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# PENNSYLVANIA BULLETIN

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

**No. 445, December 2011**

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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 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 where the agency may omit the proposal step; they 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, they must re-propose.

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

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

### ***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* contains, as Finding Aids, subject indexes for the complete *Code* and for each individual title, a list of Statutes Used As Authority for Adopting Rules and a list of annotated cases. 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*.

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.

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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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# THE COURTS

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

[ 231 PA. CODE CH. 1910 ]

#### Amendment of Rule 1910.16-4 of the Rules of Civil Procedure; No. 547 Civil Procedural Rules Doc.

##### Amended Order

*Per Curiam*

And Now, this 3rd day of August, 2011, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been published for public comment in the *Pennsylvania Bulletin*, 41 Pa.Bull. 1618 (March 26, 2011) and West's *Pennsylvania Reporter*, 13 A.3d No. 2 (April 1, 2011):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1910.16-4 of the Pennsylvania Rules of Civil Procedure is amended in the following form.

This order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective in 30 days.

##### Annex A

#### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 1910. ACTIONS FOR SUPPORT

#### Rule 1910.16-4. Support Guidelines. Calculation of Support Obligation. Formula.

\* \* \* \* \*

(d) *Divided or Split Physical Custody When Each Party Has Primary Custody of One or More of the Children. Varied Custodial Schedules.*

(1) *Divided or Split Physical Custody When Each Party Has Primary Custody of One or More of the Children.* When calculating a child support obligation, and one or more of the children reside primarily with each party, the court shall offset the parties' respective child support obligations and award the net difference to the obligee as child support. For example, if the parties have three children, one of whom resides with Father and two of whom reside with Mother, and their net monthly incomes are \$2,500 and \$1,250 respectively, Father's child support obligation is calculated as follows. Using the schedule in Rule 1910.16-3 for two children at the parties' combined net monthly income of \$3,750, the amount of basic child support to be apportioned between the parties is \$1,190. As Father's income is 67% of the parties' combined net monthly income, Father's support obligation for the two children living with Mother is \$797. Using the schedule in Rule 1910.16-3 for one child, Mother's support obligation for the child living with Father is \$273. Subtracting \$273 from \$797 produces a net basic support amount of \$524 payable to Mother as child support.

[ (2) ] (A) When calculating a combined child support and spousal or alimony pendente lite obligation, and one or more children reside with each party, the court shall, except as set forth in subdivision [ (3) ] (B) below, offset the obligor's spousal and child support obligation with the obligee's child support obligation and award the net difference to the obligee as spousal and child support.

[ (3) ] (B) When one or more of the children resides with each party and the obligee's net income is 10% or less of the parties' combined net monthly income, then, in calculating the spousal support or alimony pendente lite obligation, the court shall deduct from the obligor's income both the support owed for the child or children residing with the obligee, as well as the direct support the obligor provides to the child or children living with the obligor, calculated in accordance with the guidelines as if the child or children were not living with the obligor.

(2) *Varied Custodial Schedules.* When the parties have more than one child and each child spends different amounts of partial or shared custodial time with the obligor, the trier of fact shall add the percentage of time each child spends with the obligor and divide by the number of children to determine the obligor's percentage of custodial time. If the average percentage of time the children spend with the obligor is 40% or more, the provisions of subdivision (c) above apply.

*Example 1.* The parties have two children and one child spends 50% of the time with the obligor and another spends 20% of the time with the obligor. Add those percentages together and divide by the number of children (50% plus 20% = 70% divided by 2 children = 35% average of the time with the obligor). Pursuant to subdivision (c), the obligor does not receive a reduction in the support order for substantial parenting time.

*Example 2.* The parties have three children. Two children spend 50% of the time with the obligor and the third child spends 30% of the time with the obligor. Add the percentages of custodial time for all three children together and divide by the number of children (50% plus 50% plus 30% = 130% divided by three children = 43.33% average percentage of time with the obligor). Pursuant to subdivision (c), the obligor receives a reduction in the support order for substantial parenting time.

*Official Note:* In cases with more than one child and varied partial or shared custodial schedules, it is not appropriate to perform a separate calculation for each child and offset support amounts as that method does not consider the incremental increases in support for more than one child built into the schedule of basic child support.

\* \* \* \* \*

[Pa.B. Doc. No. 11-2136. Filed for public inspection December 16, 2011, 9:00 a.m.]

# Title 255—LOCAL COURT RULES

## YORK COUNTY

### Increasing the Schedule of Fees for the Prothonotary of York County, a Third Class County; 2011-MI-000168-55; Misc. Civil

#### Administrative Order and Approval

*And Now, To Wit*, This 22nd Day of November, 2011, *The Court* pursuant to Act #98-164 of the Pennsylvania Legislature, hereby approves the increase of fees effective January 2, 2012

#### Prothonotary Fee Bill—Effective January 2, 2012

Acknowledgments	Of Sheriff or Treasurer Deeds	\$12.00
Answer On An No Case (Judgment)		\$9.00
Appeals	District Justice	\$194.00
	Superior Court Appeal: two separate checks required	
	Prothonotary Fee	\$88.75
	Appellate Court Fee	\$73.50
Appointment of Arbitrator		\$43.50
Arbitration Appeal	Less than \$10,000 in controversy	\$440.00
	\$10,000 to/including \$25,000 in controversy	\$540.00
	Greater than \$25,000 in controversy	\$740.00
Assignments		14.25
Bench Warrants		\$23.75
Certificates	Notary Public or Magistrate	\$5.25
	Duplicate Divorce Decree	\$12.75
	Copy of Resume Maiden Name after Divorce	\$8.50
Certifications	First page	\$8.00
	Each additional page	\$2.00
Checks Returned As Non-Negotiable		\$35.00
Commencement of Civil Action		\$194.00
Complaint—Civil		\$194.00
Complaint—Custody		\$187.50
Complaint—Divorce		\$263.25
	(Add \$23.50 for each additional count and \$31 for a custody count)	
Complaint in Confession of Judgment		\$58.50
Conciliator Appointment		\$140.00
Copies	Docket entries made at public printer—per page	\$0.50
	Documents made by Prothonotary staff—per page	\$1.00
Custody Complaint (Except when filed with a divorce action)		\$187.50
Custody Complaint Filed after a divorce has been filed		7.50
Custody (Register out of state custody order)		\$22.25
Default Judgment		\$29.25
Deficiency Judgment		\$29.25
Directive (Conciliator fee)		\$140.00
District Justice Appeal		\$194.00
District Justice Judgment		\$49.50
Divorce Decree Certified Copy		\$12.75
Divorce Complaint		\$263.25
	Commencement of Divorce Action	\$263.25
	(Plus \$23.50 for each count other than divorce and \$31 for a custody count)	
Discontinuance or withdrawal		\$14.25

