeping, reporting and work practice standards designed to ensure facility compliance with Federal and State air pollution regulations.

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

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

06-05149: Fleetwood Industries, Inc. (225 Peach Street, Leesport, PA 19533-8644) on July 3, 2012, for the facility which manufactures retail sales shelving and store display fixtures in Ontelaunee Township, **Berks County**. The State-only permit was renewed.

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

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

42-00178: Glenn O. Hawbaker—Turtlepoint Plant 7 (711 E. College Avenue, Bellefonte, PA 16823-6854) on July 2, 2012, to issue the renewal of the State Only Operating Permit for the asphalt paving facility in Anning Township, **McKean County**. The facility is a Synthetic Minor. The primary sources at the facility include drum mix asphalt plant (400 TPH), rail car unloading, portable crushers, conveyors, screening, material stockpiles, and three engines to power the equipment. The facility is subject to 40 CFR 63, Subpart ZZZZ pertaining to the RICE engines, 40 CFR 63, Subpart I—pertaining to the hot mix asphalt plant, and 40 CFR 60, Subpart OOO—pertaining to nonmetallic mineral processing. The asphalt plant is controlled by a primary and secondary baghouse. Water spray is used to minimize fugitive emissions from the mineral processing. The potential emissions based on the restriction of 460,000 tons of asphalt and 500 hours of operation per year for the mineral processing is as follows: 29.5 TPY NO_x; 20.76 TPY SO_x; 73.2 TPY PM₁₀; and, 92.5 TPY CO. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

43-00152: John Maneely Co.—Wheatland Tube Cold Draw Division—Mill Street Plant (134 Mill Street, P. O. Box 608, Wheatland, PA 16161) on July 5, 2012, to issue a Natural Minor Permit rather than a Synthetic Minor Permit to operate a Steel Pipe and Tubing Manufacturing Plant in the Borough of Wheatland, **Mercer County**. The removal of several sources reduces potential VOC emissions to 36.7 tons per year which allows this facility to be classified as a Natural Minor Source.

43-00252: Grove City College (100 Campus Drive, Grove City PA 16127-2104) on July 2, 2012, to issue the renewal operating permit in Grove City, **Mercer County**. The significant sources are two tri-fuel boilers and a gas/oil fired boiler as well as miscellaneous natural gas combustion and a degreaser. The conditions of the previous plan approvals and operating permit were incorporated into the renewal permit. The facility has taken an elective restriction of 5,850 tons of coal on a consecutive 12-month basis and a sulfur limit of 1.0% on a consecutive 12-month basis. The quantity of #2 fuel oil is limited to 210,000 gallons per year based on a consecutive 12-month basis. The natural gas usage is limited to 650 mmcf/yr based on a consecutive 12-month period. The facility is required to keep records of the fuel usages and sulfur content. With the given restrictions, the status of the facility operating permit is a Synthetic Minor. The boilers are subject to 40 CFR 63, Subpart JJJJJJ pertaining to NESHAPs for ICI boilers at area sources. The potential emissions from the facility with the given restrictions are as follows: 20.8 TPY PM₁₀; 63.8 TPY NO_x; 89.4 TPYSO₂; 61.2 TPY CO; and 5.7 TPY VOC.

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

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

N12-020: Belmont Center for Comprehensive Treatment (4200 Monument Avenue, Philadelphia, PA 19131) on July 10, 2012, to operate a hospital in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two 200 HP boilers, two less than 50 HP boiler, and one emergency generator.

The operating permit will be issued under the Pennsylvania Code Title 25, Philadelphia Code Title 3 and Air

Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

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

S11-031: Girard Medical Center (North Philadelphia Health Systems), (at 8th Street and Girard Avenue, Philadelphia, PA 19122) for the operation of a hospital facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes two # 2 oil firing 150 Hp boilers, seven less than or equal to 50 Hp natural gas firing boilers, two less than 40 Hp natural gas firing water heater, and three emergency generators.

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.

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

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

10-00230: Lindy Paving, Inc.—Zelienople Plant (2340 2nd Avenue, Pittsburgh, PA 15219) on July 5, 2012, to issue an administrative amendment to the State Operating Permit to incorporate the change in ownership from IA Construction Corporation to Lindy Paving at their facility in Jackson Township, **Butler County**. The new responsible official and permit contact for the facility is Paul Reiner Jr.—General Manager.

37-00027: Lindy Paving, Inc.—West Pittsburg Plant (2340 2nd Avenue, Pittsburgh, PA 15219) on July 5, 2012, issued an administrative amendment to the State Operating Permit to incorporate the change in ownership from IA Construction Corporation to Lindy Paving at their facility Taylor Township, **Lawrence County**. The new responsible official and permit contact for the facility is Paul Reiner Jr. - General Manager.

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

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

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

04-00043: Centria (500 Perth Drive, Ambridge, PA 15108). Per Title 25 Pa. Code Section 127.449(i), this Notice is for the following de minimis emission increase at the Centria facility located in Ambridge.

Installation of a solvent recovery system with VOC emissions not to exceed 0.45 tpy, HAP emissions not to exceed 0.18 TPY, and the project will not trigger the requirements of Title 25 PA Code Subchapter E.

The list of de minimis increases includes only this project.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

Coal Permits Actions

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

63050102 and NPDES Permit No. PA0250767. Muligan Mining, Inc. (P. O. Box 24, Burgettstown, PA 15021). Permit renewal issued for continued operation and reclamation of a bituminous surface mining site located in Smith Township, **Washington County**, affecting 143.9 acres. Receiving streams: unnamed tributaries to Little Raccoon Run to Little Raccoon Run to Raccoon Run to Ohio River; and unnamed tributaries to Raccoon Creek to Raccoon Creek to Ohio River. Application received: October 18, 2011. Renewal issued: July 3, 2012.

26743202 and NPDES Permit No. PA0069736. Bute Coal Recovery, LLC (P. O. Box 275, West Leisenring, PA 15489). Permit renewal issued for continued operation and reclamation of a bituminous surface mining/coal refuse disposal/reprocessing site located in Dunbar and North Union Townships, **Fayette County**, affecting 150.1 acres. Receiving streams: Rankin Run to Redstone Creek to Monongahela River. Application received: June 27, 2011. Renewal issued: July 3, 2012.

Noncoal Permits Actions

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

37010301. Quality Aggregates, Inc. (4955 Steubenville Pike, Suite 245, Pittsburgh, PA 15205) Renewal of NPDES Permit No. PA0251881 in Slippery Rock Township, **Lawrence County**. Receiving streams: Nine unnamed tributaries to Slippery Rock Creek. Application received: February 14, 2012. Permit Issued: July 2, 2012.

61120802. William D. Hart (4803 Camp Coffman Road, Venus, PA 16364) Commencement, operation and restoration of a small industrial minerals mine in Pinegrove Township, **Venango County** affecting 4.0 acres. Receiving streams: Unnamed tributary to East Sandy Creek. Application received: February 9, 2012. Permit Issued: July 2, 2012.

16122802. Lopa Mining, Inc. (309 South 4th Avenue, Clarion, PA 16214) Commencement, operation and restoration of a small industrial minerals mine in Limestone Township, **Clarion County** affecting 5.0 acres. Receiving

streams: Piney Creek. Application received: April 17, 2012. Permit Issued: July 2, 2012.

16122802-GP-104. Lopa Mining, Inc. (309 South 4th Avenue, Clarion, PA 16214) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 16122802 in Limestone Township, **Clarion County**. Application received: April 17, 2012. Permit Issued: July 2, 2012.

37960303-GP-104. B & P Slag Corporation (19 Lat-tavo Drive, New Castle, PA 16105-3624) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 37960303 in Union Township, **Lawrence County**. Application received: June 8, 2012. Permit Issued: July 3, 2012.

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

66880301C3 and NPDES Permit No. PA0594229. Reading Materials, Inc., (P. O. Box 1467, Skippack, PA 19474), correction to an existing quarry operation to permit mining to +875 feet MSL, reduce the permit acreage from 328.6 to 94.6 acres and stream variance in Falls Township, **Wyoming County**, receiving stream: Buttermilk Creek. Application received: May 4, 2009. Correction issued: July 6, 2012.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Actions

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

58124155. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Wilkes Well Pad in Silver Lake Township, **Susquehanna County** with an expiration date of December 31, 2012. Permit issued: July 2, 2012.

54124102. Maine Drilling & Blasting, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Highridge Travel Plaza in Cass Township, **Schuylkill County** with an expiration date of June 28, 2013. Permit issued: July 3, 2012.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2

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

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, Telephone 570-826-251.

E40-726. Greater Hazleton Area Civic Partnership, 20 Broad Street, Hazleton, PA 18201. Hazel Township, **Luzerne County**, Army Corps of Engineers Baltimore District.

To construct and maintain a prefabricated steel truss pedestrian bridge on existing stone railroad abutments across Hazle Creek (HQ-CWF), having a 115-foot span and a 33.5-foot underclearance. The project is located on the north side of Beryllium Road approximately 1.4 miles east of its intersection with SR 3019 (Beaver Meadow Mt. Road) (Hazleton, PA Quadrangle Latitude: 40°57'55.5"; Longitude: 75°54'29"). Subbasin: 5D.

E35-438. City of Scranton, 101 West Poplar Street, Scranton, PA 18508. City of Scranton, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To remove the existing structure and to construct and maintain a concrete arch bridge having a 36-foot span and an approximate underclearance of 13.7 feet approximately 100 feet across Leggetts Creek and to construct and maintain two 18-inch reinforced concrete stormwater outfalls in the floodway of Leggetts Creek (TSF). This project was previously authorized by Permit No. E35-371 which expired prior to commencement of construction. The project is on Rockwell Avenue approximately 0.1 mile northeast of West Market Street (Scranton, PA Quadrangle Latitude: 41°26'33.6"; Longitude: -75°39'32.8"). Subbasin: 5A.

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

To construct and maintain a stream and wetland enhancement project in and along approximately 900 feet of Ariel Creek (HQ-CWF) and adjacent wetlands with work consisting of regrading and excavation within approximately 1.4 acres of wetlands and replanting approximately 5.1 acres of wetlands with native trees, shrubs and herbs. Impacted wetlands are located in the floodplain of Ariel Creek. The project is located in the Hideout Residential Development on the west side of Brookfield Road immediately downstream of Brooks Lake (Lakeville, PA Quadrangle Latitude: 41°26'1"; Longitude: -75°21'37"). Subbasin: 1B.

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

To construct and maintain a dry fire hydrant in East Emerald Lake (HQ-CWF, MF) consisting of 20-foot long, 6-inch diameter PVC intake pipe with a 6-foot diameter circular concrete sump. The project is located within the Emerald Lakes development on the north side of East Emerald Lake Drive approximately 0.1 mile east of its intersection of Long Pond Road (Pocono Pines, PA Quadrangle Latitude: 41°4'53"; Longitude: -75°25'39"). Subbasin: 1E.

E39-515. City of Allentown, 641 South 10th Street, 3rd Floor, Allentown, PA 18103-3173. City of Allentown, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To remove the existing structure (Ward Street Bridge) and to construct and maintain a 65.5-foot wide two-span prestressed concrete composite bulb-tee bridge across the Little Lehigh Creek (HQ-CWF, MF), having two normal spans of 138.6 feet each and an underclearance of approximately 32.3 feet. The project is located on 15th Street/Ward Street near its intersection with Martin Luther King Boulevard Jr. Drive (Allentown East, PA Quadrangle Latitude: 40°35'27.8"; Longitude: -75°28'56.8") Subbasin: 2C.

E40-725. Patrick J. Kane, 45 Yeager Avenue, Forty Fort, PA 18704. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District. To remove the existing 1,044 square-foot boathouse and concrete retaining wall and to construct and maintain a pile supported boathouse/dock in Harveys Lake (HQ-CWF) having 2,188 square-foot surface area over the lake and to construct and maintain a 75-foot long boulder retaining wall along the shoreline of the lake. The project is located along Lakeside Drive at Pole #21 (Harveys Lake, PA Quadrangle Latitude: 41°21'35"; Longitude: -76°01'55"). Subbasin: 4G.

E45-567. New Glenbrook East, LP, One Wynnewood Road, P. O. Box 678, Wynnewood, PA 19096. Borough of Stroudsburg, **Monroe County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a stormwater outfall structure in the floodway of Pocono Creek (HQ-CWF) consisting of two 24-inch elliptical pipes, flared end sections and a rip-rap apron. The outfall is associated with Glenbrooke East Apartments located on the east side of Waverly Road approximately 0.2 miles south of its intersection with SR 0209 (Main Street) (Stroudsburg, PA Quadrangle Latitude: 40°58'53.1"; Longitude: -75°11'52.2"). Subbasin: 1E.

E52-234. Mr. Fran Stoveken, 104 Court Lane, Dingmans Ferry, PA 18328. Delaware Township, **Pike County**, Army Corps of Engineers Philadelphia District. To construct and maintain a 12-foot wide steel beam private bridge with a timber deck across Dingmans Creek (HQ-CWF, MF), having a 52-foot span and a 5-foot underclearance. The project is located on the south side of SR 2004 (Silver Lake Road) near its intersection with Woodpecker Lane (Lake Maskenozha, PA-NJ Quadrangle Latitude: 41°14'52"; Longitude: -74°56'0"). Subbasin: 1D.

E45-572. Pocono Mountains Municipal Airport Authority, P. O. Box 115, Mount Pocono, PA 18344-0115. Coolbaugh Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To fill 0.22 acre of wetlands (EV) within the Red Run Watershed (HQ-CWF, MF) for the purpose of extending an airport runway. The permittee is required to provide for 0.22 acre(s) of replacement wetlands by participating in the Pennsylvania Wetland Replacement Project. The project is located approximately 4,900 feet northwest of the intersection of SR 0940 and SR 0611 (Buck Hill Falls, PA Quadrangle Latitude: 41°08'3.1"; Longitude: -75°22'26"). Subbasin: 1E.

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

E14-546. Stone Ridge Mountain Group, LLC, 698 Moose Run Road, Bellefonte, PA 16823. Steele Hollow, in Houston Township, **Centre County**, ACOE Baltimore District (Port Matilda, PA Quadrangle 40-51-19.32 N, 78-01-2.28 W).

To construct and maintain: 1) a 10-foot wide by 30-foot long temporary ford 10 feet downstream of Steele Hollow Creek; 2) a new 16-foot wide by 45-foot long steel and wood bridge with a minimum underclearance of 30 inches and a minimum clear span of 30 feet over Steele Hollow Creek to access a hunting property located 1.7 miles north on Steele Hollow Road from SR 220. This project proposes to temporarily impact 15 linear feet of stream and permanently impact 20 linear feet of Steel Hollow Run, which is classified as a Cold Water Fishery. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E02-1645. The Urban Redevelopment Authority of Pittsburgh, 200 Ross Street, Pittsburgh, PA 15219-2069, City of Pittsburgh, **Allegheny County**; ACOE Pittsburgh.