Appointment of Master:			
For Fault Divorce, Equitable Distribution or Alimony (first 12 hours)		\$300.00	
Modification of Alimony (first 8 hours)		\$200.00	
Interim Relief (first 4 hours)		\$100.00	
Additional Proceedings (each block up to 6 hours)		\$150.00	
Separate Claim for Alimony Pendente Lite (new claim or modification)		\$50.00	
Executions	Praecipe for Writ	\$42.75	
	Attachment Proceeding Each Garnishee	\$0.50	
	Reissuance or Amendments	\$12.75	
	Interrogatories and Answers	\$9.00	
	Attachment Dissolution	\$14.25	
	Sheriff's Determination of Ownership on NO	\$12.00	
Exemplified Records	Incoming Exemplified Records	\$49.50	
	Outgoing Exemplified Records (specify as in-state or out-of-state)	\$29.25	
Exhibits (oversized) any document larger than 11" by 17"—Per page		\$3.50	
Family Court Actions	Commencement of Divorce Action	\$263.25	
	Add for each count other than divorce	\$23.50	
	Add when a custody count is included	\$31.00	
	Discontinuance or withdrawal	\$14.25	
	Custody (except when filed with a divorce action)	\$187.50	
	Conciliator Appointment	\$140.00	
	Reactivation of case made inactive per Local Rule 6036	\$23.75	
	Appointment of Master:		
	For Fault divorce, Equitable Distribution or Alimony (first 12 hours)		\$300.00
	Modification of Alimony (first 8 hours)		\$200.00
	Interim Relief (first 4 hours)		\$100.00
	Additional Proceedings (each block up to 6 hours)		\$150.00
	Separate Claim for Alimony Pendente Lite (new claim or modification)		\$50.00
	Faxing	Faxing of a record long distance	\$10.00
Interrogatories		\$9.00	
Judgments	By Praecipe (Default), Stipulation, or Order	\$26.25	
	With Complaint	\$58.50	
	Deficiency	\$26.25	
	By Transcript (District Justice)	\$49.50	
	Incoming Exemplified Records	\$49.50	
	Outgoing Exemplified Records (specify as in-state or out-of-state)	\$29.25	
	Broker's Lien	\$49.50	
Judgment Non Pros		\$26.25	
Judicial Sale Objections/Exceptions		\$22.25	
License Suspension Appeal		\$194.00	
Liens	Municipal or Federal	\$49.50	
	Commonwealth	\$49.50	
Mechanics Liens	Claim (same as Commencement of New Action)	\$194.00	
	Stipulation or Waiver	\$38.25	
Miscellaneous Filings		\$22.25	
Mortgage Foreclosure		\$194.00	
Motion to Stay Execution On An No Case		\$9.00	

THE COURTS

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Motion to Stay Execution On An Su Case		NO FEE
Name Change—resume maiden name after filing for divorce		\$17.50
Name Change—not divorce related (must file Petition for Change of Name)		\$75.25
Notary Public	Registration of Signature	\$5.25
	Acknowledgment of Signature	\$5.25
Petition for Change of Name (not divorce related)		\$75.25
Petitions to Open or Strike Judgments	Shall be considered as commencing a new action:	
	If filed to NO#	\$194.00
	If filed to SU#	NO FEE
Pleadings Filed to An No or Mt Case		\$9.00
Powers of Attorney	Registration of first name	\$6.00
	Registration of additional name	\$1.00
	Revocation of first name	\$4.00
	Revocation of additional name	\$1.00
Praecipe to Enter Final Judgment		\$26.25
Praecipe to Satisfy/ Discontinue/Withdraw Case		
If case filed prior to 1/2/97		\$14.25
If case filed on or after 1/2/97		NO FEE
Protection from Abuse	Filing Fee	\$179.75
	Re-filing Fee	\$26.50
	State Surcharge	\$100.00
	Issuance of a Bench Warrant	\$23.75
Reactivation of Case Made Inactive Per Local Rule 230.3		\$23.75
Release, Postponement, Subordination		\$14.25
Removal Or Transfer To Another Court		\$37.00
Reports	Per page	\$0.50
	E-mailed report	\$10.00
Revivals	Adverse Proceedings	\$66.75
	Amicable Proceedings	\$49.50
	Writ of Scire Facias	\$66.75
Satisfactions	Cases filed prior to 1/2/97	\$14.25
	Cases filed after 1/2/97	NO FEE
	Satisfy less than all parties or judgment only	\$14.25
	Commonwealth Satisfactions (filed prior to 1997)	\$14.75
Subpoenas	Must be completed before submitted for signature and seal	\$5.25
Suit—Civil Complaint		\$194.00
Suggestion of Nonpayment (Revival of Commonwealth Tax Lien)		\$49.50
Tax Upset Objections/Exceptions		\$22.25
Writ of Attachment		\$47.75
Notice of Intent to Attach Wages		\$9.00
Writ of Execution		\$42.75
Writ of Execution—Reissue		\$12.75
Writ of Scire Facias		\$66.75
Writ of Summons		\$194.00

NOTES

Payment shall be made by cash, money order, certified check, or business check. Credit cards are accepted for filings made in person in the office. No personal checks are accepted.

York County Local Rules require a backer on all filings.

All filings should be one-sided.

Judgments must be accompanied by 236 Notices.

Divorce finalizations require submission of a Divorce Information Sheet and the Social Security Information Sheet.

Failure to provide all required paperwork may result in returned filings.

The Prothonotary shall not be required to enter on the docket any suit or action nor order of court or enter any judgment thereon or perform any services whatsoever for any person or political subdivision of the Commonwealth until the requisite fee is paid.

Stamped, self-addressed envelopes must be included with any documents to be returned.

*It Is Further Ordered* that in accordance with Pa.R.C.P. the District Court Administrator shall:

(a) File 7 certified copies hereof with the Administrative office of Pennsylvania Courts.

(b) Distribute 2 certified copies hereof to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(c) File 1 certified copy hereof with the Civil Procedural Rules Committee, and 1 certified copy hereof with the Criminal Procedural Rules Committee.

(d) Cause a copy hereof to be published in the *York Legal Record* once a week for 2 successive weeks at the expense of the County of York.

(e) Cause to be printed an adequate supply of the Rules hereby amended and promulgated for distribution to the Judges and the members of the Bar of this Court, and for sale at cost to any other interested parties, such printing to be done at the expense of the County of York in accordance with the provisions of the Act of July 9, 1976, P. L. 586, Sec. 2, 42 Pa. C.S.A. Section 3722.

(f) Supervise the distribution thereof to all Judges and all members of the Bar of this Court.

*By the Court*

STEPHEN P. LINEBAUGH,  
*President Judge*

[Pa.B. Doc. No. 11-2137. Filed for public inspection December 16, 2011, 9:00 a.m.]

## SUPREME COURT

### Duty Assignment Schedule for Emergency Petitions in the Year 2012; No. 374 Judicial Administration Doc.

#### Order

*Per Curiam:*

*And Now*, this 2nd day of December, 2011, the emergency duty assignment for the year 2012, is herewith adopted.