Has been given consent to operate and maintain the existing wall, along the 100-yr floodplain boundary, to construct and maintain 49 lf of 72 in RCP, as an extension of an existing outfall structure, 30-S articulated block slope protection at two (2) locations and approx. 450 lf of steel bulkhead wall in the Monongahela River (WWF, N), to dredge approx. 6,680 sf of the Monongahela River in front of this wall and to place and maintain approx. 13,390 sf of fill behind this wall, in and along the river, for the purpose of creating a mooring area for recreational boats, and for providing access to, and trails along, the Monongahela River, within the South Shore Riverfront Park. These structures will cumulatively affect approx. 610 lf of the left bank of said river. To compensate for these impacts, an approximately 15,000 sf shallow water habitat area will be constructed upstream of the steel

bulkhead wall/river landing, for a linear distance of approx. 550 ft. The shallow water habitat area will consist of rock of varying sizes (R5 to R7), which will be placed to create a reef-type area. The riverfront park will consist of a river landing, pedestrian walkways, landscaped and lawn areas. The project is located approximately 3,000.0 feet upstream from the Brady Bridge (Pittsburgh East, PA Quadrangle N: 9.8 inches; W: 12.3 inches; Latitude: 40° 25' 40"; Longitude: 79° 57' 44") in the City of Pittsburgh, Allegheny County.

E02-1653. Sunoco Pipeline LP, 525 Fritztown Road, Sinking Spring, PA 19608, Penn Hills Borough, **Allegheny County**; ACOE Pittsburgh District.

Has been given consent to construct and maintain grout matting in the channel of an unnamed tributary to Thompson Run (WWF) at three (3) locations for the purpose of protecting the existing petroleum pipeline. Access to the site will be obtained by creating two (2) temporary road crossings over unnamed tributaries to Thompson Run. The project is located on the south side of Jefferson Road, approximately 950 feet southwest from the intersection of McKenzie Drive and Jefferson Road (washout #1), 1,000 feet southwest from the intersection of McKenzie Drive and Jefferson Road (washout #2) and 1,100 feet southwest from the intersection of McKenzie Drive and Jefferson Road (washout 3) (Braddock, PA Quadrangle N: 12.9 inches; W: 7.75 inches; Latitude: 40°-26'-46"; Longitude: 79°-48'-21") in the Penn Hills Borough, Allegheny County and will permanently impact approximately 130 linear feet and temporarily impact 325 linear feet of stream channel.

E03-456. Armstrong County Board of Commissioners, 402 Market Street, Kittanning, PA 16201, Boggs and Rayburn Townships, **Armstrong County**; ACOE Pittsburgh District

Has been given consent to remove the existing 14.25' wide, 69.5' long, single span, 12' underclearance Township Road 535 bridge with a 90 degree skew and to construct and maintain a new 18.3' wide, 71.5' long, single span bridge with a underclearance of 12' and an 82 degree skew over South Fork Pine Creek (HQ-CWF); to construct and maintain an associated stormwater outfall; and construct and remove temporary construction related encroachments. The new bridge is centered on the existing bridge western abutment and offset upstream from the existing bridge eastern abutment and located in (Mosgrove Pa Quadrangle; N: 21.5 inches; W: 12.25 inches; Latitude 40° 52' 12.2"; Longitude -79° 27' 49.5") Boggs and Rayburn Townships, Armstrong County.

E26-361. Southwest PA Railroad, Smithfield Fair Freight Terminal, Georges Township, **Fayette County**; ACOE Pittsburgh District.

Has been given consent to place and maintain fill in 0.1318 acre of wetlands; to reconstruct and expand Wetland A from 0.3829 to 0.4097 acre; and to relocate and maintain approximately 1315 linear feet of an unnamed tributary to Georges Creek (WWF) for the purpose of constructing and improving the Smithfield Rail Freight Yard, which includes replacing three sections of line, offloading facilities, and sand silo-scale. Phase one of the project consists of construction of 515 linear feet of said channel which is relocated along a proposed silo, and construction of two 48-inch diameter pipe culvert, which were authorized under Department's GP-11. Phase two is located at the west of phase one and consists of construction of the channel for a length of 800 linear feet to relocate said stream along a proposed silo. The wetland

impacts will be mitigated on site by constructing 0.4294 acre of new wetlands and expanding the existing wetland A by 0.0268 acre. The project is located in Georges Township, Fayette County (Smithfield, PA Quadrangle N: 9.1 inches; W: 5.2 inches; Latitude: 39°48'00"; Longitude: 79°47'13").

E26-363. PennDOT District 12-0, PO Box 495, 825 North Gallatin Avenue, Uniontown, PA 15401, Bullsken Township, **Fayette County**; ACOE Pittsburgh District

Has been given consent to remove the existing SR 982 bridge having a span of 19 feet, a length of 36.3 feet, and an underclearance of 8.6 feet; and to construct and maintain a replacement 41 foot long box culvert with a span of 20 feet and an underclearance of 8.5 feet and depressed 1 foot, crossing Latta Run (CWF). The project is located approximately 7.5 miles northeast of Connellsville (Connellsville, PA Quadrangle N: 21.3 inches; W: 1.2 inches; Latitude: 40° 7' 5.2"; Longitude: -79° 30' 29.1") in Bullsken Township, Fayette County.

E32-493. Pennsylvania Game Commission, 2001 Elmerton Ave., Harrisburg, Pa 17110, Banks Township, **Indiana County**; ACOE Baltimore District.

Has been given consent to construct and maintain a steel and timber bridge having a span of 48.0 feet with an underclearance of 6.42 feet across the channel of South Branch Bear Run (CWF, MF) for the purpose of providing access to State Game Lands 174. The project is located on State Game Lands 174, approximately 3,500.0 feet upstream from the mouth of said stream (Burnside, PA Quadrangle N: 21.9 inches; W: 10.0 inches; Latitude: 40°-52'-15"; Longitude: 78°-49'-21") in Banks Township, Indiana County.

E63-637. MPG Hospitality, Inc., 101 Gosai Drive, Bentleyville, PA 15314, Chartiers Township, **Washington County**; ACOE Pittsburgh District.

Has been given consent to place and maintain fill in the floodway of Chartiers Creek (WWF), for a distance of approximately 800'; all for the purpose of constructing a motel. The project is located approximately 800' west of exit 41 on Interstate 79 in Chartiers Township, Washington County, PA. (Washington East, PA Quadrangle, N 17.7"; W 12.7"; Latitude 40° 13' 21"; Longitude 80° 12' 57")

Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335.

E42-353, SWEPI LP, 190 Thorn Hill Rd., Warrendale, PA 15086, North Fork Chappel Fork Encroachment in Hamilton Township, **McKean County**, ACOE Pittsburgh District (Westline, PA Quadrangle N: 41°, 49', 06.0"; W: 78°, 51', 28.8").

Replace and maintain an existing four culvert crossing of North Fork Chappel Fork (16' bed width) with a 13' wide by 40' clear span pre-fabricated steel bridge placed on precast concrete blocks (2x2x4) and a 4" compacted crushed stone base (providing a 36' waterway opening) and an additional four secondary 18" dia. 55' high density polyethylene (HDPE) culvert pipes set 12' on center, embedded 6" below grade and yielding a 1' minimum cover, and 1,320 sq. ft. of EV wetland restoration immediately downstream and to the right of the watercourse.

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

E0829-045: Chesapeake Appalachia, LLC, 101 North Main Street, Athens, PA 18810, Tuscarora Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. two 16 inch temporary waterlines and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 750 square feet (Monroeton, PA Quadrangle, Latitude: 41°42'14", Longitude: -76°26'00"),

2. two 16 inch temporary waterlines and a timber mat bridge impacting 16 linear feet of an unnamed tributary to South Branch Towanda Creek (CWF, MF) and impacting 1,580 square feet of an adjacent Palustrine Emergent Wetland and Palustrine Scrub-Shrub Wetland (Monroeton, PA Quadrangle, Latitude: 41°41'56", Longitude: -76°25'55");

3. two 16 inch temporary waterlines and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 1,232 square feet (Monroeton, PA Quadrangle, Latitude: 41°41'49", Longitude: -76°25'59"),

4. two 16 inch temporary waterlines and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 1,109 square feet (Monroeton, PA Quadrangle, Latitude: 41°41'48", Longitude: -76°25'59"),

5. two 16 inch temporary waterlines and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 462 square feet (Monroeton, PA Quadrangle, Latitude: 41°41'42", Longitude: -76°25'47"),

6. two 16 inch diameter temporary waterlines and a timber mat bridge impacting 21 linear feet of an unnamed tributary to South Branch Towanda Creek (CWF, MF) (Monroeton, PA Quadrangle Latitude: 41°41'40", Longitude: -76°25'46"),

7. two 16 inch temporary waterlines and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 1,280 square feet (Monroeton, PA Quadrangle, Latitude: 41°41'37", Longitude: -76°25'47"),

8. two 16 inch temporary waterlines and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 750 square feet (Monroeton, PA Quadrangle, Latitude: 41°41'32", Longitude: -76°25'47"),

9. two 16 inch temporary waterlines and a timber mat bridge impacting 26 linear feet of an unnamed tributary to South Branch Towanda Creek (CWF, MF) and impacting 1,269 square feet of an adjacent Palustrine Emergent Wetland (Monroeton, PA Quadrangle, Latitude: 41°41'29", Longitude: -76°25'56");

10. two 16 inch diameter temporary waterlines and a timber mat bridge impacting 21 linear feet of an unnamed tributary to South Branch Towanda Creek (CWF, MF) (Monroeton, PA Quadrangle Latitude: 41°41'29", Longitude: -76°25'58"),

11. two 16 inch diameter temporary waterlines and a timber mat bridge impacting 20 linear feet of an unnamed tributary to South Branch Towanda Creek (CWF, MF) (Monroeton, PA Quadrangle Latitude: 41°41'28", Longitude: -76°26'02"),

12. two 16 inch temporary waterlines and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 1,168 square feet (Monroeton, PA Quadrangle, Latitude: 41°41'37", Longitude: -76°26'11"),

The project will result in 104 linear feet and 587 square feet of temporary stream impacts and 9,283 square feet (0.21 acre) of temporary PEM and PSS wetland impacts from temporary waterlines and timber mat bridge crossings all for the purpose of establishing a temporary water supply for Marcellus well development.

E0829-041: Talisman Energy USA, Inc., 50 Penn-wood Place, Warrendale, PA 15086, Wells Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. one 12 inch diameter natural gas line, a 6 inch diameter water line and a temporary timber mat bridge impacting 121 linear feet of an unnamed tributary to Parks Creek (CWF) and impacting 7,777 square feet of an adjacent Palustrine Emergent Wetland (Windham, PA Quadrangle, Latitude: 41°56'38", Longitude: -76°20'35");

2. one 12 inch diameter natural gas line, a 6 inch diameter water line and a temporary timber mat bridge impacting 21,209 square feet of a Palustrine Emergent Wetland (Windham, PA Quadrangle, Latitude: 41°56'41", Longitude: -76°20'27");

3. one 12 inch diameter natural gas line, a 6 inch diameter water line and a temporary timber mat bridge impacting 1,308 square feet of a Palustrine Emergent Wetland (Windham, PA Quadrangle, Latitude: 41°56'45", Longitude: -76°20'12");

4. one 12 inch diameter natural gas line, a 6 inch diameter water line and a temporary timber mat bridge impacting 91 linear feet of an unnamed tributary to Wysox Creek (CWF) (Windham, PA, Latitude: 41°56'34", Longitude: -76°19'51");

5. one 12 inch diameter natural gas line, a 6 inch diameter water line and a temporary timber mat bridge impacting 146 linear feet of an unnamed tributary to Wysox Creek (CWF) and impacting 852 square feet of an adjacent Palustrine Emergent Wetland (Windham, PA Quadrangle, Latitude: 41°56'34", Longitude: -76°19'43");

6. one 12 inch diameter natural gas line, a 6 inch diameter water line and a temporary road crossing using two 20 foot long 36 inch diameter corrugated metal pipes impacting 129 linear feet of an unnamed tributary to Wysox Creek (CWF) and impacting 2,498 square feet of an adjacent Palustrine Emergent Wetland (Windham, PA Quadrangle, Latitude: 41°56'33", Longitude: -76°19'35");

7. one 12 inch diameter natural gas line, a 6 inch diameter water line and a temporary timber mat bridge impacting 284 square feet of a Palustrine Emergent Wetland (Windham, PA Quadrangle, Latitude: 41°56'33", Longitude: -76°19'22");

8. one 12 inch diameter natural gas line, a 6 inch diameter water line and a temporary road crossing using two 20 foot long 36 inch diameter corrugated metal pipes impacting 61 linear feet of an unnamed tributary to Wysox Creek (CWF) and impacting 9,601 square feet of an adjacent Palustrine Emergent Wetland and Palustrine Forested Wetland (Windham, PA Quadrangle, Latitude: 41°56'34", Longitude: -76°19'20");

9. one 12 inch diameter natural gas line, a 6 inch diameter water line and a temporary timber mat bridge impacting 602 square feet of a Palustrine Emergent Wetland (Windham, PA Quadrangle, Latitude: 41°56'33", Longitude: -76°19'16");

10. one 12 inch diameter natural gas line, a 6 inch diameter water line and a temporary timber mat bridge impacting 1,697 square feet of a Palustrine Emergent Wetland (Windham, PA Quadrangle, Latitude: 41°56'32", Longitude: -76°19'06");

11. one 12 inch diameter natural gas line, a 6 inch diameter water line and a temporary timber mat bridge

impacting 1,178 square feet of a Palustrine Emergent Wetland (Windham, PA Quadrangle, Latitude: 41°56'32", Longitude: -76°19'00").

The project will result in 548 linear feet or 2,348 square feet of temporary stream impacts and 47,007 square feet (1.08 acres) of PEM/PFO wetland impacts all for the purpose of installing a natural gas pipeline and a water line with associated access roadways for Marcellus shale development.

E1729-004. Energy Corporation of America. 1380 Route 286 Hwy E., Suite 221, Indiana, PA 15701. COP Tract 324A Project, in Girard Township, **Clearfield County**, ACOE Baltimore District. (The Knobs, PA Quadrangle, Latitude: N41°09'44.0", Longitude: W78°18'53.0").

Applicant proposes to construct, operate, and maintain fill in 1522.0 square feet (0.03 acre) of isolated palustrine emergent (PEM) wetlands located on an existing shallow gas well pad in order to convert the existing shallow natural gas wellsite into a Marcellus Shale wellsite.

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

To construct, operate, and maintain:

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

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

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

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

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

E5829-012. Williams Field Services Company, LLC., 2800 Post Oak Blvd, Houston, TX 77056; Springville Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. a 12 inch natural gas gathering pipeline and timber mat crossing impacting 83 lineal feet of an unnamed tributary to Tower Branch (CWF-MF) (Lenox, PA Quadrangle: Latitude 41° 42' 54"; Longitude -75° 42' 33"),

2. a 12 inch natural gas gathering pipeline impacting 8 lineal feet of an unnamed tributary to Tower Branch (CWF-MF) (Lenox, PA Quadrangle: Latitude 41° 42' 34"; Longitude -75° 42' 17"),

3. a 12 inch natural gas gathering pipeline, access road, and 3 - 36" culverts depressed 6 inches impacting 272 square feet of an unnamed tributary to Tower Branch (CWF-MF) (Lenox, PA Quadrangle: Latitude 41° 42' 28"; Longitude -75° 42' 07"),

4. a 12 inch natural gas gathering pipeline and timber mat crossing impacting 76 lineal feet of Sterling Brook and Partners Creek (CWF-MF) (Lenox, PA Quadrangle: Latitude 41° 42' 28"; Longitude -75° 41' 27"),

5. a 12 inch natural gas gathering pipeline and timber mat crossing impacting 871 square feet of PEM wetlands (Lenox, PA Quadrangle: Latitude 41° 42' 29"; Longitude -75° 42' 05"),

6. a 12 inch natural gas gathering pipeline impacting 12,632 square feet of PEM, PSS, PFO wetlands (Lenox, PA Quadrangle: Latitude 41° 42' 31"; Longitude -75° 41' 27"),

7. a 12 inch natural gas gathering pipeline and timber mat crossing impacting 8,276 square feet of PEM wetlands (Lenox, PA Quadrangle: Latitude 41° 42' 25"; Longitude -75° 42' 05"),

8. a 12 inch natural gas gathering pipeline and timber mat crossing impacting 1,307 square feet of PEM wetlands (Lenox, PA Quadrangle: Latitude 41° 42' 29"; Longitude -75° 42' 12").

The project consists of construction, operation, and maintenance of a 12 inch natural gas gathering pipeline from the Stalter Well Pad to the Zick Well Pad and then connecting to an existing gas gathering line. The project will result in 303 lineal feet of stream impacts and 0.24 acre of temporary wetlands impacts. All for the purpose of conveying Marcellus Shale natural gas to market.

ENVIRONMENTAL ASSESSMENTS

Cambria District: Environmental Program Manager, 286 Industrial Pk Rd, Ebensburg, PA 15931-4119.

EA6509-001. Pennsylvania Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Division of Mine Hazards, P. O. Box 8476, Harrisburg, PA 17105. Abandoned Mine Land Reclamation Project, in Donegal Township, **Westmoreland County**, Pittsburgh ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes 1,000 linear feet of dangerous highwall. The project will include backfilling 0.3 acre of hazardous open water, POW, and 0.08 acre of PEM wetland which have developed within the surface mine pits. Mitigation includes construction of 0.08 acre of wetland. Impacts to the wetland and water body are unavoidable in order to address the public safety hazards at this site. (Mammoth, PA Quadrangle, N 4.1 inches, W 2.7 inches).

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

D39-124EA. Bruce Solt, Superintendent, Parks and Recreation Department, City of Allentown, 3000 Parkway Boulevard, Allentown, PA 18104. City of Allentown, **Lehigh County**, ACOE Philadelphia District.

Project proposes to remove Robin Hood Bridge Dam for the purpose of eliminating a threat to public safety and restoring the stream to a free-flowing condition. The dam is located across Little Lehigh Creek (HQ-CWF) (Allentown East, PA Quadrangle, Latitude: 40.5822; Longitude: -75.4830).

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 sec-

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

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

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

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701

ESCGP-1 # ESX12-081-0084
Applicant Name EXCO Resources (PA), LLC
Contact Person Brian E. Rushe
Address 3000 Ericsson Drive, Suite 200
City, State, Zip Warrendale, PA 15086
County Lycoming County
Township(s) Franklin Township
Receiving Stream(s) and Classification(s) UNT to Little Muncy Creek (CWF, MF);
Secondary: Little Muncy Creek (CWF/MF)

ESCGP-1 # ESX12-117-0065
Applicant Name Talisman Energy USA, Inc.
Contact Person Tracy Gregory
Address 337 Daniel Zenker Drive
City, State, Zip Horseheads, NY 14845
County Tioga County
Township(s) Union and Ward Townships
Receiving Stream(s) and Classification(s) South Creek (EV) Tioga River (HQ-CWF);
Secondary: Tioga River

ESCGP-1 # ESX12-115-0035
Applicant Name WPX Energy Appalachia, LLC
Contact Person David Freudenrich
Address 1000 Town Center Way
City, State, Zip Canonsburg, PA 15317
County Susquehanna County
Township(s) Liberty Township
Receiving Stream(s) and Classification(s) UNT to Snake Creek/Upper Susquehanna Watershed (CWF);
Secondary: Snake Creek

ESCGP-1 # ESX12-081-0082
Applicant Name PVR Marcellus Gas Gathering, LLC
Contact Person Jeffrey Searfoss
Address 100 Penn Tower, Suites 201-202, 25 W. Third Street
City, State, Zip Williamsport, PA 17701
County Lycoming County
Township(s) Lewis and Cogan House Townships
Receiving Stream(s) and Classification(s) Hoagland, Dagherty and Wolf Run & Associated Tribs. (HQ);
Secondary: Lycoming Creek

ESCGP-1 # ESG12-015-0120
Applicant Name Chief Gathering, LLC
Contact Person Nicholas J. Bryan
Address 999 North Loyalsock Ave., Suite G
City, State, Zip Montoursville, PA 17754
County Bradford County
Township(s) Burlington Township
Receiving Stream(s) and Classification(s) UNT to Bailey Run (WWF/MF)

ESCGP-1 # ESX12-033-0019
Applicant Name EQT Gathering, LLC
Contact Person Brian Clauto
Address 455 Racetrack Road
City, State, Zip Washington, PA 15301
County Clearfield County
Township(s) Huston and Pine Townships
Receiving Stream(s) and Classification(s) UNT to Whitney Run, Whitney Run (Both HQ/CWF), Two UNTs to Anderson Creek, Anderson Creek (HQ-CWF/MF);
Secondary: West Branch Susquehanna River (WWF)

ESCGP-1 # ESX12-035-0013
Applicant Name XTO Energy, Inc.
Contact Person Stacey Vehovic
Address 395 Airport Road
City, State, Zip Indiana, PA 15701
County Clinton County
Township(s) Chapman Township
Receiving Stream(s) and Classification(s) Dry Run and UNT to Hyner Run (HQ)

ESCGP-1 # ESX12-081-0093
Applicant Name Anadarko E&P Company, LP
Contact Person Rane Wilson
Address 33 W. Third Street, Suite 200
City, State, Zip Williamsport, PA 17701
County Lycoming County
Township(s) Lewis and Gamble Townships
Receiving Stream(s) and Classification(s) Dubois Hollow: Trib to Lycoming Creek (HQ, CWF);
Secondary: Lycoming Creek (EV/MF)

ESCGP-1 # ESX12-115-0075
Applicant Name Southwestern Energy Production Company
Contact Person Dave Sweeley
Address 917 State Route 92 North
City, State, Zip Tunkhannock, PA 18657
County Susquehanna County
Township(s) Jackson Township
Receiving Stream(s) and Classification(s) Tunkhannock Creek Basin UNT to Tunkhannock Creek (CWF/MF), UNT to Butler Creek (CWF/MF);
Secondary: Susquehanna River (CWF)

ESCGP-1 # ESX12-081-0078
Applicant Name EXCO Resources (PA), LLC
Contact Person Gregg Stewart
Address 3000 Ericsson Drive, Suite 200
City, State, Zip Warrendale, PA 15086
County Lycoming County
Township(s) Franklin Township
Receiving Stream(s) and Classification(s) Little Muncy Creek (CWF);
Secondary: Muncy Creek (TSF)

ESCGP-1 # ESX12-113-0025
Applicant Name Appalachia Midstream Services, LLC
Contact Person Patrick Myers, Jr.
Address 100 Ist Center
City, State, Zip Horseheads, NY 14845
County Sullivan County

Township(s) Fox Township
 Receiving Stream(s) and Classification(s) Fall Run
 (EV)/Trib. 20082 to Fall Run (EV), and Weed Creek (EV)
 Loyalsock Creek Watershed;
 Secondary: Elk Creek (EV) and Hoagland Branch (EV)

ESCGP-1 # ESX12-113-0011 (01)
 Applicant Name Appalachia Midstream Services, LLC
 Contact Person Patrick Myers, Jr.
 Address 100 Ist Center
 City, State, Zip Horseheads, NY 14845
 County Sullivan County
 Township(s) Forks and Cherry Townships
 Receiving Stream(s) and Classification(s) UNT to Lick
 Creek (EV), 5 UNTs to Black Creek (EV), Black Creek
 (EV) & UNT to Streby Run (EV) Loyalsock Creek
 Water shed.
 Secondary: Lick Creek (EV, Black Creek (EV)

ESCGP-1 # ESX12-015-0136
 Applicant Name Appalachia Midstream Services, LLC
 Contact Person Patrick Myers, Jr.
 Address 100 Ist Center
 City, State, Zip Horseheads, NY 14845
 County Bradford County
 Township(s) Canton Township
 Receiving Stream(s) and Classification(s) Tribs. 30576,
 30580, 30581, 30582 and 30583; all to Towanda Creek
 (All CWF/MF)

ESCGP-1 # ESG11-015-0265 (01)
 Applicant Name PVR NEPA Gas Gathering, LLC
 Contact Person Nicholas J. Bryan
 Address 100 Penn Tower, Suite 201-202, 25 West Third
 Street
 City, State, Zip Williamsport, PA 17701
 County Bradford County
 Township(s) Towanda Township
 Receiving Stream(s) and Classification(s) UNT to
 Towanda Creek, UNT to French Run (Both CWF/MF)

ESCGP-1 # ESX12-115-0085
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Susquehanna County
 Township(s) Auburn Township
 Receiving Stream(s) and Classification(s) UNT to West
 Branch Meshoppen Creek, Riley Creek (Both CWF);
 Secondary: Meshoppen Creek (CWF)

ESCGP-1 # ESX12-115-0096
 Applicant Name Williams Field Services Company, LLC
 Contact Person Alan Schroeder
 Address 1605 Coraopolis Heights Road
 City, State, Zip Moon Township, PA 15108
 County Susquehanna County
 Township(s) Forest Lake Township
 Receiving Stream(s) and Classification(s) UNT to Forest
 Lake Creek (CWF/MF)/Middle Susquehanna Basin

ESCGP-1 # ESX12-117-0055
 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) Elk Run and
 UNT to Elk Run, TSF/MF

ESCGP-1 # ESX11-117-0072 (01)
 Applicant Name Superior Appalachian Pipeline, LLC

Contact Person Kenneth D. Magyar
 Address 1000 Town Center Way, Suite 120
 City, State, Zip Canonsburg, PA 15317-5834
 County Tioga County
 Township(s) Brookfield Township
 Receiving Stream(s) and Classification(s) North Brook/
 Troups Creeks, Mink Hollow/Susquehanna;
 Secondary: Tioga River

ESCGP-1 # ESX12-015-0135
 Applicant Name Angelina Gathering Company, LLC
 Contact Person Danny Spaulding
 Address 2350 N. Sam Houston Parkway E., Suite 125
 City, State, Zip Houston, TX 77032
 County Bradford County
 Township(s) Stevens Township
 Receiving Stream(s) and Classification(s) Cold Creek and
 UNT to Cold Creek (WWF/MF)

ESCGP-1 # ESX11-117-0113 (01)
 Applicant Name SWEPI LP
 Contact Person H. James Sewell
 Address 190 Thorn Hill Road
 City, State, Zip Warrendale, PA 15086
 County Tioga County
 Township(s) Middlebury and Chatham Townships
 Receiving Stream(s) and Classification(s) Losey Creek,
 Crooked Creek, Daly Hollow, Tribs to Losey Creek and
 Crooked Creek (All WWF/MF)

ESCGP-1 # ESX12-015-0124
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford County
 Township(s) Albany Township
 Receiving Stream(s) and Classification(s) UNT 1, UNT 2
 to Bowman Creek (CWF);
 Secondary: South Branch Towanda Creek (CWF)

ESCGP-1 # ESX12-115-0003 (01)
 Applicant Name WPX Energy Appalachia, LLC
 Contact Person David Freudenrich
 Address 6000 Town Center Blvd., Suite 300
 City, State, Zip Canonsburg, PA 15317
 County Susquehanna County
 Township(s) Great Bend and Liberty Townships
 Receiving Stream(s) and Classification(s) Susquehanna
 River (WWF/MF) (Upper Susquehanna Watershed),
 UNT's 31958 31957, 31971 31969 to Susquehanna
 River (CWF/MF);
 Secondary: Susquehanna River

*Northwest Region: Oil and Gas Program Manager, 230
 Chestnut St., Meadville, PA 16335*

ESCGP-1 #ESX12-019-0126A-Major Modification-Bricker
 Pipeline
 Applicant Keystone Midstream Services LLC
 Contact Patrick A Redalen
 Address 11400 Westmoor Circle, Suite 325
 City Westminster State CO Zip Code 80021
 County Butler Township(s) Connoquenessing(s)
 Receiving Stream(s) and Classification(s) UNT to Little
 Connoquenessing Creek (CWF) and Semiconon Run
 (CWF)

*Southwest Region: Oil & Gas Program Mgr. 400 Water-
 front Dr. Pittsburgh PA*

5/22/12

ESCGP-1 No: ESX12-125-0062

Applicant Name: MARKWEST LIBERTY MIDSTREAM &
 RESOURCES LLC

Contact Person MR RICK LOWRY
Address: 824 MORGANZA ROAD
City: CANONSBURG State: PA Zip Code: 15317
County: WASHINGTON Township: CHARTIERS
Receiving Stream (s) And Classifications: UNT TO PLUM
RUN (WWF); OTHER

5/8/12
ESCGP-1 No.: ESX12-125-0054
Applicant Name: LAUREL MOUNTAIN MIDSTREAM
LLC
Contact Person: MS STEPHANIE RANKER
Address: 2620 MEMORIAL BOULEVARD SUITE A
City: CONNELLSVILLE State: PA Zip Code: 15425
County: WASHINGTON Township(s): CENTERVILLE
Receiving Stream(s) and Classifications: TRIB 40264 TO
MONONGAHELA RIVER—WWF—TRIB 40243 TO
TWO MILE RUN—WWF TWO MILE RUN—WWF

5/17/12
ESCGP-1 No.: ESX12-125-0056
Applicant Name: MARKWEST LIBERTY MIDSTREAM &
RESOURCES LLC
Contact Person: MR RICK LOWRY
Address: 824 MORGANZA ROAD
City: CANONSBURG State: PA Zip Code: 15317
County: WASHINGTON Township(s): INDEPENDENCE
Receiving Stream(s) and Classifications: BRUSH RUN /
WHEELING-BUFFALO CREEK; HQ

4/27/12
ESCGP-1 No.: ESX12-125-0052
Applicant Name: MARKWEST LIBERTY MIDSTREAM &
RESOURCES LLC
Contact Person: MR RICK LOWRY
Address: 824 MORGANZA ROAD
City: CANONSBURG State: PA Zip Code: 15317
County: WASHINGTON Township(s): INDEPENDENCE
Receiving Stream(s) and Classifications: UNTs TO
HANEN RUN, UNTs TO BRUSH RUN, UNTs TO
SUGARCAMP RUN AND HANEN RUN; HQ

5/17/12
ESCGP-1 No.: ESX12-125-0059
Applicant Name: MARKWEST LIBERTY MIDSTREAM &
RESOURCES LLC
Contact Person: MR RICK LOWRY
Address: 824 MORGANZA ROAD
City: CANONSBURG State: PA Zip Code: 15317
County: WASHINGTON Township(s): SMITH
Receiving Stream(s) and Classifications: UNT TO RAC-
COON CREEK (WWF), RACCOON CREEK (WWF),
UNT TO BURGETTS FORK (WWF), UNT TO
CHERRY RUN (WWF)/ RACCOON CREEK WATER-
SHED; OTHER

5/30/12
ESCGP-1 No.: ESX12-059-0029
Applicant Name: CHESAPEAKE APPALACHIA LLC
Contact Person: MR ERIC HASKINS
Address: 101 NORTH MAIN STREET
City: ATHENS State: PA Zip Code: 18810
County: GREENE Township(s): ALEPPO
Receiving Stream(s) and Classifications: UNT TO LONG
RUN (TSF)/ WHEELING CREEK; OTHER

4/11/12
ESCGP-1 No.: ESX12-007-0009
Applicant Name: CHESAPEAKE APPALACHIA LLC
Contact Person: MR ERIC W HASKINS
Address: 101 NORTH MAIN STREET
City: ATHENS State: PA Zip Code 18810