January	Justice J. Michael Eakin (Eastern District) Justice Seamus P. McCaffery (Western District)
February	Justice Thomas G. Saylor (Eastern District) Justice Debra Todd (Western District)
March	Justice Max Baer (Eastern District) Justice Joan Orié Melvin (Western District)
April	Justice J. Michael Eakin (Eastern District) Justice Seamus P. McCaffery (Western District)
May	Justice Thomas G. Saylor (Eastern District) Justice Debra Todd (Western District)
June	Justice Max Baer (Eastern District) Justice Joan Orié Melvin (Western District)
July	Justice J. Michael Eakin (Eastern District) Justice Seamus P. McCaffery (Western District)
August	Justice Thomas G. Saylor (Eastern District) Justice Debra Todd (Western District)
September	Justice Max Baer (Eastern District) Justice Joan Orié Melvin (Western District)

October	Justice J. Michael Eakin (Eastern District) Justice Seamus P. McCaffery (Western District)
November	Justice Thomas G. Saylor (Eastern District) Justice Debra Todd (Western District)
December	Justice Max Baer (Eastern District) Justice Joan Orié Melvin (Western District)

[Pa.B. Doc. No. 11-2138. Filed for public inspection December 16, 2011, 9:00 a.m.]

### Schedule of Holidays for Year 2013 for Staffs of the Appellate Courts and the Administrative Office of Pennsylvania Courts; No. 373 Judicial Administration Doc.

#### Order

*Per Curiam:*

*And Now*, this 2nd day of December, 2011, it is hereby ordered that the following paid holidays for calendar year 2013 will be observed on the dates specified below by all employees of the appellate courts and the Administrative Office of Pennsylvania Courts:

January 1, 2013	New Year's Day
January 21, 2013	Martin Luther King, Jr. Day
February 18, 2013	Presidents' Day
March 29, 2013	Good Friday
May 27, 2013	Memorial Day
July 4, 2013	Independence Day
September 2, 2013	Labor Day

October 14, 2013                      Columbus Day (Observed)  
 November 5, 2013                    Election Day  
 November 11, 2013                  Veterans Day  
 November 28, 2013                  Thanksgiving Day  
 November 29, 2013                  Day after Thanksgiving  
 December 25, 2013                  Christmas Day

[Pa.B. Doc. No. 11-2139. Filed for public inspection December 16, 2011, 9:00 a.m.]

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**Sessions of the Supreme Court of Pennsylvania  
 for the Year 2013; No. 216 Appellate Court Rules  
 Doc.**

**Order**

*Per Curiam:*

*And Now*, this 2nd day of December, 2011, it is ordered that the argument/administrative sessions of the Supreme Court of Pennsylvania shall be held in the year 2013 as follows:

Philadelphia (Administrative Session)	February 7th
Philadelphia	March 4th through March 8th
Harrisburg (Administrative Session)	March 21st
Pittsburgh	April 8th through April 12th
Harrisburg	May 6th through May 10th
Pittsburgh (Administrative Session)	June 6th
Philadelphia	September 9th through September 13th
Pittsburgh	October 15th through October 18th
Harrisburg	November 18th through November 22nd

Additional argument/administrative sessions may be scheduled as the Court deems necessary.

[Pa.B. Doc. No. 11-2140. Filed for public inspection December 16, 2011, 9:00 a.m.]

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# PROPOSED RULEMAKING

## ENVIRONMENTAL QUALITY BOARD

### Safe Drinking Water Program Fees; Withdrawal of Proposed Rulemaking

The Environmental Quality Board (Board), at the direction of Chairperson Michael L. Krancer, is withdrawing the proposed safe drinking water program fees rulemaking from further consideration. The proposed rulemaking, which was approved by the Board at the Board's November 16, 2010, meeting, proposed new and revised fees for community water systems, bottled, vended, retail and bulk water systems and public water systems to supplement State costs for administering the Commonwealth's Drinking Water Program. In subsequent review of the proposed rulemaking after Board action, it was determined that there is no compelling justification for an increase in fees that would most likely be passed on to the customers of public water systems. The rulemaking is currently being reviewed for form and legality by the Office of Attorney General; however, by the Board's formal withdrawal of the rulemaking, further action on the proposed rulemaking is suspended.

Questions concerning the withdrawal of the safe drinking water program fees rulemaking should be directed to Michele Tate, Regulatory Coordinator, Department of Environmental Protection, (717) 783-8727, mtate@pa.gov.

*(Editor's Note: The safe drinking water program fees rulemaking was not deposited with the Legislative Reference Bureau and was not printed in the Pennsylvania Bulletin.)*

MICHAEL L. KRANCER,  
Chairperson

[Pa.B. Doc. No. 11-2141. Filed for public inspection December 16, 2011, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Natural Gas Distribution Company Business Practices; 52 Pa. Code §§ 62.181—62.185; SEARCH Final Order and Action Plan for Increasing Effective Competition in Pennsylvania's Retail Natural Gas Supply Services Market

Public Meeting held  
December 1, 2011

*Commissioners Present:* Robert F. Powelson, Chairperson; John F. Coleman, Jr., Vice Chairperson, statement follows; Wayne E. Gardner; James H. Cawley; Pamela A. Witmer, Statement

*Proposed Rulemaking: Natural Gas Distribution Company Business Practices; 52 Pa. Code §§ 62.181—62.185; Doc. No. L-2009-2069117;*

*SEARCH Final Order and Action Plan for Increasing Effective Competition in Pennsylvania's Retail Natural Gas Supply Services Market; Doc. No. I-00040103F0002*

### Order Withdrawing Rulemaking

*By the Commission:*

On December 16, 2011, the proposed rulemaking initiated at this docket on natural gas distribution company (NGDC) business practices and standards will expire and will be deemed to have been withdrawn by operation of law. In light of the work already accomplished by natural gas stakeholders in this area, the input offered by commenters, the partial overlap with another pending rulemaking, and the advice provided by the Independent Regulatory Review Commission, by this order, we are discontinuing this rulemaking and directing that a new rulemaking proceeding be initiated consistent with the direction set forth in this order.

### Discussion

#### Background

In its October 2005 *Report to the General Assembly on Competition in Pennsylvania's Retail Natural Gas Market*, Docket No. I-00040103, the PUC determined that there was not effective competition in the market based on the low participation rate of NGSs in the market. The lack of uniformity among NGDC business standards, operating rules, and business barriers was identified as a possible barrier to market entry and participation. A collaborative of stakeholders (Stakeholders Exploring Avenues to Remove Competitive Hurdles—SEARCH) was convened to discuss various ways to increase effective competition. The SEARCH Report proposed that some standardization of business rules among NGDCs could increase the number of NGSs participating in the statewide retail market. The Commission accepted this proposal in its Final Search Order and Action Plan, and directed that a proposed rulemaking be initiated to revise and, when feasible, to standardize NGDC business practices, operating rules and supplier coordination tariffs. See Final SEARCH Order entered September 11, 2008 at Docket No. I-00040103F0002.

#### Proposed Rulemaking Order

On May 1, 2009, the Commission issued the instant proposed rulemaking consistent with the direction provided in the Final SEARCH Order. The proposed rulemaking order set forth business practices and standards that would govern the business relationship between NGDCs and NGSs in regard to financial transactions, communications (information and data and exchange) and system operational rules for the management of gas on an NGDC's system (imbalance trading, tolerance bands, cash out and penalties, and nominations and capacity). The order also directed (1) the initiation of a stakeholder working group to develop these standards and a model Supplier Coordination Tariff format, and (2) the establishment of a standing working group to develop electronic data communication standards and formats. Proposed Rulemaking Order at p. 12, O.P. 7 & 8. Finally, the proposed rulemaking order permitted NGDCs to recover reasonable costs directly attributable to implementing these standards.

The proposed rulemaking order provided for public comment. Specifically, the order stated that comments

could be submitted no later than 45 days after its publication date in the *Pennsylvania Bulletin*. Reply comments could be submitted no later than 15 days thereafter. The order was published in the *Pennsylvania Bulletin* on October 17, 2009 at 39 Pa.B. 6078. The public comment period ended December 16, 2009. Seventeen comments<sup>1</sup> were filed; eight reply comments were filed.<sup>2</sup>

#### *IRRC Comments*

On January 15, 2010, the Independent Regulatory Commission (IRRC) provided its comments on the proposed rulemaking to the Commission. In its comments, IRRC was especially critical of the proposed regulations, citing the lack of data provided by the Commission to support the need for standardizing NGDC business practices, and to quantify the potential costs for NGDCs and their ratepayers to implement the various proposals in the rulemaking. IRRC Comments, pp. 1-2. IRRC complained that:

[w]ithout this information, we cannot determine the potential benefit if this regulation could reduce or eliminate the barrier. It is also difficult to determine whether any such benefits outweigh the costs in time and effort imposed on NGDCs and their ratepayers by this regulation.

IRRC Comments, p. 2.

IRRC also focused on the Proposed Rulemaking Order's stakeholder process which was to run concurrently with the rulemaking process, and advised that:

[g]iven the numerous concerns expressed by commentators with this regulation, the PUC needs to initiate an extensive stakeholder process that includes meetings and opportunities for the review of and comments on draft revisions. It would be prudent for the PUC to complete this process before it moves to submit a final-form version of this regulation.

IRRC Comments, p. 2.

Finally, IRRC was concerned about the overlap of the subject matter of the instant proposed rulemaking with that of the proposed rulemaking order on Natural Gas Distribution Companies and the Promotion of Competitive Retail Markets that it recently disapproved on November 3, 2011:

According to the [order], the language in Section 62.184 is similar to that of language found in another PUC proposed rulemaking which appeared in the July 11, 2009 *Pennsylvania Bulletin*. See § 62.226 of proposed PUC Regulation #57-269 (IRRC #2772) (PUC Docket #L-2008-2069114). This is not the only similarity. In addition, Section 62.224(a)(8) of the earlier proposed regulation includes provisions concerning supplier coordination tariffs (SCTs). These tariffs are also addressed in this current proposed regulation in Section 62.185(b).

Promulgating two separate regulations with similar provisions and intent might lead to possible confusion

<sup>1</sup> Comments were filed by the Office of Consumer Advocate (OCA), the Office of Small Business Advocate, National Fuel Gas Distribution Corporation (NFG), Retail Energy Supplier Association, Columbia Gas of Pennsylvania (Columbia), Equitable Gas Company, PECO Energy Company, Peoples Natural Gas Company, UGI Distribution Companies, Agway Energy Services, LLC, Gateway Energy Services Corporation, and Vectren Retail, LLC, Interstate Gas Supply, Dominion Retail, Inc., Shipley Energy Company, National Energy Marketers Association, Independent Oil and Gas Association of PA (IOGA), Valley Energy, Inc., Philadelphia Gas Works, and Agway Energy Services, et al., the Energy Association of Pennsylvania (EAP), and Industrial Customer Groups, including Industrial Energy Consumers of Pennsylvania, Central Penn Gas Large Users Group, Columbia Industrial Intervenor, Philadelphia Area Industrial Energy Users Group, Philadelphia Industrial and Commercial Gas Users Group, the PNG Industrial Intervenor and the UGI Industrial Intervenor.

<sup>2</sup> Reply comments were filed by OCA, NFG, RESA, IOGA, EAPA, Industrial Customer Groups, Columbia, and Dominion Peoples.

and conflict between the two. The PUC should either explain the need for the two separate rulemakings, or give strong consideration to combining the two into one rulemaking.

IRRC Comments, p. 3.

#### *Disposition*

According to Section 745.5a(b) of the Regulatory Review Act, 71 P.S. §§ 745.1—745.15, if an agency does not deliver a final-form regulation within two years from the close of the public comment period, the regulation is deemed withdrawn and the rulemaking ends. 71 P.S. § 745.5a(b) (relating to final-form regulations and final-omitted regulations; procedures for review). "Delivery" involves delivery of the final-form regulation by the agency and its response to all comments received, or just the final-omitted regulation, to the Committees and IRRC.

The instant rulemaking on standardizing NGDC business practices expires on December 16, 2011. Considering the concerns with the proposed regulations identified by IRRC, and the overlap of subject matter between this rulemaking and the one at Docket No. L-2008-2069114, it would seem reasonable to permit the rulemaking to expire and be deemed withdrawn by operation of law.

However, because this Commission has a duty to oversee the competition in the retail natural gas market, we prefer to be proactive. In our judgment, certain efficiencies can be achieved by standardizing some NGDC business practices that will benefit all participants in the retail market. The SEARCH stakeholders have invested considerable time and effort in their review of the issues related to NGDC business practices and it seems inefficient not to use their work as a platform upon which to build. For this reason, we believe that the better course of action is to discontinue this rulemaking and direct that a new rulemaking on NGDC business practices and standards, including system operating rules and supplier tariffs, be commenced within six months from the entry date of this order.

We acknowledge and accept that the biggest problem with the instant rulemaking is the lack of supporting data to demonstrate the need for standardizing business practices and the costs relating to various proposals in the rulemaking. IRRC Comments, pp. 1-2. The need for standard business practices was first explored in the PAPUC' Report to the General Assembly on Competition in Pennsylvania's Retail Natural Gas Supply Market (Report) which was written in 2005, four years previous to the initiation of the proposed rulemaking. Also, SEARCH, which was convened in accordance with Section 2204(g) of the Public Utility Code,<sup>3</sup> was an exploration committee rather than a collaborative group or an on-the-record proceeding, where costs for the various proposals to increase competition were considered but not quantified.

We also acknowledge IRRC's comment about the need to engage stakeholders in a collaborative process. IRRC's Comments, p. 2. It is noted that the instant rulemaking did call for a collaborative to be convened to work on issues relating to a business practices rulemaking. The Office of Competitive Market Oversight did convene the SEARCH stakeholders for the purpose of finding common

<sup>3</sup> Section 2204(g) directed that five years after the effective date of Chapter 22, the Commission was to initiate an investigation on whether effective competition existed in Pennsylvania's retail natural gas market. If the Commission found that effective competition did not exist, the Commission was to reconvene the stakeholders to explore avenues for encouraging increased competition in the market. 66 Pa.C.S. § 2204(g) (relating to investigation and report to the General Assembly).

ground, and began to move forward on one proposal to create an index to the NGDCs' supplier coordination tariffs to allow for easy reference to the tariffs during 2010. However, these efforts did not achieve the consensus needed to move forward on this matter.