County: BEAVER Township(s): INDUSTRY
Receiving Stream(s) and Classifications: UNT TO
SIXMILE RUN; OTHER

4/24/12
ESCGP-1 No.: ESX09-125-0006 MAJOR REVISION
Applicant Name: CHEVRON APPALACHIA LLC
Contact Person: MR JEREMY HIRTZ
Address: 800 MOUNTAIN VIEW DRIVE
City: SMITHFIELD State: PA Zip Code: 15478
County: WASHINGTON Township(s): DEEMSTON
Receiving Stream(s) and Classifications: UNT TO PLUM
RUN (TSF)/TENMILE CREEK WATERSHED; OTHER

5/23/12
ESCGP-1 No.: ESX11-059-0059
Applicant Name: M3 APPALACHIA GATHERING LLC
Contact Person: MR JAMES C ROBERTS
Address: 1099 MAIN AVENUE SUITE 210
City: DURANGO State: CO Zip Code: 81301-5157
County: GREENE Township(s): JEFFERSON, FRANKLIN,
WHITELEY, PERRY, WAYNE
Receiving Stream(s) and Classifications: UNT TO
SOUTH FORK TENMILE CREEK/TENMILE CREEK;
UNT TO MUDDY CREEK/TENMILE CREEK; UNT
TO COAL LICK RUN/TENMILE CREEK; UNT TO
MOUNT PHOEBE RUN/WHITELEY CREEK; MOUNT
PHOEBE RUN/WHITELEY; TRIBUTARY TO MOUNT
PHOEBE RUN/WHITELEY CREEK; UNT TO DYERS
FORK/WHITELEY CREEK; TRIBUTARY TO DYERS
FORK/WHITELEY CREEK; DYERS FORK/WHITELEY
CREEK; WHITELEY CREEK/MONONGAHELA
RIVER; UNT TO WHITELEY CREEK/MONONGA-
HELA RIVER; TRIBUTARY TO WHITELEY CREEK/
MONONGAHELA RIVER; TRIBUTARY TO RUDOLPH
RUN/DUNKARD CREEK; UNT TO PATTERSON RUN/
WHITELEY CREEK; RUDOLPH RUN/WHITELEY
CREEK; AND UNT TO RUDOLPH RUN/WHITELEY
CREEK. SEE ATTACHMENT F FOR STREAM TABLE;
OTHER; WWF, TSF

5/18/12
ESCGP-1 NO.: ESX12-051-0006
Applicant Name: JEREMY HIRTZ
CONTACT PERSON: CHEVRON APPALACHIA LLC
ADDRESS: 800 MOUNTAIN VIEW DRIVE
City: SMITHFIELD State: PA Zip Code: 15478
County: Fayette Township(s): JEFFERSON
Receiving Stream(s) and Classifications: UNT TO
WASHWATER RUN (WWF) AND UNT TO CRAB-
APPLE RUN (WWF)/MIDDLE MONONGAHELA
RIVER WATERSHED; OTHER

5/18/12
ESCGP-1 NO.: ESX12-125-0057
Applicant Name: MARKWEST LIBERTY MIDSTREAM &
RESOURCES LLC
CONTACT: MR RICK LOWRY
ADDRESS: 824 MORGANZA ROAD
City: CANONSBURG State: PA Zip Code: 15317
County: WASHINGTON Township(s): CROSS CREEK,
SMITH
Receiving Stream(s) and Classifications: UNTs TO RAC-
COON CREEK (WWF), UNTs TO MIDDLE FORK
CROSS CREEK (WWF), AND MIDDLE FORK CROSS
CREEK (WWF); OTHER

6/4/12
ESCGP-1 NO.: ESX12-125-0065
Applicant Name: RANGE RESOURCES APPALACHIA
LLC
CONTACT: MR GLENN D TRUZZI
ADDRESS: 3000 TOWN CENTER BOULEVARD

City: CANONSBURG State: PA Zip Code: 15317
 County: WASHINGTON Township(s): SMITH
 Receiving Stream(s) and Classifications: UNT TO RACCOON CREEK / RACCOON CREEK WATERSHED (WWF); OTHER

5/8/12

ESCGP-1 NO.: ESX12-129-0013
 Applicant Name: CHEVRON APPALACHIA LLC
 CONTACT: MR JEREMY HIRTZ
 ADDRESS: 800 MOUNTAIN VIEW DRIVE
 City: SMITHFIELD State: PA Zip Code: 15478
 County: WESTMORELAND Township(s): HEMPFIELD
 Receiving Stream(s) and Classifications: UNT TO SEWICLEY CREEK (WWF) / LOWER YOUGHIOGHENY RIVER WATERSHED; OTHER

6/25/12

ESCGP-1 NO.: ESX12-005-0009
 Applicant Name: EQT GATHERING LLC
 CONTACT: MR BRIAN M CLAUTO
 ADDRESS: 455 RACETRACK ROAD
 City: WASHINGTON State: PA Zip Code: 15301-8910
 County: ARMSTRONG Township(s): BURRELL AND KIT-TANNING

Receiving Stream(s) and Classifications: TRIBUTARY 46257 TO HORNEY CAMP RUN, WWF, MF TRIBUTARY 46259 TO HORNEY CAMP RUN, WWF, MF TRIBUTARY 46256 TO HORNEY CAMP RUN, WWF, MF HORNEY CAMP RUN, WWF, MF TRIBUTARY 46258 TO HORNEY CAMP RUN, WWF, MF TRIBUTARY 46255 TO HORNEY CAMP RUN, WWF, MF TRIBUTARY 46254 TO HORNEY CAMP RUN, WWF, MF CROOKED CREEK, WWF, MF TRIBUTARY 46266 TO CROOKED CREEK, WWF, MF TRIBUTARY 46267 TO CROOKED CREEK, WWF, MF TRIBUTARY 46280 TO PINE RUN, WWF, MF; OTHER

5/15/12

ESCGP-1 NO.: ESX11-007-0005 MAJOR REVISION
 Applicant Name: RANGE RESOURCES APPALACHIA LLC
 CONTACT: MR MIKE M HAZLETT
 ADDRESS: 3000 TOWN CENTER BOULEVARD
 City: CANONSBURG State: PA Zip Code: 15317
 County: BEAVER Township(s): HANOVER
 Receiving Stream(s) and Classifications: UNT TO TRAVERSE CREEK (WWF), AND UNT TO RACCOON CREEK (WWF)/RACCOON CREEK WATERSHED; OTHER

1/13/2010

ESCGP-1 NO.: ESX10-125-0062 MAJOR REVISION
 Applicant Name: RANGE RESOURCES APPALACHIA LLC
 CONTACT: MS CARLA L SUSZKOWSKI
 ADDRESS: 380 SOUTHPOINTE BOULEVARD
 City: CANONSBURG State: PA Zip Code: 15317
 County: WASHINGTON Township(s): INDEPENDENCE
 Receiving Stream(s) and Classifications: BRASHEARS RUN, UNT TO SUGARCAMP RUN, AND CAMP RUN; OTHER

5/23/12

ESCGP-1 NO.: ESX10-125-0089 MAJOR REVISION
 Applicant Name: RANGE RESOURCES APPALACHIA LLC
 CONTACT: MR GLENN TRUZZI
 ADDRESS: 3000 TOWN CENTER BOULEVARD
 City: CANONSBURG State: PA Zip Code: 15317
 County: WASHINGTON Township(s): HOPEWELL AND

INDEPENDENCE

Receiving Stream(s) and Classifications: UNT's/BUFFALO CREEK (WWF); HQ

5/25/12

ESCGP-1 NO.: ESX12-051-0007
 Applicant Name: LAUREL MOUNTAIN MIDSTREAM LLC
 CONTACT: MS STEPHANIE L RANER
 ADDRESS: 2620 MEMORIAL BLVD SUITE A
 City: CONNELLSVILLE State: PA Zip Code: 15425
 County: FAYETTE Township(s): JEFFERSON
 Receiving Stream(s) and Classifications: UNTs TO LITTLE REDSTONE CREEK (WWF); OTHER

5/29/12

ESCGP-1 NO.: ESX12-125-0064
 Applicant Name: MARKWEST LIBERTY MIDSTREAM & RESOURCES LLC
 CONTACT: MR RICHARD A LOWRY
 ADDRESS: 824 MORGANZA RD
 City: CANONSBURG State: PA Zip Code: 15317
 County: WASHINGTON Township(s): CHARTIERS
 Receiving Stream(s) and Classifications: UNT TO CHARTIERS CREEK (WARM WATER FISHES); OTHER

4/17/12

ESCGP-1 NO.: ESX11-125-0086 MAJOR REVISION
 Applicant Name: MARKWEST LIBERTY MIDSTREAM & RESOURCES LLC
 CONTACT: MR RICHARD A LOWRY
 ADDRESS: 824 MORGANZA ROAD
 City: CANONSBURG State: PA Zip Code:
 County: WASHINGTON Township(s): SMITH AND ROBINSON
 Receiving Stream(s) and Classifications: LITTLE RACCOON RUN (WWF)/RACCOON CREEK WATERSHED; OTHER

5/31/12

ESCGP-1 NO.: ESX12-125-0009 MAJOR REVISION
 Applicant Name: RANGE RESOURCES APPALACHIA LLC
 CONTACT: MR GLENN D TRUZZI
 ADDRESS: 3000 TOWN CENTER BOULEVARD
 City: CANONSBURG State: PA Zip Code: 15317
 County: WASHINGTON Township(s): HANOVER
 Receiving Stream(s) and Classifications: UNT TO AUNT CLARA FORK KINGS CREEK (CWF)/RACCOON CREEK WATERSHED; OTHER

5/2/12

ESCGP-1 NO.: ESX12-051-0004
 Applicant Name: CAIMAN PENN MIDSTREAM LLC
 CONTACT: MR RICK MONCRIEF
 ADDRESS: 5949 SHERRY LANE SUITE 1300
 City: DALLAS State: TX Zip Code: 75225
 County: FAYETTE Township(s): HENRY CLAY & WHARTON
 Receiving Stream(s) and Classifications: FIKE RUN / UPPER MONONGAHELA WATERSHED; HQ; OTHER

5/14/12

ESCGP-1 NO.: ESX12-125-0055
 Applicant Name: MARKWEST LIBERTY MIDSTREAM & RESOURCES LLC
 CONTACT: MR RICHARD A LOWRY
 ADDRESS: 824 MORGANZA RD
 City: CANONSBURG State: PA Zip Code: 15317
 County: WASHINGTON Township(s): SMITH AND CROSS CREEK
 Receiving Stream(s) and Classifications: BURGETTS FORK / (WARM WATER FISHES); OTHER

2/22/12
 ESCGP-1 NO.: ESX12-007-0005
 Applicant Name: CHESAPEAKE APPALACHIA LLC
 CONTACT: MR ERIC W HASKINS
 ADDRESS: 101 NORTH MAIN STREET
 City: ATHENS State: PA Zip Code: 18810
 County: BEAVER Township(s): OHIOVILLE BORO
 Receiving Stream(s) and Classifications: UNT TO WOLF
 RUN—WWF; OTHER

3/27/12
 ESCGP-1 NO.: ESX12-059-0019
 Applicant Name: RICE DRILLING B LLC
 CONTACT: MS TONYA WINKLER
 ADDRESS: 171 HILLPOINTE DRIVE SUITE 301
 City: CANONSBURG State: PA Zip Code: 15317
 County: GREENE Township(s): GRAY
 Receiving Stream(s) and Classifications: GRAY'S FORK;
 HQ

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
12-17-007	Midland Asphalt Materials, Inc. 640 Young Street Tonawanda, NY 14150-4103 Attn: Lon Ward	Clearfield	Bradford Township	3 ASTs storing asphalt emulsion	85,000 gallons total

SPECIAL NOTICES

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of June 2012 Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P. L. 238, No. 43 (63 P. S. Sections 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon-related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Accredited Radon of Allentown	2517 Treeline Drive Easton, PA 18040	Mitigation
Gerald Aubrey	1517 Daws Road Blue Bell, PA 19422	Testing
William Barroner	1275 Larke Road Williamsburg, PA 16693	Testing
Richard Benchoff Radon Detection and Control II	P. O. Box 419 South Heights, PA 15081	Mitigation
Don Cessna	407 W. Sample Street Ebensburg, PA 15931	Testing
Greg Dupey Pillar to Post	2370 York Road, A9-C Jamison, PA 18929	Testing
Darren Ferguson	1022 Old Nobletown Road Oakdale, PA 15071	Testing
Dante Galan	2 Hayes Street Elmsford, NY 10523	Laboratory Analysis
Gregory Gibson	P. O. Box 733 Tannersville, PA 18372	Testing
Dana Hillerby	105 Carroll Avenue Glenside, PA 19038	Testing
James F. Andrews Enterprises	353 Loveville Road Warriors Mark, PA 16877	Mitigation
Kirk Knappman	421 West Chocolate Avenue Hershey, PA 17033	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
L & J Marketing, Inc.	289 Town Center Boulevard Easton, PA 18040	Testing
Matthew Muehling	454 Rockwood Drive Elizabethtown, PA 17022	Testing
Roman Paul	35 East Marshall Street Suite 731 Norristown, PA 19401	Testing
Peter Piazza	106 Winslow Court Greensburg, PA 15601	Testing
Quality Home Services Of Delaware Valley, Inc.	700 Braxton Road Ridley Park, PA 19078	Testing
RJH Radon Mitigation	P. O. Box 91 Akron, PA 17501	Mitigation
Jon Selko	1276 Bethel Green Drive Bethel Park, PA 15102	Testing
Mike Sheely	1000 Wolfe Road Enola, PA 17025	Testing
Michael Stabile	282 Heather Drive Blakeslee, PA 18610	Testing
David Steinman	1653 Lititz Pike, #219 Lancaster, PA 17601	Testing
Michael Tokarczyk	753 Lutzville Road Everett, PA 15537	Mitigation
Jody Viscomi	1304 Eynon Street Scranton, PA 18504	Testing
Gary Walters	P. O. Box 40 Enola, PA 17025	Mitigation

**Public Comment Period and Public Hearing
Concerning Draft NPDES Permit for Exelon
Generation Company, LLC, Limerick Generating
Station**

Summary: The Pennsylvania Department of Environmental Protection (PADEP) is accepting comments on the National Pollutant Discharge Elimination System Permit (NPDES) Permit renewal application filed with the Department by Exelon Generation Company, LLC (Exelon Generation) for its Limerick Generating Station (LGS) located in Limerick, Pennsylvania. The draft permit was published in the 12/10/2011 *Pennsylvania Bulletin*. PADEP is accepting public comments regarding draft NPDES Permit No. PA0051926 for the LGS facility until 5:00 p.m. on October 27, 2012. The draft NPDES Permit regulates the discharge of noncontact cooling water, boiler blow down, treated process wastewater and storm water to the Schuylkill River and Possum Hollow Run through various outfalls.

The Department will hold a joint public hearing with the Delaware River Basin Commission (DRBC) regarding proposed agency actions for this proposal on August 28, 2012.

Prior to the hearing, the NPDES permit renewal application and related documents, and draft Permit No. PA0051926 can be reviewed by making an appointment with PADEP's Records Management Section at 484.250.5910. The above documents are also available at the following locations in Montgomery and Chester counties: Limerick Township, 646 West Ridge Pike, Limerick, PA 19468; and East Coventry Township, 855 Ellis Woods Road, Pottstown, PA 19465.