We acknowledge IRRC's criticisms and comments, and will ensure that a new rulemaking on NGDC business practices and standards, including system operating rules and supplier tariffs, is drafted and promulgated consistent with this advice.

#### *Conclusion*

The use by NGDCs of a common set of business practices and standards should increase efficiency in industry operations and may increase the participation of NGSs in the retail natural gas supply market. Consequently, by this order, the Commission directs that the instant rulemaking, set to expire on December 16, 2011, be discontinued and that a new rulemaking proceeding to review NGDC business practices and standards be initiated within six months of the entry date of this order; *Therefore,*

#### *It Is Ordered That:*

1. The Proposed Rulemaking regarding Natural Gas Distribution Company Business Practices at Docket No. L-2009-2069117 is hereby discontinued.

2. A copy of this Order shall be served on all parties that filed comments to the Proposed Rulemaking at this docket and on all jurisdictional natural gas distribution companies and licensed natural gas suppliers.

3. The Office of Competitive Market Oversight shall electronically send a copy of this order to all persons on

the contact list for Stakeholders Exploring Avenues to Remove Competitive Hurdles (SEARCH).

4. A copy of this order shall be posted at the Commission's website at the SEARCH Order Action Plan webpage: [http://www.puc.state.pa.us/naturalgas/naturalgas\\_search\\_order\\_action\\_plan.aspx](http://www.puc.state.pa.us/naturalgas/naturalgas_search_order_action_plan.aspx).

5. A notice of withdrawal of the Notice of Proposed Rulemaking shall be published in the *Pennsylvania Bulletin*.

6. The Office of Competitive Market Oversight working with the Law Bureau shall initiate, within six months of the entry date of this order, a rulemaking proceeding on natural gas distribution company business practices and standards, including system operating rules and supplier tariffs, consistent with the direction provided herein.

7. Docket No. L-2009-2069117 is closed.

ROSEMARY CHIAVETTA,  
*Secretary*

#### *Statement of Vice Chairperson John F. Coleman, Jr.*

Prior to joining my staff, Matthew Totino was employed by a law firm that served as counsel to a party in the above-captioned proceeding. Therefore, to avoid any appearance of impropriety arising from his previous employment, I wish to note that I have not been advised by Matthew Totino regarding this matter.

JOHN F. COLEMAN, Jr.,  
*Vice Chairperson*

[Pa.B. Doc. No. 11-2142. Filed for public inspection December 16, 2011, 9:00 a.m.]

# NOTICES

## 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 November 29, 2011.

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

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
11-28-2011	F.N.B. Corporation Hermitage Mercer County	Approved
	Application for approval to acquire 100% of Parkvale Financial Corporation, Monroeville, and Thereby indirectly acquire 100% of Parkvale Savings Bank, Monroeville.	

#### Branch Applications

#### Branch Consolidations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-29-2011	Citizens Bank of PA Philadelphia Philadelphia County	<i>Into:</i> Lawrence Park Shopping Center Broomall Delaware County  <i>From:</i> 1991 Sproul Road Broomall Delaware County	Filed
11-29-2011	Citizens Bank of PA Philadelphia Philadelphia County	<i>Into:</i> Bethlehem Pike and East Mill Road Flourtown Montgomery County  <i>From:</i> 1461 Bethlehem Pike Flourtown Montgomery County	Filed

#### Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-18-2011	Firsttrust Savings Bank Conshohocken Montgomery County	701 Hamilton Mall Allentown Lehigh County	Closed
11-29-2011	Citizens Bank of PA Philadelphia Philadelphia County	1 North George Street York York	Filed
11-29-2011	Citizens Bank of PA Philadelphia Philadelphia County	1777 Sentry Park West Blue Bell Montgomery County	Filed
11-29-2011	Citizens Bank of PA Philadelphia Philadelphia County	2929 Arch Street Philadelphia Philadelphia County	Filed
11-29-2011	Citizens Bank of PA Philadelphia Philadelphia County	110 Black Horse Pike Audobon New Jersey	Filed

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-29-2011	Citizens Bank of PA Philadelphia Philadelphia County	6901 Ridge Avenue Philadelphia Philadelphia County	Filed
11-29-2011	Citizens Bank of PA Philadelphia Philadelphia County	100 MacDade Boulevard Holmes Delaware County	Filed
11-29-2011	Citizens Bank of PA Philadelphia Philadelphia County	1065 West County Line Road Hatboro Montgomery County	Filed
11-29-2011	Citizens Bank of PA Philadelphia Philadelphia County	2711 Elm Street Erie Erie County	Filed

### SAVINGS INSTITUTIONS

No activity.

### CREDIT UNIONS

No activity.

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 11-2143. Filed for public inspection December 16, 2011, 9:00 a.m.]

### 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 December 6, 2011.

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

### BANKING INSTITUTIONS

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-2-2011	1st Summit Bank Johnstown Cambria County	332 Unity Plaza Latrobe Westmoreland County	Approved

##### Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-5-2011	Union Bank and Trust Company Pottsville Schuylkill County	<i>To:</i> 115 South Centre Street Pottsville Schuylkill County  <i>From:</i> 121 North Progress Avenue Pottsville Schuylkill County	Approved

## SAVINGS INSTITUTIONS

No activity.

## CREDIT UNIONS

## Branch Applications

## Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-1-2011	White Rose Credit Union York York County	<i>To:</i> 107 East Philadelphia Street York York County  <i>From:</i> 200 South George Street York York County	Filed

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 11-2144. Filed for public inspection December 16, 2011, 9:00 a.m.]

### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of January 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 January, 2012, is 4 3/4%.

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 2.37 to which was added 2.50 percentage points for a total of 4.87 that by law is rounded off to the nearest quarter at 4 3/4%.

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 11-2145. Filed for public inspection December 16, 2011, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Revisions to Schedule of Prices for State Parks

#### A. Summary and Background

Under section 314 of the Conservation and Natural Resources Act (71 P. S. § 1340.314) and 17 Pa. Code

§ 11.224 (relating to prices), the Department of Conservation and Natural Resources (Department), Bureau of State Parks, is revising its price schedule for State Park activities, uses and privileges. The new schedule, which is in Section D as follows, includes price increases for Commonwealth residents and non-Commonwealth residents for certain boating facilities, swimming pools, cottages, yurts, cabins and walled tents. In addition, a new price is being instituted for summer boat trailer storage during the boating season.

The new price schedule, which is comparable to those of state parks in neighboring states, is needed to increase revenue to the Bureau of State Parks. In addition to offsetting inflation, it narrows the gap between Pennsylvania State Parks and private facilities, resulting in a more favorable competitive climate for the private sector.

The new price schedule eliminates a maximum price per site for backpack/river camping to address the large size of the groups impacting the natural resource. It also eliminates park-specific rack and shoreline mooring prices for Moraine State Park. Moraine State Park mooring and rack prices will fall under the same price range as all other parks with mooring and rack spaces.

For comparison purposes, the current price schedule along with the new price schedule can be found at the Pennsylvania State Parks web site at <http://www.dcnr.state.pa.us/stateparks/prices/index.htm> (select the 2012-2013 Prices). It can also be obtained by calling Pennsylvania State Parks Reservations and Information at (888) PA-PARKS. When the new price schedule becomes effective, it will be posted on the State Parks web site.

#### B. Contact Person

Questions may be directed to David Sariano, Assistant Director, Bureau of State Parks, Rachel Carson State Office Building, P. O. Box 8551, Harrisburg, PA 17105-8551, (717) 787-6640 or [dsariano@pa.gov](mailto:dsariano@pa.gov). Persons with a disability may use the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users).

#### C. Effective Date

The effective date of the new price schedule is January 1, 2012. Therefore, it will apply to boating and swimming pools in the 2012 season. For cabins, yurts, cottages and walled tents, it will apply to reservations made for the 2013 season.

## D. Price Schedule

<i>Facility Type Unit</i>	<i>Unit</i>	<i>January 1, 2012 Resident</i>	<i>January 1, 2012 Non-Resident</i>
<i>Family Cabins</i>			
Cabin—Modern	Weekly Range	407.55—637.74	486.79—747.17
Cabin—Modern	Nightly Range	55.66—139.62	66.98—166.04
Cabin—Rustic	Weekly Range	143.40—481.13	171.70—566.04
Cabin—Rustic	Nightly Range	19.81—104.72	23.58—124.53
<i>Yurts</i>			
Yurts	Weekly Range	242.00—384.00	302.00—448.00
Yurts	Nightly Range	35.00—84.00	41.00—98.00
<i>Deluxe Cottages</i>			
Deluxe Cottages	Weekly Range	330.00—410.00	396.00—495.00
Deluxe Cottages	Nightly Range	52.00—104.00	61.00—122.00
<i>Camping Cottages</i>			
Camping Cottages	Weekly Range	212.00—292.00	230.00—314.00
Camping Cottages	Nightly Range	35.00—54.00	38.00—57.00
<i>Walled Tents</i>			
Walled Tents	Weekly Range	188.00—284.00	214.00—316.00
Walled Tents	Nightly Range	32.00—52.00	37.00—56.00
<i>All Other State Park Marinas</i>			
Cost Per Foot	Per Season	22.00—30.00	33.00—40.00
<i>Other Boating</i>			
Boating Storage Racks	Per Season	37.00—100.00	44.00—110.00
Boat Winter Storage	Per Season	130.00—500.00	135.00—550.00
Boating Dry Storage	Per Season	125.00—500.00	140.00—550.00
Mooring ≤7' Shoreline	Per Season	40.00—175.00	46.00—200.00
Mooring >7' Shoreline	Per Season	79.00—250.00	90.50—325.00
Boat Trailer Storage	Per Day	2.00—4.00	3.00—5.00
Boat Trailer Storage—Week	Per Week	10.00—20.00	12.00—22.00
Offshore Mooring	Per Season	79.00—250.00	90.50—325.00
<i>Selected State Park Swimming Pools</i>			
Swimming Pools Park Operated	User Per Day	5.00—15.00	5.00—20.00
Swimming Pools Park Operated	Late Arrival Daily	3.00—10.00	3.00—15.00
Swimming Pools Park Operated	Discount Park Camper Or Cabin Occ. w/receipt	1.00—8.00	1.00—12.00
Swimming Pools Park Operated	Group 15 or More, per Swimmer	2.00—12.00	2.00—15.00
The following specialized pricing will be eliminated.			
<i>Facility Type Unit</i>	<i>Unit</i>	<i>Jan. 1, 2012 Resident</i>	<i>Jan. 1, 2012 Non-Resident</i>
<i>Camping—Other</i>			
Backpack Camping/River Camping	Maximum Per Night Per Group	N/A	N/A
<i>Moraine Marina</i>			
Rack Spaces	Per Season	N/A	N/A

<i>Facility Type Unit</i>	<i>Unit</i>	<i>January 1, 2012</i>	<i>January 1, 2012</i>
Rack Winter Storage	Per Season	N/A	N/A
Regular Winter Storage	Per Season	N/A	N/A
Dry Mooring	Per Season	N/A	N/A

RICHARD J. ALLAN,  
*Secretary*

[Pa.B. Doc. No. 11-2146. Filed for public inspection December 16, 2011, 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: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0083208 (Sew)	Refreshing Mountain Camp 455 Camp Road Stevens, PA 17578	Lancaster County / Clay Township	7J—unt Middle Creek	Y
PA0248207 (Sew / Transfer)	Kevin & Melissa Nelson 12 Chestnut Grove Lane Newville, PA 17241	Cumberland County / Upper Frankford Township	7B / unt Conodoguinet Creek	Y

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

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

**PA0008591**, Industrial Waste, SIC Code 2631, **NGC Industries, LLC**, 2586 Old Route 15, New Columbia, PA 17856. Facility Name: NGC Industries, LLC. This existing facility is located in White Deer Township, **Union 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), West Branch Susquehanna River, is located in State Water Plan watershed 10-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on an annual average flow of 0.220 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
BOD <sub>5</sub>	183	275	XXX	100	150	200
Total Suspended Solids	183	275	XXX	100	150	200
Oil and Grease	27	XXX	XXX	15	XXX	30

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen (Interim)	Report	Report			
Net Total Nitrogen (Final)	Report	2758			
Net Total Phosphorus (Interim)	Report	Report			
Net Total Phosphorus (Final)	Report	132			

\* 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, 2012. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2013. 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, 2012.

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.

**PA0234028**, Sewage, SIC Code 4952, **University Area Joint Authority**, 1576 Spring Valley Road, State College, PA 16801-8499. Facility Name: Advanced Water Treatment Building. This facility is located in College Township, **Centre County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of Class A+ Reclaimed Water.

The receiving surface water(s), Slab Cabin Run and High Purity Water Wetland, is located in State Water Plan watershed 9-C and is classified for Cold Water Fishes (CWF), aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Internal Monitoring Point 101 are based on a design flow of 3.0 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average	Daily	Minimum	Average	Daily	Instant.
	Monthly	Maximum		Monthly	Maximum	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
BOD <sub>5</sub>	Report	Report	XXX	2.0	4.0	5.0
Turbidity (NTU)	XXX	XXX	XXX	0.3	XXX	1
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	2.2	XXX	23
Ammonia-Nitrogen	Report	Report	XXX	3.0	6.0	7.5
Total Organic Halogens	Report	Report	XXX	0.2	0.4	0.5
UV Dosage (mjoules/cm <sup>2</sup> )	XXX	XXX	50	XXX	XXX	XXX
Total Organic Carbon	Report	Report	XXX	1.0	2.0	2.5
Total Nitrogen	Report	Report	XXX	10	20	25

The proposed effluent limits for Internal Monitoring Point 201 are based on a design flow of 3.0 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average	Daily	Minimum	Average	Daily	Instant.
	Monthly	Maximum		Monthly	Maximum	
Total Residual Chlorine	XXX	XXX	XXX	0.27	XXX	0.88

The proposed monitoring requirements for Internal Monitoring Point 301 are based on a design flow of 3.0 MGD.

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

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 101.