Hearing Information: The public hearing will take place on Tuesday, August 28, 2012 at the Sunny Brook Ballroom, 50 Sunny Brook Road, Pottstown, PA 19464 from 6:00 p.m. until 9:00 p.m. Prior to the hearing, an information session will be held at the same location from 4:30 p.m. until 5:30 p.m. Written comments will also be accepted prior to the hearing, at the hearing and until 5:00 p.m. on October 27, 2012.

The sole purpose of the hearing is to provide members of the public with an opportunity to present oral testimony on the proposed Exelon Generation Company, LLC, Limerick Generating Station Draft NPDES permit. In order to give everyone who wishes to testify the opportunity to do so at the public hearing, the following procedures will be in effect:

Everyone must register to testify. Registrations to present oral testimony will begin at approximately 4:30 p.m. on the day of the hearing and will continue until the hearing is closed. There will be no advance registration. Speakers will be called in roughly, but not exactly, the order in which they registered.

Testimony will be limited to 3 minutes. To allow everyone who wishes to speak an opportunity to do so, oral testimony will be limited to three minutes. Speakers will not be permitted to cede their time to others; however, after everyone who wishes to speak has had a chance to do so, the hearing officer may accept requests to supplement earlier remarks. A court stenographer will capture all verbal comments for the public record. Individuals who have prepared written testimony are asked to summarize their comments during the three-minute period for oral testimony and to submit their complete

written comments either at the hearing or via email, fax, US mail, delivery service, or hand delivery before 5:00 p.m. on October 27, 2012.

Individuals in need of an accommodation as provided for in the Americans with Disabilities Act who wish to attend the hearing should contact Ms. Deborah Fries directly at 484.250.5808 or through the Telecommunications Relay Services (TRS) at 711, to discuss how the Department can accommodate your needs.

Comments: Written comments to PA DEP may be submitted at the hearing and may also be sent to the attention of Ms. Jenifer Fields via email at jfieldspa.gov; by fax to 484.250.5971; or by US mail or delivery service to PADEP, Southeast Regional Office, Water Management, 2 E Main Street, Norristown, PA 19401. Regardless of the method of submission, all comments should include the name, affiliation (if any) and address of the commenter and the subject line "Public Comment—Exelon Limerick Generating Station Docket."

For Further Information Contact: For questions about the draft NPDES Permit action or about the upcoming hearing, please contact Mr. Sohan Garg at 484.250.5197 or Mr. Pravin Patel at 484.250.5194.

Request for Section 401 Water Quality Certification

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

30921601 and NPDES Permit No. PA0214060. River Processing Corporation, (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370). Request for Section 401 Water Quality Certification for permit revision to add 202 surface coal preparation activity acres at the Freeport Surface Facilities (formerly the Monongahela Resources Tipple) in Jefferson Township, **Greene County**. This permit application was accepted for review May 30, 2008. The Section 401 Water Quality Certification request was received March 19, 2012. Persons wishing to comment on or object to this request for Section 401 Water Quality Certification must submit comments or objections to the District Mining Office identified above within 30 days of the date of this public notice. Comments should contain the name, address and telephone number of the person commenting, the identification of the permit application to which the comments pertain, and a concise statement of the comments, objections, or suggestions including relevant facts upon which they are based. The application describing the details of the proposed installation is available for review, by appointment, at the District Mining Office identified above.

[Pa.B. Doc. No. 12-1344. Filed for public inspection July 20, 2012, 9:00 a.m.]

Air Quality Technical Advisory Committee Meeting Change

The Air Quality Technical Advisory Committee meeting scheduled for Thursday, August 2, 2012, has been rescheduled. The meeting will now take place on Wednesday, September 12, 2012, in Room 105, Rachel Carson State Office Building at 9:15 a.m.

For information, contact Arleen Shulman at (717) 772-9495 or ashulman@state.pa.us. The agenda and meeting materials for the meeting will be available through the Public Participation Center on the Department of Envi-

ronmental Protection's (Department) web site at <http://www.dep.state.pa.us> (DEP Keyword: "Air Quality Technical Advisory Committee").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Arleen Shulman at (717) 787-9495 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL L. KRANCER,
Secretary

[Pa.B. Doc. No. 12-1345. Filed for public inspection July 20, 2012, 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.

Rescission of Technical Guidance

DEP ID: 291-0400-001. Title: Policy & Procedure Summary, Radiation Control Division. Description: This content and scope of this document no longer relevant because of United States Nuclear Regulatory Commission (NRC) Agreement State Status. The information is now largely available in other Bureau of Radiation Protection documents and NRC regulation and Inspection Manual Chapters.

Contact: Questions regarding this action should be directed towards to Joseph Melnic, jmelnic@pa.gov or (717) 787-3702.

Effective Date: Upon publication in the *Pennsylvania Bulletin*.

DEP ID: 292-0400-002. Title: Nuclear Power Generating Station Incident Manual. Description: This document has been superseded by the Bureau of Radiation Emergency Response Plan (BRP). The BRP Radiological Emergency Response Plan is structured along the lines of the Commonwealth's Nuclear/Radiological Incident Plan,

which is a "Related Incident Specific Plan" to the Commonwealth of Pennsylvania—State Emergency Operations Plan.

Contact: Questions regarding this action should be directed to Rich Janati, rjanati@pa.gov or (717) 787-2163.

Effective Date: Upon publication in the *Pennsylvania Bulletin*.

MICHAEL L. KRANCER,
Secretary

[Pa.B. Doc. No. 12-1346. Filed for public inspection July 20, 2012, 9:00 a.m.]

Pennsylvania Small Business Advantage Grant Availability

The Department of Environmental Protection (Department) announces the availability of grant funding in the 8th year of the Commonwealth's Advantage Grant Program (Program) for small business pollution prevention and energy efficiency projects. Small Business Advantage is a grant program providing up to 50% reimbursement grants, to a maximum of \$9,500, to enable a small business in this Commonwealth to adopt or acquire energy efficient or pollution prevention equipment or processes. Well designed energy efficient or pollution prevention projects can help small businesses cut costs and reduce the risk of potential regulatory problems, while simultaneously protecting the environment.

An eligible applicant must be a for-profit small business owner whose business or facility is located within this Commonwealth. All Commonwealth small businesses are eligible, including but not limited to manufacturers, retailers, service providers, mining businesses and agricultural concerns. The project to which the grant will apply must be located within the applicant's Commonwealth facility.

For a copy of the application or to review the Program's administrative requirements, contact Rhonda Brown at the Office of External Affairs at (717) 772-8909. To ask a technical question concerning a project, write to epadvantagegrant@pa.gov before submitting an application. The Department will continue accepting applications until 4 p.m. on September 26, 2012, or until funds are exhausted, whichever occurs first.

Applications are most quickly obtained from the Department's web site at www.dep.state.pa.us, click on "Energy," and then click "Small Business Ombudsman's Office." Applications are also available by contacting the Department of Environmental Protection, Office of the Small Business Ombudsman, 2nd Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8772, Harrisburg, PA 17105-8772, (717) 772-8909. The application package contains the materials and instructions necessary for applying for the Small Business Advantage Grant.

Applications must be postmarked or hand delivered by 4 p.m. on September 26, 2012. Faxes or other electronic submissions will not be accepted.

MICHAEL L. KRANCER,
Secretary

[Pa.B. Doc. No. 12-1347. Filed for public inspection July 20, 2012, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Advanced Center for Surgery, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Advanced Center for Surgery, LLC has requested an exception to the requirements of 28 Pa. Code § 569.35 (relating to general safety precautions).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1348. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Allentown Women's Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Allentown Women's Center has requested an exception to the requirements of 28 Pa. Code § 555.13 (relating to administration of drugs).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1349. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Allied Services Rehabilitation Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Allied Services Rehabilitation Hospital has requested an exception to the requirements of 28 Pa. Code § 103.36 (relating to personnel records).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1350. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Aria Health—Torresdale Campus for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Aria Health—Torresdale Campus has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-3.1.3.6(2)(a) (relating to exam/treatment rooms).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation

to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1351. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Butler Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Butler Memorial Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-7.2.2.1 (relating to corridor width).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1352. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Children's Hospital of Pittsburgh for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Children's Hospital of Pittsburgh has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-7.2.2.3(1)(b) (relating to door openings).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1353. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Coordinated Health Hospital of Allentown for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Coordinated Health Hospital of Allentown has requested an exception to the requirements of 28 Pa. Code § 111.2 (relating to organization and staffing).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1354. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Coordinated Health Orthopedic Hospital of Bethlehem for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Coordinated Health Orthopedic Hospital of Bethlehem has requested an exception to the requirements of 28 Pa. Code § 111.2 (relating to organization and staffing).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1355. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Crozer Endoscopy Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Crozer Endoscopy Center has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1356. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Doylestown Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Doylestown Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-3.4.5.3 (relating to patient toilet in ultrasound room).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1357. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of DuBois Regional Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that DuBois Regional Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-7.2.2.1(1) (relating to corridor width).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1358. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Easton Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Easton Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-6.1.4 (relating to public toilets).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

Eli N. Avila, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1359. Filed for public inspection July 20, 2012, 9:00 a.m.]

Applications for Exception to 28 Pa. Code § 127.32

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that the following facilities have requested an exception to the requirements of 28 Pa. Code § 127.32 (relating to written orders):

Ephrata Community Hospital
Mercy Philadelphia Hospital

These requests are on file with the Department. Persons may receive a copy of a request for exception by

requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

These facilities are requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1360. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Family Center for Reproductive Health for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Family Center for Reproductive Health has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-3.2.2.2 (relating to space requirements).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1361. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of The Good Samaritan Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives

notice that The Good Samaritan Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-7.2.2.1(1) (relating to corridor width).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1362. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Harrisburg Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Harrisburg Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-3.9.8 and 2.2-3.9.8.2 (relating to support areas; and patient belongings' storage).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and

Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1363. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Lancaster General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Lancaster General Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-7.2.2.1 (relating to minimum corridor width).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1364. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Lancaster Regional Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Lancaster Regional Medical Center has requested an exception to the requirements of 28 Pa. Code § 101.31(7) and (9)(iii) (relating to hospital requirements).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1365. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Lankenau Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Lankenau Medical Center has requested an exception to the requirements of 28 Pa. Code § 51.6 (relating to identification of personnel).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1366. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Magee Womens Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Magee Womens Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following

publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.1-8.4.3.3 (relating to showers and tubs).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1367. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Main Line Fertility Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Main Line Fertility Center has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 3.7-3.4.2.2 (relating to post-anesthesia recovery positions).

Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously

listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1368. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Mid-Valley Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Mid-Valley Hospital has requested an exception to the requirements of 28 Pa. Code §§ 123.25(2) and 127.32 (relating to regulations for control of anesthetic explosion hazards; and written orders).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1369. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Planned Parenthood Far Northeast Surgical Center Facility for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Planned Parenthood Far Northeast Surgical Center Facility has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 3.7-3.3.3.1 and 3.7-3.3.3.2 (relating to space requirements; and clearances).

Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1370. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Planned Parenthood Locust Street Surgical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Planned Parenthood Locust Street Surgical Center has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 3.7-3.3.3.1 and 3.7-3.3.3.2 (relating to space requirements; and clearances).

Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1371. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Planned Parenthood of Western Pennsylvania for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Planned Parenthood of Western Pennsylvania has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and*

Construction of Hospitals and Healthcare Facilities. The facility specifically requests exemption from the following standards contained in this publication: 3.7-3.3, 3.7-3.3.3.1 and 3.7-3.3.3.2 (relating to operating rooms; space requirements; and clearances).

Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1372. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Planned Parenthood of Western Pennsylvania, Inc. for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Planned Parenthood of Western Pennsylvania, Inc. has requested an exception to the requirements of 28 Pa. Code § 557.4(a)(3) (relating to quality assurance and improvement committee).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1373. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Premier Surgery Center of Pittsburgh for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Premier Surgery Center of Pittsburgh has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 3.1-5.4.1.3(1) (relating to regulated waste storage spaces).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1374. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Proserpi-Schlechter Center for Plastic Surgery PC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Proserpi-Schlechter Center for Plastic Surgery PC has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation

to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1375. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Radiance Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Radiance Surgery Center has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 3.7-3.3.2.2 and 3.7-3.6.5.1 (relating to clearances; and scrub station).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1376. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Reading Ambulatory Surgery Center, LP for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Reading Ambulatory Surgery Center, LP has requested an exception to the requirements of 28 Pa. Code § 551.21(d) (relating to criteria for ambulatory surgery).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and

Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1377. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Riddle Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Riddle Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-3.1.3.7 (relating to patient toilet room).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1378. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of UPMC Hamot for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Hamot has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-2.5.2.2(1) (relating to space requirements).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1379. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of UPMC St. Margaret Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC St. Margaret Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.7-7.2.2.1 and 3.7-7.2.2.3 (relating to corridor width; and doors and door hardware).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1380. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of The Washington Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Washington Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.1-3.1.4.4(2) (relating to secured holding room).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1381. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Westmoreland Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Westmoreland Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of*

Hospitals and Healthcare Facilities. The facility specifically requests exception from the following standards contained in this publication: 3.1-4.1.2.3 and 3.1-4.3.2(2) (relating to handwashing stations; and blood collection facilities).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1382. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of Wyomissing Surgical Services, Inc. for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Wyomissing Surgical Services, Inc. has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1383. Filed for public inspection July 20, 2012, 9:00 a.m.]

Application of York Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that York Hospital has requested an exception to the requirements of 28 Pa. Code § 101.172 (relating to patient limits).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1384. Filed for public inspection July 20, 2012, 9:00 a.m.]

Notice to Public of Proposed Lead-Based Paint Hazard Control Action Located Within Floodplains

The purpose of this notice is to notify the public that the Department of Health (Department) is proposing to use Federal funds under the United States Department of Housing and Urban Development (HUD) Lead-Based Paint Hazard Control Grant Program within a Federal Emergency Management Agency (FEMA) designated 100-year floodplain. The proposed program would involve lead hazard control and associated minor rehabilitation on residential properties within the city limits of Johnstown and Berks and Fayette Counties. The target areas contain floodplains and project sites could be located within Flood Zones A, AE, A1-A30 or A99 as designated by the FEMA Flood Insurance Rate Maps.

Project: Lead Hazard Control Program, PALHB0517-12, \$2,480,000, June 1, 2012, through May 31, 2015.

Purpose: To eliminate lead hazards in eligible low-income housing in Pennsylvania (LHCP). The LHCP will accomplish its goals by utilizing Commonwealth-certified inspectors to assess units for lead paint hazards. Units found to have a lead presence will undergo lead-based paint hazard reduction through interim controls or hazard abatement.

Location: See the previously listed target area description.

Affected and interested agencies, groups and persons are encouraged to participate in this decision making process for the proposed action in the floodplain. Written comments for consideration by the Department may be

sent to Todd Christophel or Cindy Dundas, Health and Welfare Building, 7th Floor, East Wing, 625 Forster Street, Harrisburg, PA 17120, (717) 346-3000. Written comments should be received at the previously listed address on or before August 5, 2012.

Information regarding HUD's regulations concerning floodplain management may be obtained by contacting Karen M. Griego, Program Environmental Clearance Officer, Office of Healthy Homes and Lead Hazard Control, United States Department of HUD, 611 West 6th Street, Suite 801, Los Angeles, CA 90017, karen.m.griego-west@hud.gov, (213) 534-2458 (this is not a toll-free number). Hearing- or speech-challenged individuals may access this number through TTY by calling the toll-free Federal Information Relay Service at (800) 877-8339.