Parameters	Mass (lbs)			Concentration (mg/l)	
	Monthly	Annual	Minimum	Monthly	Maximum
				Average	
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	Report	0			
Net Total Phosphorus	Report	0			

\* 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 the Permit Effective Date. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2012.

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

- In the event that the final treated reuse water does not meet the effluent limitations required by this permit (i.e., off-specification water), the off-specification water may be recycled back to the headworks of the Spring Creek Pollution Control Facility (SCPCF) and not be considered a discharge to the High Purity Water Wetland and/or Slab Cabin Run. When off-specification water is recycled back to the SCPCF and not discharged to the High Purity Water Wetland and/or Slab Cabin Run, the total volume of water, date and time of the recycling shall be recorded and included with the standard monthly reporting submissions required by this permit.

- This permit approves offsets for TN and TP for use in permits PA0234028 and PA0026239. One permitted facility may provide an offset to the other permitted facility based on treatment performance. The monthly offset shall be reported as

pounds offset for that month on the DMR Supplemental form for Nitrogen and Phosphorous. For the permitted facility giving an offset to the other permitted facility, the offset will be reported as a negative value. For the permitted facility receiving the offset, the offset will be reported as a positive value. The offsets described in this paragraph are not to be considered permanent and may vary month to month. These offsets shall not be used to adjust the nutrient cap loads in future permits.

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.

**PA0009024**, Industrial Waste, SIC Code 3339, **Global Tungsten & Powders Corp**, Hawes Street, Towanda, PA 18848. Facility Name: Global Tungsten & Powders Corp. This existing facility is located in North Towanda 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), Susquehanna River, is located in State Water Plan watershed 4-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a long-term average flow of 0.894 MGD and are as follows:

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	285	582	XXX	Report	Report	99
Total Dissolved Solids	119,157	135,790	XXX	Report	Report	XXX
	Avg Annual					
Dissolved Iron	XXX	XXX	XXX	XXX	XXX	7.0
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Ammonia-Nitrogen	1,363	3,097	XXX	Report	Report	469
Total Arsenic	5.7	14.3	XXX	Report	Report	2.5
Total Cadmium	0.72	1.1	XXX	0.10	0.15	0.25
Total Cobalt	12.5	28.4	XXX	Report	Report	4.3
Total Copper	5.0	12.9	XXX	Report	Report	2.2
Fluoride	183	332	XXX	Report	Report	63
Total Lead	1.1	2.6	XXX	Report	Report	0.38
Total Molybdenum	228	456	XXX	Report	Report	79
Total Nickel	15.8	35.5	XXX	Report	Report	5.5
Total Selenium	2.2	5.5	XXX	Report	Report	0.8
Total Tantalum	3.4	3.4	XXX	Report	Report	1.2
Total Tungsten	463	1,041	XXX	Report	Report	161
Total Zinc	4.4	11.1	XXX	Report	Report	1.9

The proposed effluent limits for Outfall 002 are as follows:

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.) <sup>(1)</sup>	XXX	XXX	6.0	XXX	XXX	9.0
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Ammonia-Nitrogen	XXX	Report	XXX	XXX	Report	XXX
Total Copper	XXX	Report	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	XXX	7.0
Total Molybdenum	XXX	Report	XXX	XXX	Report	XXX
Total Nickel	XXX	Report	XXX	XXX	Report	XXX
Total Zinc	XXX	Report	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are as follows:

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.) <sup>(1)</sup>	XXX	XXX	6.0	XXX	XXX	9.0
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Ammonia-Nitrogen	XXX	Report	XXX	XXX	Report	XXX

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average	Daily	Minimum	Average	Daily	Instant.
	Monthly	Maximum		Monthly	Maximum	Maximum
Total Copper	XXX	Report	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	XXX	7.0
Total Molybdenum	XXX	Report	XXX	XXX	Report	XXX
Total Nickel	XXX	Report	XXX	XXX	Report	XXX
Total Zinc	XXX	Report	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 004 are as follows:

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average	Daily	Minimum	Average	Daily	Instant.
	Monthly	Maximum		Monthly	Maximum	Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.) <sup>(1)</sup>	XXX	XXX	6.0	XXX	XXX	9.0
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Ammonia-Nitrogen	XXX	Report	XXX	XXX	Report	XXX
Total Copper	XXX	Report	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	XXX	7.0
Total Molybdenum	XXX	Report	XXX	XXX	Report	XXX
Total Nickel	XXX	Report	XXX	XXX	Report	XXX
Total Zinc	XXX	Report	XXX	XXX	Report	XXX

(1) For compliance purposes, pH exceedances which are shorter than 15 minutes in duration and are within the range of 5.0-10.0 Std. Units, are not considered to be violations of this effluent limitation and need not be reported. This exemption is valid for only four exceedance events per month.

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

Parameters	Mass (lbs)			Concentration (mg/l)	
	Monthly	Annual	Minimum	Monthly	Maximum
				Average	
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen (Interim)	Report	Report			
Net Total Nitrogen (Final)	Report	600,515			
Net Total Phosphorus (Interim)	Report	Report			
Net Total Phosphorus (Final)	Report	1,577			

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

Parameters	Mass (lbs)			Concentration (mg/l)	
	Monthly	Annual	Minimum	Monthly	Maximum
				Average	
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	Report	Report			
Net Total Phosphorus	Report	Report			

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 003.

Parameters	Mass (lbs)			Concentration (mg/l)	
	Monthly	Annual	Minimum	Monthly	Maximum
				Average	
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	

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Concentration (mg/l)</i>		
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Net Total Nitrogen	Report	Report			
Net Total Phosphorus	Report	Report			

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 004.

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

\* 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, 2012. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2013. 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, 2012.

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, Water Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; 412-442-4000*

**PA0218464**, SIC Code 4911, **Allegheny Energy Supply Co. LLC**, 800 Cabin Hill Drive, Greensburg, PA 15601. Facility Name: Allegheny Energy Units 8 & 9. This existing facility is located in Springhill Township, **Fayette County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for existing discharges of non-contact cooling water and treated low-volume process water and stormwater runoff.

The receiving stream, Unnamed Tributary to Grassy Run, is located in State Water Plan watershed 19-G 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 101 are based on a design flow of 0.00546 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.0
Free Available Chlorine	XXX	XXX	XXX	0.2	XXX	0.5
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Chromium	XXX	XXX	XXX	0.2	0.2	XXX
Total Arsenic (Interim)	XXX	XXX	XXX	0.067	0.134	XXX
Total Arsenic (Final)	XXX	XXX	XXX	0.014	0.02	XXX
Total Zinc (Interim)	XXX	XXX	XXX	1.0	1.0	XXX
Total Zinc (Final)	XXX	XXX	XXX	0.1	0.16	XXX

The proposed effluent limits for Outfall 201 are based on a design flow of 0.01128 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

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Total Suspended Solids	XXX	XXX	XXX	30	100	XXX
Oil and Grease	XXX	XXX	XXX	15	20	XXX
Bromoform (Interim)	XXX	XXX	XXX	Report	Report	XXX
Bromoform (Final)	XXX	XXX	XXX	0.016	0.025	XXX
Chlorodibromomethane (Interim)	XXX	XXX	XXX	Report	Report	XXX
Chlorodibromomethane (Final)	XXX	XXX	XXX	0.0015	0.0023	XXX

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

- AES shall conduct a Toxics Reduction evaluation for the pollutants arsenic, zinc, bromoform and chlorodibromomethane.