Persons with a disability who require an alternate format of this document (for example, large print, audiotape, Braille) or who wish to comment in an alternate format and seek assistance to do so should contact Todd Christophel or Cindy Dundas, Public Health Program Administrators, Bureau of Family Health, Division of Child and Adult Health Services, Health and Welfare Building, 7th Floor, East Wing, 625 Forster Street, Harrisburg, PA 17120, (717) 772-2762, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1385. Filed for public inspection July 20, 2012, 9:00 a.m.]

Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Retail Store Alert—Listing of Licensed Infant Formula Sellers

According to the Child Nutrition and WIC Reauthorization Act of 2004 (Pub. L. No. 108-265), each state agency is required to maintain a list of infant formula wholesalers, distributors and retailers licensed in the state in accordance with state law, and of infant formula manufacturers registered with the Food and Drug Administration.

Authorized WIC vendors are only permitted to purchase infant formula from the List of Licensed Infant Formula Wholesalers, Distributors, Retailers, and Manufacturers.

As requested in the Retail Store Alert dated February 14, 2012, many WIC authorized stores provided the names of formula sellers. These sellers were contacted and required to submit their current "Department of Agriculture Bureau of Food Safety and Laboratory Services Wholesale Registration" certification. The sellers who provided a valid certificate are listed on the following Licensed Infant Formula Seller List. These sellers and all Commonwealth WIC authorized vendors make up the Licensed Infant Formula Sellers. The current list is available on the Vendor Assistant web site as the Retail Store Alert identified as 2012-07-02 Actual List of Licensed Infant Formula Sellers.

When ordering infant formula, refer to the sellers on the following list or purchase from a WIC authorized vendor who can be identified by the red PA WIC decal located on the entrance door of the store.

Also, WIC authorized stores must maintain purchase records and records used for Federal tax reporting pur-

poses for allowable foods for a minimum of 2 years in accordance with 28 Pa. Code § 1105.3(16) (relating to terms and conditions of participation).

Purchasing infant formula from a seller who is not on the approved List of Licensed Infant Formula Wholesal-

ers, Distributors, Retailers, and Manufacturers may result in disqualification from the WIC Program.

Individuals with questions should contact the Retail Store Section of the Division of WIC at (717) 783-1289.

The following Retail Store Alert is also available on the Vendor Assistant web site at <https://wic.health.state.pa.us/vendorassistant/> or at PAWIC.com.

Pennsylvania Licensed Infant Formula Sellers

ACME Inc. #8790
500 South Muddy Creek Road
Denver, PA 17517

AWI
600 Aresenal Road
York, PA 17402

Bells Wholesale
211 Meadowridge Road
Mt. Morris, PA 15349

C&S Bethlehem
4930 Hanoverville Rd
Bethlehem, PA 18020

C&S Wholesalers
47 Old Ferry Road
P. O. Box 821
Brattleboro, VT 05301

Cooper Booth Wholesale CO LP
200 Lincoln West Drive
Mountville, PA 17554

DuBois Logistics LLC (C&S)
891 Beaver Drive
Dubois, PA 15801

Giant Eagle, Inc.
755 Beechnut Drive
Pittsburgh, PA 15205

K & J Wholsale, Inc.
750 W. Sedgley Avenue
Philadelphia, PA 19140

Krasdale Foods—White Plains, NY
65 West Red Oak Lane
White Plains, NY 10604

Nestle USA
800 North Brand Boulevard
Glendale, CA 91203

PBM Nutritionals, LLC
P. O. Box 2109
147 Industrial Park Road
Georgia, VT 05468

S & K Import, Inc.
4001 G Street
Philadelphia, PA 19124

Shop N Save #80123
1906 Dailey Avenue
Latrobe, PA 15605

American Seaway/Riser Foods
(Giant Eagle)
5300 Richmond Road
Bedford, OH 44146

B & B Wholesale
2015 West Allegheny Avenue
Philadelphia, PA 19132

Bristol-Myers Squibb Company
Mead Johnson Nutritional Group
2400 West Lloyd Expressway
Evansville, IN 47721

C&S Blandon
1060 Park Road
Blandon, PA 19510

C&S Wholesalers
301 Blair Road
Avenel, NJ 07001

Core Mark Midcontinent Inc.
100 West End Rd
Hanover Township, PA 18706

F & M Trading LLC
456 North Delaware Avenue
Philadelphia, PA 19123

Giant Food Stores LLC
1149 Harrisburg Pike
Carlisle, PA 17013

K & T Wholesale Distributor, Inc.
161 East Hunting Park Avenue
Philadelphia, PA 19124

Lee's Wholesale & Distribution/Jetro
700 Pattison Avenue
Philadelphia, PA 19148

OK Grocery Company Warehouse
755 Beechnut Drive
Pittsburgh, PA 15205

PNK Wholesale
413-39 Rising Sun Avenue
Philadelphia, PA 19140

Save A Lot
2692 Sidley Court
Austinburg, OH 44010

Solus Products, LLC
8910 Purdue Road
Suite 230
Indianapolis, IN 46268

Associated Wholesalers Inc. (AWI)
Corporate Headquarters:
Route 422
P. O. Box 67
Robesonia, PA 19551

B & T Wholesale
123 West Hamilton St.
Allentown, PA 18102

C&S Supermarkets
General Corp./Pathmark Stores
200 Milik Street
Cateret, NJ 07008

C&S Harrisburg
100 Quality Circle
Suite 100
Harrisburg, PA 17112

C&S York
4875 Susquehanna Trail
York, PA 17406

DG Inc/ White Rose Foods (AWI)
380 Middlesex Avenue
Carteret, NJ 07008

Food Lion Distribution Center #7
Lot 16 Commerce Avenue
Greencastle, PA 17225

Jetro Cash & Carry
700 Pattison Avenue
Philadelphia, PA 19148

Krasdale Foods—Bronx, NY
400 Food Center Drive
Bronx, PA 10474

MKT & A Inc.
2626 Penns Ridge Boulevard
Easton, PA 18040

Olean Wholesale
P. O. Box 1070
1587 Haskell Road
Olean, NY 14760

Ross Products - Abbott Laboratories
625 Cleveland Avenue
Columbus, OH 73215

Sherman St. Cash & Carry
1240 B North Sherman St.
Allentown, PA 18109

Supervalu
Corporate Address:
11840 Valley View Road
Eden Prairie, MN 55344

Supervalu
8258 Richfood Road
Mechanicsville, VA 23116

Supervalu
400 Painterville Road
New Stanton, PA 15657

Wakefern Food Corporation
600 York Street
Elizabeth, NJ 07207

Wal-Mart DC # 6080
100 Veterans Drive
Tobyhanna, PA 18466

Weis Markets, Inc.
1000 South Second Street
Sunbury, PA 17801

Supervalu Eastern Region
3900 Industrial Road
Harrisburg, PA 17110

Sysco Philadelphia LLC
600 Packer Avenue
Philadelphia, PA 19148

Wal-Mart DC # 6027
100 Walmart Drive
Woodland, PA 16881

Wegman's Retail Service Center
820 Keystone Boulevard
Pottsville, PA 17901

PA-WIC Authorized Stores displaying
the red WIC logo on their entrance
doors are also Licensed Infant Formula
Sellers

Supervalu/ACME Distribution Center
500 South Muddy Creek Road
Denver, PA 17517

Tripifoods Inc
1427 William Street
Buffalo, NY 14206

Wal-Mart DC # 6047
181 Walmart Road
Bedford, PA 15522

Weis Distribution Ctr. Warehouse
Industrial Park
Milton, PA 17847

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Chris Harr, Department of Health, Division of WIC, 2150 Herr Street, 1st Floor, Harrisburg, PA 17105, (717) 783-1289, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1386. Filed for public inspection July 20, 2012, 9:00 a.m.]

Traumatic Brain Injury Advisory Board Meeting

The Traumatic Brain Injury Advisory Board, established under section 1252 of the Federal Traumatic Brain Injury Act of 1996 (42 U.S.C.A. § 300d-52), will hold a public meeting on Friday, August 3, 2012. The meeting will be held from 10 a.m. to 3 p.m. in the large conference room of the Community Center, 2nd Floor, Giant Food Store, 2300 Linglestown Road, Harrisburg, PA 17110.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Darlene Smith, Administrative Assistant, Division of Child and Adult Health Services at (717) 772-2762, or for speech and/or hearing impaired persons contact V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 12-1387. Filed for public inspection July 20, 2012, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under section 2003(e)(7) of The Administrative Code of 1929 (71 P. S. § 513(e)(7)), intends to sell certain land owned by the Department.

The following properties are available for sale by the Department:

Borough of Plum, Allegheny County. This parcel contains approximately 2,630 ± square feet or 0.0604 ± acre of unimproved land located on the easterly side of Hulton Road (SR 2058). The estimated fair market value of the parcel is \$2,500.

Interested public entities are invited to express their interest in purchasing this parcel within 30 calendar days from the date of publication of this notice to H. Daniel Cessna, P. E., District Executive, Department of Transportation, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

BARRY J. SCHOCH, P. E.,
Secretary

[Pa.B. Doc. No. 12-1388. Filed for public inspection July 20, 2012, 9:00 a.m.]

FISH AND BOAT COMMISSION

Classification of Wild Trout Streams; Proposed Additions to List; October 2012

Under 58 Pa. Code § 57.11 (relating to listing of wild trout streams), it is the policy of the Fish and Boat Commission (Commission) to accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The Commission's Fisheries Management Division maintains the list of wild trout streams. The Executive Director, with the approval of the Commission, will from time to time publish the list of wild trout streams in the *Pennsylvania Bulletin*. 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.

At the next Commission meeting on October 1 and 2, 2012, the Commission will consider changes to its list of wild trout streams. Specifically, the Commission will consider the addition of the following streams or portions of streams to the list:

<i>County</i>	<i>Stream Name</i>	<i>Tributary To</i>	<i>Section Limits</i>
Lycoming	Bannan Run	English Run	Headwaters to mouth
Lycoming	Fourmile Run	Texas Creek	Headwaters to mouth
Lycoming	McKees Run	Little Pine Creek	Headwaters to mouth
Lycoming	Shingle Mill Branch	English Run	Headwaters to mouth
Lycoming	Wolf Run	Texas Creek	Headwaters to mouth
Montour	Lithia Springs	North Branch Susquehanna River	Headwaters to mouth
Potter	Acid Factory Hollow	South Branch Pine Creek	Headwaters to mouth
Potter	Birch Still Hollow	South Branch Pine Creek	Headwaters to mouth
Potter	Button Hollow	South Branch Pine Creek	Headwaters to mouth
Potter	Hasker Hollow	South Branch Pine Creek	Headwaters to mouth
Potter	Hurd Hollow	South Branch Pine Creek	Headwaters to mouth
Potter	Leech Hollow	South Branch Pine Creek	Headwaters to mouth
Potter	Paul Hollow	South Branch Pine Creek	Headwaters to mouth
Westmoreland	Big Spring Run	Conemaugh River	Headwaters to Big Spring Reservoir

Persons with comments, objections or suggestions concerning the classification of the streams listed may submit them in writing to Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 12-1389. Filed for public inspection July 20, 2012, 9:00 a.m.]

HOUSING FINANCE AGENCY

Proposed 2013 Low Income Housing Tax Credit Allocation Plan

The Housing Finance Agency (Agency), as the administrator of the Federal Low Income Housing Tax Credit Program for the Commonwealth, provides notice of a public hearing to obtain public comment on the proposed Pennsylvania 2013 Low Income Housing Tax Credit Allocation Plan (Plan). This public hearing will be held on Wednesday, August 22, 2012, at 10 a.m. at the Housing Finance Agency, 211 North Front Street, Harrisburg, PA. Copies of the proposed Plan are available upon written request at the following address, by phone at (717) 780-3948 or through the Agency's web site at www.phfa.org.

Persons with a disability who wish to attend this meeting and require an auxiliary aid, service or other accommodation to participate should contact the Agency by Tuesday, August 21, 2012, to discuss how the Agency may best accommodate their needs.

Individuals wishing to comment on the Plan who are unable to attend the scheduled hearing are invited to provide written comments to the Manager, Tax Credit Program, Housing Finance Agency, P. O. Box 8029, Harrisburg, PA 17105-8029, TTY for Hearing Impaired (717) 780-1869 no later than Tuesday, August 21, 2012.

Written comments must be submitted prior to the date of the scheduled hearing or at the public hearing. Persons who plan to attend the public hearing should contact the Agency at (717) 780-3948.

BRIAN A. HUDSON, Sr.,
Executive Director

[Pa.B. Doc. No. 12-1390. Filed for public inspection July 20, 2012, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
12-96	Department of Labor and Industry Unemployment Compensation; Active Search for Work 42 Pa.B. 2378 (May 5, 2012)	06/04/12	07/05/12
16A-5321	State Board of Osteopathic Medicine Physician Assistants and Respiratory Therapists 42 Pa.B. 2474 (May 12, 2012)	06/11/12	07/11/12
16A-4930	State Board of Medicine Physician Assistants and Respiratory Therapists 42 Pa.B. 2469 (May 12, 2012)	06/11/12	07/11/12

Department of Labor and Industry Regulation #12-96 (IRRC #2939)

Unemployment Compensation; Active Search for Work

July 5, 2012

We submit for your consideration the following comments on the proposed rulemaking published in the May 5, 2012 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P. S. § 745.5b). Section 5.1(a) of the RRA (71 P. S. § 745.5a(a)) directs the Department of Labor and Industry (Department) to respond to all comments received from us or any other source.

1. Determination of whether the regulation is in the public interest; Feasibility and reasonableness of the regulation; Implementation procedures; Clarity.

Preamble and the Regulatory Analysis Form (RAF)

Section 5.2 of the RRA (71 P. S. § 745.5b) directs the Independent Regulatory Review Commission (IRRC) to determine whether a regulation is in the public interest. When making this determination, IRRC considers criteria such as feasibility and reasonableness of the regulation. To make that determination, IRRC must analyze the text of the Preamble and proposed regulation and the reasons for the new or amended language. IRRC also considers the information a promulgating agency is required to provide under Section 5(a) (71 P. S. § 745.5(a)) in the Regulatory Analysis Form (RAF).

The explanation of the regulation in the Preamble and the information in the RAF do not provide any corresponding data or specific information to quantify, justify or explain the imposition of the specific active search requirements that are being proposed. Without a detailed description of the regulation and its impact, it is difficult to determine whether the requirements in the rulemaking are reasonable or feasible.

In the final-form regulation submittal, the Preamble and the RAF should include a more detailed description

of the basis for the amendments proposed in each section of the regulation. Additionally, we request that the Department provide data on the average number of weeks a claimant is unemployed and the typical number of positions applied for throughout this time period. We will review the Department's response as part of our determination of whether the final-form regulation is in the public interest.

2. Legislative comments.

On June 26, 2012, Representative William F. Keller, Democratic Chairman of the House Labor and Industry Committee, submitted comments on behalf of the Committee's Democratic members that address the following:

- The department cannot enforce work search requirements against claimants for any weeks prior to the date that approved regulations are published in the *Pennsylvania Bulletin*.
- The department must ensure claimants will receive detailed instructions of the work search registration process as well as confirmation of completed registration.
- The requirement to retain work search records for two-years after an initial claim for benefits and make them available for audits by the department is excessive.
- The requirement for claimants to submit a minimum number of job applications to employers each week is arbitrary, exceeds the intent of the law, and may be counterproductive for claimants and employers.
- The two-tiered system of work search requirements which increases requirements based on benefit weeks may be confusing and exceeds the work search requirement intended by the law.
- The regulations fail to include several waivers or exemptions, including those for claimants seeking work in industries or occupations in which resumes are not commonly used, for situations where compliance with work search requirements would be oppressive or inconsistent with the intent of the law, and for certain claimants who are notified of a work recall date.

- The regulations fail to identify a process by which claimants may obtain allowable waivers or exemptions.
- The regulations should allow for leniency to claimants who are limited in work opportunities due to a disability or other special circumstances.
- Good cause exceptions should be provided where failure to comply with the regulations is not willful or through no fault of the claimant's.

We will review the Department's responses to these issues in our determination of whether the final-form regulation is in the public interest.

3. Timetables for compliance.

It is difficult to determine the expected dates of compliance for this regulation. According to the Preamble, this proposed rulemaking will "affect claimants who file an application for UC [unemployment compensation] benefits that take effect on or after January 1, 2012." Both Community Legal Services, Inc. (CLS) and Representative Keller challenge this implementation date, and point out that a regulation is not effective until it has been properly promulgated through the regulatory review process.

We recognize that January 1, 2012 is the date the corresponding provisions of Act 6 of 2011 (Act) became effective. However, it is unclear whether application of this date to the regulation will result in a change in compliance for existing claimants who already are receiving compensation. The Preamble does not clarify whether these claimants will be required to completely overhaul their existing job searches or even whether they will need to re-apply for unemployment. In addition, there is no explanation of how the Department will notify them of potential changes to their eligibility. Unless the Department can explain the need for imposing these eligibility requirements retroactively, we recommend that the regulation only apply to claimants who file an application for unemployment compensation subsequent to the effective date of the final-form regulation.

4. Section 65.11 (c)—Weekly requirements.—Reasonableness; Implementation procedures; Clarity.

Subsection (c)(2)

Subsection (c)(2) requires a claimant to create a record of weekly work search activities, and this record must contain "the information required by the Department." According to the Department, this "information" is contained in a Department form. To improve clarity, we recommend that the final-form regulation reference this form and identify how claimants can access the form.

Subsection (c)(3)

Subsection (c)(3) requires the claimant to maintain the weekly work search record for two years. The Department should explain why this timeframe is appropriate.

Subsection (c)(4)

Subsection (c)(4) requires a claimant to "produce the record for the Department's review at the times and in a format and manner as required by the Department." The Department should clarify in the regulation under what circumstances, and in what format, it would request the weekly work search record.

5. Section 65.11 (d)—Weekly work search activities.—Consistency with the intent of the General Assembly; Consistency with the statute; Feasibility and reasonableness of the regulation; Implementation procedures; Clarity.

Benefit year

Subsections (d)(1) and (2) contain specific search requirements that coincide with consecutive weeks of the benefit year. Why does the regulation base search requirements on the consecutive weeks of the benefit year and not the consecutive number of weeks the claimant has actually been unemployed? The Department should clarify this issue.

Subsection (d)(1)

Subsection (d)(1) establishes the weekly work search activities for claimants "during each week from the third consecutive week of the benefit year through the eighth consecutive week of the benefit year." Subsection (d)(1)(ii) permits the claimant to limit his search during the third through the eighth consecutive week to positions that would "provide employment and wages similar to those the claimant had prior to his unemployment . . ." We address three areas of concern.

First, it is unclear how this 5-week timeframe affords all claimants, regardless of their profession, sufficient time to search for a job within their field before the additional search requirements of Subsection (d)(2) are required. Neither the Preamble nor the RAF establishes the reasonableness of this timeframe. Therefore, the Department should explain how it determined this timeframe is appropriate. We request that the Department include as part of its explanation, corresponding data that indicates the average amount of time it takes claimants to find jobs within their fields.

Second, the Pennsylvania Chamber of Business and Industry (Chamber) contends that the term "similar" in Subsection (d)(1)(ii) is ambiguous. We acknowledge that the word "similar" is used in the Act. See 43 P. S. § 801(b)(1)(iii). However, the regulation does not clarify how the Department will implement this provision of the Act. Therefore, we recommend the Department explain how claimants can determine whether potential employment and wages qualify under this regulation as "similar" to those received prior to unemployment.

Finally, Subsection (d)(1)(ii) also permits claimants to limit their search to positions: "within a 45 minute commuting distance or a commuting distance that is generally accepted in the claimant's labor market, whichever is greater." Similar language is included in the Act. See 43 P. S. § 801(b)(1)(iii). However, why did the Department expand upon the provisions contained in the Act by adding the phrase "whichever is greater?" The Department should also explain how a claimant can conclude what commuting distance is "generally accepted" in a particular field.

Subsection (d)(2)

Subsection (d)(2) establishes the weekly work search activities for claimants who are unemployed after the eighth consecutive week.

Subsection (d)(2)(i) requires these claimants to apply weekly for three positions that would result in "suitable employment." Suitable work is not limited to positions held prior to unemployment, but encompasses "all work which the employee is capable of performing." See 43 P. S. § 753 (t). Suitability is based on, among other things, "the length of time [the claimant] has been unemployed

and the reasons therefore, the prospect of obtaining local work in his customary occupation, his previous earnings . . .” See 43 P. S. § 753 (t). The Department should explain how it determined that nine weeks is the appropriate benchmark for expanding the job search requirements. The Department should provide as part of its explanation corresponding data that establishes the number of weeks a claimant normally is unemployed when they begin to apply for jobs outside of their chosen line of work.

Subsection (d)(2)(ii) prohibits claimants from limiting their weekly searches to similar positions held prior to unemployment if doing so would result in the claimant applying for less than three jobs. Should a claimant exhaust all potential employment options for similar work prior to the ninth week, this subsection does not provide credit to claimants for these past searches. If claimants cannot apply prior searches to comply with this subsection, are they unfairly penalized for their efforts to find jobs within their field? Representative Keller indicates in his comments that such a result does not reflect the intent of the legislature when it enacted the Act.

In its comments, CLS also suggests that implementation of the regulation may result in unreasonable and impractical consequences for certain types of claimants. For example, CLS asserts that a union employee who cannot find three positions to apply for within their field, may have to search for non-union jobs, which could bar the claimant from further employment within the union. The final-form regulation should clarify how such situations would be addressed under this regulation.

6. Section 65.11 (e)—Alternative requirements.—Consistency with statute; Implementation procedures; Clarity.

Subsection (e) lists the exceptions to the active search requirement. This subsection does not contain the provisions of the Act granting waivers for “oppressive or inconsistent . . .” search requirements. See 43 P. S. § 801 (b)(6). We recommend that the final-form regulation include or cross-reference this statutory waiver. We also recommend that the final-form regulation include criteria the Department will use to implement this provision.

Subsection (e)(1)(ii) permits as an alternative to the weekly job search requirements, that a claimant can actively participate in “a program or activity approved by the Department as an acceptable work search alternative.” We recommend that the final-form regulation identify the types of programs or activities the Department would find to be acceptable work search alternatives and where claimants can find a list of such work search alternatives.

7. Section 65.11 (h)—Definitions.—Clarity.

Subsection (h) contains definitions for terms used in the regulation. According to Section 1.7 (a) of the *Pennsylvania Code and Bulletin Style Manual*, definitions should be placed near the beginning of a chapter. To improve clarity, we recommend that in the final-form regulation, Subsection (h) be moved to the beginning of Section 65.11.

8. Miscellaneous clarity.

Statutory citations

The proposed regulation includes certain provisions contained in the Act, but excludes others. Both CLS and Representative Keller raise similar concerns. We ask the Department to explain the reason for this inconsistency. In addition, to improve clarity, we recommend that the Department include cross-references to the relevant sec-

tions of the Act in the final-form regulation, including:

<i>Subsection:</i>	<i>Cross-Reference to:</i>
• § 65.11(b)	43 P. S. § 801(b)(1)(ii)
• § 65.11(d)(1)(ii)	43 P. S. § 801(b)(1)(iii)
• § 65.11 (e)	43 P. S. § 801(b)(6)
• § 65.11 (e)(4)	43 P. S. § 801(b)(3)
• § 65.11 (f)	43 P. S. § 801(b)(5)

References to the Law and Purdon’s citations

Many sections of this regulation reference both a particular section of the Pennsylvania Unemployment Compensation Law (Law) and the corresponding Purdon’s citation. For example, Section 65.11 (d)(2)(i) references “section 4(t) of the law (43 P.S § 753(t)).” Other sections of this regulation only reference a particular section of the Law. For consistency, the Department should add the appropriate Purdon’s citations to the following sections of the final-form regulation:

- § 65.11(e)(2)
- § 65.11(f)(1)(i)
- § 65.11 (f)(2)
- § 65.11 (f)(2)(ii)
- § 65.11 (h)

Subsection (d)(3)

When applying for a position, Subsection (d)(3) states, in part, “. . . a claimant may apply for a position by *expressing an interest in employment . . .*” (Emphasis added.) The phrase “by expressing an interest in employment” is vague and appears to be redundant. We recommend the Department delete this phrase in the final-form regulation.

**State Board of Osteopathic Medicine
Regulation #16A-5321 (IRRC #2941)**

Physician Assistants and Respiratory Therapists

July 11, 2012

We submit for your consideration the following comments on the proposed rulemaking published in the May 12, 2012 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the State Board of Osteopathic Medicine (Board) to respond to all comments received from us or any other source.

1. Consistency with the statute; Implementation procedures.

This proposed regulation implements changes made by Act 56 of 2004 and Act 46 of 2008 (Act 46) to the Osteopathic Medical Practice Act (Act). State Board of Medicine Proposed Regulation #16A-4930 seeks to implement identical changes made by Act 45 of 2008 to the Medical Practice Act of 1985. The “Note” section of the Act includes the following language from Act 46: “the State Board of Osteopathic Medicine and the State Board of Medicine shall jointly promulgate regulations . . .” We ask the Board to explain how filing two separate regulations from each individual board is consistent with conditions imposed by Act 46.

LICENSURE OF PHYSICIAN ASSISTANTS AND REGISTRATION OF SUPERVISING PHYSICIANS

2. Section 25.163.—Approval and effect of licensure and biennial renewal of physician assistants and registration of supervising physicians.—Implementation procedures; Clarity.

This section establishes the process for approval and biennial renewal of licensure for physician assistants. We raise two issues.

First, Subsection (c) requires physician assistants to maintain national certification by “completing current recertification mechanisms available to the profession and recognized by the Board.” The final-form regulation should identify the recertification mechanisms recognized by the Board. Alternatively, the final-form regulation should identify how a physician assistant can access this information.

Second, Subsection (c) explains the types of national certifications recognized by the Board. The Board should clarify where it will publish recognition of an organization’s certification of physician assistants.

SUBCHAPTER K. RESPIRATORY THERAPISTS

3. Section 25.506.—Temporary permits.—Need; Clarity.

Subsection (a)

This subsection lists the criteria that must be satisfied for an applicant to receive a temporary permit. Subsection (a)(3) states that a temporary permit is issued to an applicant “who is recognized as a *credentialed respiratory therapist* . . .” (Emphasis added.) Would a “credentialed” respiratory therapist already have a license to practice? If so, what would be the need for these applicants to obtain a temporary permit? The Board should clarify this issue.

Subsection (b)

The House Professional Licensure Committee suggests that the existing reference to “CRTT” in Subsection (b) be replaced with “credentialing examination” since “CRTT” has been deleted in other provisions of the proposed regulation. We agree and recommend the Board replace this term in the final-form regulation.

4. Section 25.507.—Criteria for licensure as a respiratory therapist.—Implementation procedures; Clarity.

This section establishes the criteria necessary for licensure as a respiratory therapist. Subsection (1)(i) requires applicants to pass the “credentialing examination” approved by the National Board for Respiratory Care (NBRC). The PA Society for Respiratory Care, Inc. recommends that the term “credentialing examination” be replaced with “entry level credentialing examination” to identify the specific examination required by NBRC. We agree that this term is broad and recommend the Board clarify the specific examination necessary for licensure as a respiratory therapist.

5. Section 25.509a.—Requirement of continuing education.—Fiscal impact; Reasonableness; Clarity.

Subsection (a)

In accordance with Act 46, Subsection (a) increases the minimum hours of continuing education an applicant for license renewal or reactivation is required to complete from 20 to 30 hours within each two year licensure period. See 63 P. S. § 271.10b(f)(2). However, the Regulatory Analysis Form (RAF) provided by the Board states

that this regulation will impose no additional costs on the regulated community. (RAF #14.) It is unclear how additional costs will not occur as a result of this increase to the continuing education requirements. We ask the Board to quantify this potential cost increase in the RAF submitted with the final-form regulation.

Additionally, existing language in Subsection (a)(1) prohibits respiratory therapists from obtaining more than 10 hours of continuing education credit through various forms of “non-traditional education.” According to the Preamble, the Board considered adjusting this limitation, but instead chose to leave the limitation as is in the proposed regulation. However, similar language was deleted from State Board of Medicine Proposed Regulation #16A-4930. See 49 Pa. Code § 18.309a(a)(3). The Board should explain the reason for this inconsistency.

6. Section 25.509b.—Approved educational programs.—Clarity.

This section describes the methods by which respiratory therapists can apply academic coursework to their continuing education credits. Subsection (c) describes the courses that cannot be used for continuing education credit, including “practice building.” This term is vague, and we recommend the final-form regulation include a definition for this term.

7. Miscellaneous clarity issues.

Order of the Preamble

The Preamble explains the proposed amendments to the provisions concerning respiratory therapists first and then explains the amendments to the provisions concerning physician assistants. In the regulation, however, the sections concerning physician assistants occur before the sections on respiratory therapists. To improve clarity, we recommend that the Preamble follow the order of the provisions contained in the final-form regulation.

References to the Act and Purdon’s citations

Many sections of this regulation reference both a particular section of the Act and the corresponding Purdon’s citation. For example, Subsection 25.164(a) references “section 10(g.3) of the act (63 P.S. § 271.10(g.3)).” Other sections of this regulation only reference a particular section of the Act. For consistency, the Board should add the appropriate Purdon’s citations to the following sections of the final-form regulation:

- § 25.164(c)
- § 25.164(d)
- § 25.201(a)
- § 25.505(b)

State Board of Medicine Regulation #16A-4930 (IRRC #2942)

Physician Assistants and Respiratory Therapists

July 11, 2012

We submit for your consideration the following comments on the proposed rulemaking published in the May 12, 2012 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the State Board of Medicine (Board) to respond to all comments received from us or any other source.

1. Consistency with the statute; Implementation procedures.

This proposed regulation implements changes made by Act 45 of 2008 (Act 45) to the Medical Practice Act of

1985 (Act). The State Board of Osteopathic Medicine Proposed Regulation #16A-5321 seeks to implement identical changes made by Act 56 of 2004 and Act 46 of 2008 to the Osteopathic Medical Practice Act. Act 45 states that: “the State Board of Medicine and the State Board of Osteopathic Medicine shall jointly promulgate regulations. . . .” 63 P. S. § 422.8a. We ask the Board to explain how filing two separate regulations from each individual board is consistent with conditions imposed by Act 45.

LICENSURE OF PHYSICIAN ASSISTANTS AND REGISTRATION OF SUPERVISING PHYSICIANS

2. Section 18.145.—Biennial registration requirements; renewal of physician assistant license.—Implementation procedures; Clarity.

This section establishes the process for approval and biennial renewal of licensure for physician assistants. We raise two issues.

First, existing language in Subsection (c) requires physician assistants to maintain national certification by “completing current recertification mechanisms available to the profession and recognized by the Board.” The final-form regulation should identify the recertification mechanisms recognized by the Board. Alternatively, the final-form regulation should identify how a physician assistant can access this information.

Second, Subsection (c) explains the types of national certifications recognized by the Board. The Board should clarify where it will publish recognition of an organization’s certification of physician assistants.

SUBCHAPTER F. RESPIRATORY THERAPISTS

3. Section 18.306.—Temporary permits.—Need; Clarity.

Subsection (a)

This subsection lists the criteria that must be satisfied for an applicant to receive a temporary permit. Subsection (a)(3) states that a temporary permit is issued to an applicant “who is recognized as a *credentialed respiratory therapist* . . .” (Emphasis added.) Would a “credentialed” respiratory therapist already have a license to practice? If so, what would be the need for these applicants to obtain a temporary permit? The Board should clarify this issue.

Subsection (b)

The House Professional Licensure Committee suggests that the existing reference to “CRTT” in Subsection (b) be replaced with “credentialing examination” since “CRTT” has been deleted in other provisions of the proposed regulation. We agree and recommend the Board replace this term in the final-form regulation.

4. Section 18.307.—Criteria for licensure as a respiratory therapist.—Implementation procedures; Clarity.

This section establishes the criteria necessary for licensure as a respiratory therapist. Subsection (1)(i) requires applicants to pass the “credentialing examination” approved by the National Board for Respiratory Care (NBRC). The PA Society for Respiratory Care, Inc. recommends that the term “credentialing examination” be replaced with “entry level credentialing examination” to identify the specific examination required by NBRC. We agree that this term is broad and recommend the Board clarify the specific examination necessary for licensure as a respiratory therapist.

5. Section 18.309a.—Requirement of continuing education.—Fiscal impact; Reasonableness; Clarity.

Subsection (a)

In accordance with Act 45, Subsection (a) increases the minimum hours of continuing education an applicant for license renewal or reactivation is required to complete from 20 to 30 hours within each two year licensure period. See 63 P. S. § 422.36a(f)(2). The Regulatory Analysis Form (RAF) provided by the Board states that this regulation will impose no additional costs on the regulated community. (RAF #14.) However, several comments from the regulated community assert this statutory increase in hours will impose additional costs for respiratory therapists seeking license renewal. We ask the Board to review these comments, and quantify this potential cost increase in the RAF submitted with the final-form regulation.

Additionally, the Preamble notes that the Board chose to delete language from Subsection (a)(3) that prohibits respiratory therapists from obtaining more than 10 hours of continuing education credit through various forms of “non-traditional education.” However, similar language was not deleted in State Board of Osteopathic Medicine Proposed Regulation #16A-5321.

See 49 Pa. Code § 25.509a(a)(1). The Board should explain the reason for this inconsistency.

6. Section 18.309b.—Approved educational courses.—Clarity.

This section describes the methods by which respiratory therapists can apply academic coursework to their continuing education credits. Subsection (c) describes the courses that cannot be used for continuing education credit, including “practice building.” This term is vague, and we recommend the final-form regulation include a definition for this term.

7. Miscellaneous clarity issues.

Order of the Preamble

The Preamble explains the amendments to the sections on respiratory therapists first and then explains the amendments to the provisions concerning physician assistants. In the regulation, however, the sections concerning physician assistants occur before the sections on respiratory therapists. To improve clarity, we recommend that the Preamble follow the order of the provisions contained in the final-form regulation.

References to the Act and Purdon’s citations

Many sections of this regulation reference both a particular section of the Act 45 and the corresponding Purdon’s citation. For example, Subsection 18.146(a) references “section 36(f) of the act (63 P.S. § 422.36(f)).” Other sections of this regulation only reference a particular section of the Act. For consistency, the Board should add the appropriate Purdon’s citations to the following sections of the final-form regulation:

- § 18.146(c)
- § 18.146(d)
- § 18.305(b)

SILVAN B. LUTKEWITTE, III,
Chairperson

[Pa.B. Doc. No. 12-1391. Filed for public inspection July 20, 2012, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Acquire Control of Pennsylvania General Insurance Company

North American Casualty Co. has filed an application for approval to acquire control of Pennsylvania General Insurance Company, a domestic stock casualty insurance company. The filing was made under Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413).

Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or syerger@pa.gov.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 12-1392. Filed for public inspection July 20, 2012, 9:00 a.m.]

First Priority Life Insurance Company; BlueCare Direct Select PPO; Rate Filing

By filing No. F-1783-FP-29-PPO-DS-RATE-9/1/2012, First Priority Life Insurance Company requested approval to increase rates for the BlueCare Direct Select Plan by 9.9%. The proposed change would affect approximately 1,500 members and would produce additional income of about \$480,000 annually. The requested effective date of the change is September 1, 2012.

Unless formal administrative action is taken prior to October 4, 2012, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. To access the filing, under the tab "How to Find . . ." click on the link "PA Bulletin."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg Office.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation and Administration, 1311 Strawberry Square, Harrisburg, PA 17120, rmathur@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 12-1394. Filed for public inspection July 20, 2012, 9:00 a.m.]

First Priority Life Insurance Company; BlueCare Assure Custom PPO; Rate Filing

On July 9, 2012, First Priority Life Insurance Company submitted a rate filing (No. 1779-FP-33-PPO) to increase the rates for the BlueCare Assure Custom PPO product by 9.9%. This will affect approximately 3,396 members and will produce additional premium income of \$2 million. The requested effective date is January 1, 2013.

Unless formal administrative action is taken prior to October 3, 2012, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. Under the tab "How to Find . . ." click on the link "PA Bulletin."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, csandersjo@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 12-1393. Filed for public inspection July 20, 2012, 9:00 a.m.]

First Priority Life Insurance Company; BlueCare PPO Individual Conversion—Closed Block; Rate Filing

On July 6, 2012, First Priority Life Insurance Company submitted a rate filing (No. 1771-Conv-Rate) to increase the rates for the BlueCare Conversion—Closed Block PPO product by 24%. This will affect approximately 539 members and will produce additional premium income of \$710,000. The requested effective date is January 1, 2013.

Unless formal administrative action is taken prior to October 3, 2012, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. Under the tab "How to Find . . ." click on the link "PA Bulletin."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, csandersjo@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 12-1395. Filed for public inspection July 20, 2012, 9:00 a.m.]

First Priority Life Insurance Company; BlueCare PPO Individual Conversion—Open Block; Rate Filing

On July 6, 2012, First Priority Life Insurance Company submitted a rate filing (No. 1769-FP-Conv-NW-Rate) to increase the rates for the BlueCare Conversion—Open Block PPO product by 6.3%. This will affect approximately 1,794 members and will produce additional premium income of \$730,000. The requested effective date is January 1, 2013.

Unless formal administrative action is taken prior to October 3, 2012, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. Under the tab "How to Find . . ." click on the link "PA Bulletin."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cheri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, csandersjo@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 12-1396. Filed for public inspection July 20, 2012, 9:00 a.m.]

State Farm Mutual Automobile Insurance Company; Rate Increase Filing for LTC Form 97045PA.1

State Farm Mutual Automobile Insurance Company is requesting approval to increase the premium an aggregate 37% on 1,390 policyholders with form 97045PA.1.

Unless formal administrative action is taken prior to October 4, 2012, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at www.insurance.pa.gov. Under the tab "How to Find . . ." click on the link "PA Bulletin."

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 12-1397. Filed for public inspection July 20, 2012, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Governor's Office

Management Directive No. 505.18—Maintenance, Access, and Release of Employee Information, Amended May 29, 2012.

Management Directive No. 520.7—Development and Validation of Job Standards, Amended June 12, 2012.

MARY JANE PHELPS,
Director
Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 12-1398. Filed for public inspection July 20, 2012, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The Liquor Control Board seeks the following new site:

York County, Wine & Spirits Store #6702 (Relocation), Etters, PA

Lease expiration date: August 31, 2014

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,000 to 5,000 net useable square feet of new or existing retail commercial space along Old Trail Road in Etters within a 1.5-mile radius of the Yocumtown Exit of I-83.

Proposals due: August 10, 2012, at 12 p.m.

Department: Liquor Control Board, Bureau of Real Estate

Location: Northwest Office Building, Room #313, Foster and Capital Streets, Harrisburg, PA 17124-0001

Contact: William M. Matsko, (717) 787-3016, wmatsko@pa.gov

JOSEPH E. BRION,
Chairperson

[Pa.B. Doc. No. 12-1399. Filed for public inspection July 20, 2012, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by August 6, 2012. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-2012-2298277. Metro Ambulance & Transportation Company, LLC (22 Lawson Drive, Huntingdon Valley, PA 19006)—for the right to begin to transport, as a common carrier, persons in paratransit service, between points in the Counties of Bucks, Chester, Montgomery and Philadelphia to points in Pennsylvania, and return.

A-2012-2300414. Jack Hess (859 Susquehannock Drive, Holtwood, Lancaster County, PA 17532)—to transport, persons, in paratransit service, whose personal convictions prevent them from owning and operating a vehicle, from points in the County of Lancaster to points in Pennsylvania, and return.

Application of the following for *amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of household goods by transfer of rights as described under the application.*

A-2012-2306040. Gardner Moving Company (757 Millers Run Road, McDonald, Allegheny County, PA 15057)—a corporation of the Commonwealth of Pennsylvania—household goods in use, from points in Allegheny County, to points in Pennsylvania: *So As To Permit*—of household goods in use, between points in the Counties of Allegheny, Beaver, Butler, Washington and Westmoreland; and from points in the Counties of Allegheny, Beaver, Butler, Washington and Westmoreland to points in Pennsylvania, and vice versa, which is to be a transfer of all rights authorized under the certificate issued at A-00122436 to Frontier Van Lines Moving & Storage, Inc. *Attorney:* John A. Pillar, 680 Washington Road, Suite B101, Pittsburgh, PA 15228.

Application of the following for the approval of the right and privilege to *discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.*

A-2012-2299194. Kids In Motion, Inc. (2 Timber Mill Lane, Landenberg, Chester County, PA 19350)—for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, persons in

paratransit service between points in the Township of Chadd's Ford, Delaware County and within an airline distance of 25 statute miles thereof, except that no point of origin may be in that portion of Chester County north of Route 30 or west of Route 841 to the intersection of Routes 841 and 82 or west of Route 82 to the intersection of Routes 82 and 30, limited to transportation at the request of or with the permission of a responsible parent or guardian of children under 18 years of age.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 12-1400. Filed for public inspection July 20, 2012, 9:00 a.m.]

Telecommunications Services

A-2012-2313336, A-2012-2313337 and A-2012-2313343. AT&T Communications of Pennsylvania, LLC and AT&T Corporation. Application of AT&T Communications of Pennsylvania, LLC and AT&T Corporation for approval of: 1) the merger of AT&T Communications of Pennsylvania, LLC and AT&T Corporation; 2) for approval of AT&T Communications of Pennsylvania, LLC to abandon all telecommunications services in Pennsylvania; and 3) for approval of AT&T Corporation to begin providing telecommunications services to the public in this Commonwealth.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before August 6, 2012. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.state.pa.us, and at the applicant's business address.

Applicant: AT&T Communications of Pennsylvania, LLC and AT&T Corporation

Through and By Counsel: Michelle Painter, Esquire, Painter Law Firm, PLLC, 13017 Dunhill Drive, Fairfax, VA 22030

Philip S. Shapiro, AT&T Legal Department, 3033 Chain Bridge Road, Oakton, VA 22185

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 12-1401. Filed for public inspection July 20, 2012, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept sealed proposals for Project No. 12-054.P, Request for Proposal—Overview Video Update & Revision, until 2 p.m. on Thursday, August 16, 2012, (mandatory Request for Proposal meeting at 10 a.m. on August 2, 2012).

Information concerning this project can be obtained from the PRPA web site www.philaport.com under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 12-1402. Filed for public inspection July 20, 2012, 9:00 a.m.]

STATE BOARD OF EDUCATION

Application of the Porter Township Initiative for Transfer from the East Stroudsburg Area School District to the Wallenpaupack Area School Dis- trict

Notice of Application and Opportunity for Hearing

On July 2, 2012, the State Board of Education (State Board) received a certified copy of a decree of the Court of Common Pleas of Pike County creating the Porter Township Initiative (Porter Township) as an independent school district for the sole purpose of its transfer from the East Stroudsburg Area School District (East Stroudsburg) to the Wallenpaupack Area School District (Wallenpaupack). Entered at Docket No. 1895-2009-Civil, the decree was issued under section 242.1 of the Public School Code of 1949 (code) (24 P. S. § 2-242.1) and represents an application to the State Board for approval of the creation of Porter Township and its transfer from East Stroudsburg to Wallenpaupack.

In accordance with the regulations of the State Board at 22 Pa. Code § 1.5 (relating to applicability of general rules before the Board), the application for transfer will be considered by the State Board in accordance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure). A committee, appointed by the State Board chairperson, will conduct all necessary proceedings under 1 Pa. Code Part II and to recommend action by the State Board under section 293.1 of the code (24 P. S. § 2-293.1).

Unless a written petition to intervene, notice of intervention or protest, along with a written request for public hearing, is received by the State Board by 4 p.m. on August 3, 2012, the State Board may determine the application for transfer without hearing. Filings must be received by the deadline at the State Board of Education, 333 Market Street, 1st Floor, Harrisburg, PA 17126-0333.

Copies of the court decree related to this matter are available from the offices of the State Board and can be viewed at http://www.portal.state.pa.us/portal/server.pt/community/state_board_of_education/8830. The State Board may be reached at (717) 787-3787.

JOHN H. JEWETT,
Acting Executive Director

[Pa.B. Doc. No. 12-1403. Filed for public inspection July 20, 2012, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Melanie J. Hramika; Doc. No. 0392-51-08

On April 30, 2012, Melanie J. Hramika, license no. RN323705L, of Aliquippa, Beaver County had her license suspended for no less than 3 years, retroactive to February 28, 2008, based on finding that she violated a consent agreement and order of the State Board of Nursing.

Individuals may obtain a copy of the order by writing to Beth Sender Michlovitz, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

JOSEPH J. NAPOLITANO, PhD, MPH, CRNP,
Chairperson

[Pa.B. Doc. No. 12-1404. Filed for public inspection July 20, 2012, 9:00 a.m.]

Bureau of Professional and Occupational Affairs v. Shauna Johnson, LPN; Doc. No. 1954-51-11

Shauna Johnson, LPN, license no. PN274724, of Erie, Erie County, had her practical nursing license indefinitely suspended based on findings that 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 shall continue or she has become mentally incompetent.

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 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.

JOSEPH J. NAPOLITANO, PhD, MPH, CRNP,
Chairperson

[Pa.B. Doc. No. 12-1405. Filed for public inspection July 20, 2012, 9:00 a.m.]

STATE REAL ESTATE COMMISSION

Bureau of Professional and Occupational Affairs v. Jason D. Rodriguez; Doc. No. 0812-56-2012

On April 26, 2012, the State Real Estate Commission (Commission) suspended the license of Jason D. Rodriguez, license no. RS313054, of Philadelphia, Philadelphia County. The Commission took this action under the Order of the Court of Common Pleas of Philadelphia

County dated March 19, 2012, which the Court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the order by writing to Cynthia K. Montgomery, Senior Counsel in Charge, State Real Estate Commission, P. O. Box 2649, Harrisburg, PA 17105-2649.

JEFFREY J. JOHNSON,
Chairperson

[Pa.B. Doc. No. 12-1406. Filed for public inspection July 20, 2012, 9:00 a.m.]