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.

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

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

**WQM Permit No. WQG02461114**, Sewage, **Lower Salford Township Authority**, 57 Main Street, P. O. Box 243, Harleysville, PA 19438.

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

Description of Action/Activity: Construction and operation of a force main and pump station.

**WQM Permit No. WQG02461115**, Sewage, **Abington Township**, 1176 Old York Road, Abington, PA 19001.

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

Description of Action/Activity: Construction and operation of a pump station to replace existing pump station.

**WQM Permit No. 2392414**, Sewage, **Transfer, Concord Township**, 43 Thornton Road, Glen Mills, PA 19342.

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

Description of Action/Activity: Permit is being transferred from Concord Township Municipal Authority to Concord Township will continued operation of treatment plant.

**WQM Permit No. 2306402**, Sewage, **Transfer, Concord Township**, 43 Thornton Road, Glen Mills, PA 19342.

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

Description of Action/Activity: Permit is being transferred from Concord Township Municipal Authority to Concord Township will continued operation of treatment plant.

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

**WQM Permit No. 2106402, Transfer #1**, Sewerage, **Kevin & Melissa Nelson**, 12 Chestnut Grove Lane, Newville, PA 17241.

This proposed facility is located in Upper Frankford Township, **Cumberland County**.

Description of Proposed Action/Activity: Transfer of Permit.

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

**WQM Permit No. 0411401**, Sewerage, **Rochester Borough Sewer & Maintenance Authority**, PO Box 563, Rochester, PA 15074

This proposed facility is located in Rochester & E. Rochester Boros & Rochester Twp., **Beaver County**.

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

The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

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

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

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

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## NOTICES

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 091107	Judith T. DiSalvi 6659 Old Carversville Road Lumberville, PA 18933	Bucks	Solebury Township	Paunnacussing Creek (HQ-CWF)
PAS10- G444-R2	West Vincent Associates 707 Eagleview Boulevard Exton, PA 19341	Chester	West Vincent Township	Birch Run Creek (EV)
PAI001 151132	Convenant Presbyterian Church 400 Lancaster Avenue Malvern, PA 19355	Chester	East Whiteland Township	Valley Creek (EV)
PAI01 2306002-R	Traymore Investment Partners 347 East Conestoga Road Wayne, PA 19087	Chester	Thornbury Township	Unnamed Tributary Chester Creek (TSF-MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI040009009(2)	Northeastern ITS, LLC 800 Woodlands Parkway, Suite 118 Ridgeland, MS 39157	Columbia	Conyngham Twp.	Tributary to Mahanoy Creek (CWF, MF)
		Northumberland	Mt. Carmel Twp.	Tributary to Mahanoy Creek (CWF, MF)
		Lehigh	Catasauqua Bor., Hanover Twp., City of Allentown, City of Bethlehem	Lehigh River (WWF, MF) Lehigh Canal (CWF, MF) Tributary to Lehigh River (CWF, MF) Tributary to Lehigh River (CWF, MF) Tributary to Lehigh River (CWF, MF) Tributary to Lehigh River (CWF, MF) Tributary to Lehigh River (CWF, MF) Tributary to Lehigh River (CWF, MF) Tributary to Lehigh River (CWF, MF) Catasauqua Creek (HQ-CWF, MF)
PAI040009009(2)	Northeastern ITS, LLC 800 Woodlands Parkway, Suite 118 Ridgeland, MS 39157	Northampton	City of Easton, City of Bethlehem, Glendon Borough, Lower Saucon Twp., North Catasauqua Twp., Northampton Borough, Williams Township	Delaware River (WWF, MF) Tributary to Delaware River (CWF, MF) Tributary to Lehigh River (CWF, MF) Tributary to Lehigh River (CWF, MF) Tributary to Lehigh River (CWF, MF) Tributary to Lehigh River (CWF, MF) Tributary to Lehigh River (CWF, MF) Tributary to Lehigh River (CWF, MF) Tributary to Lehigh River (CWF, MF) Tributary to Lehigh River (CWF, MF) Tributary to Lehigh River (CWF, MF) Tributary to Lehigh River (CWF, MF) Tributary to Lehigh River (CWF, MF)

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<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
				Bull Run (CWF, MF) Saucon Creek (CWF, MF) Tributary to Lehigh River (CWF, MF) Tributary to Lehigh River (CWF, MF) Lehigh River (CWF, MF) Tributary to Lehigh River (CWF, MF) Tributary to Lehigh River (CWF, MF) Dry Run (CWF, MF) Hokendauqua Creek (CWF, MF) Bushkill Creek (HQ-CWF, MF) Bushkill Creek (HQ-CWF, MF) Delaware River (WWF, MF)
PAI040009009(2)	Northeastern ITS, LLC 800 Woodlands Parkway, Suite 118 Ridgeland, MS 39157	Schuylkill	Ashland Bor., Butler Twp., Gilberton Borough, Mahanoy Township, Mahanoy City, Ryan Twp., Rush Twp., Tamaqua Borough, Walker Twp.	Trib. to Little Schuylkill River (CWF, MF) Trib. to Little Schuylkill River (CWF, MF) Trib. to Little Schuylkill River (CWF, MF) Rabbit Run (CWF, MF) Trib. to Little Schuylkill River (CWF, MF) Trib. to Little Schuylkill River (CWF, MF) Trib. to Little Schuylkill River (CWF, MF) Wabash Creek (CWF, MF) Trib. to Wabash Creek (CWF, MF) Trib. to Little Schuylkill River (CWF, MF) Little Schuylkill River (CWF, MF) Little Schuylkill River (CWF, MF) Little Schuylkill River (CWF, MF) Little Schuylkill River (CWF, MF) Tributary to Little Schuylkill River (CWF, MF) Pine Creek (CWF, MF) Pine Creek (CWF, MF) Trib. to Pine Creek (CWF, MF)



<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
				Trib. to Pine Creek (CWF, MF)
				Trib. to Pine Creek (CWF, MF)
				Trib. to Hosensock Creek (CWF, MF)
				Trib. to Hosensock Creek (CWF, MF)
				Trib. to Hosensock Creek (CWF, MF)
				Trib. to Hosensock Creek (CWF, MF)
				Trib. to Hosensock Creek (CWF, MF)
				Trib. to Hosensock Creek (CWF, MF)
				Trib. to Hosensock Creek (CWF, MF)
				Trib. to Hosensock Creek (CWF, MF)
				Mahanoy Creek (WWF, MF)
				Trib. to Mahanoy Creek (CWF, MF)
				Mahanoy Creek (WWF, MF)
				North Mahanoy Creek (CWF, MF)
				Mahanoy Creek (WWF, MF)
				Trib. to Mahanoy Creek (CWF, MF)
				Trib. to Mahanoy Creek (CWF, MF)
				Trib. to Mahanoy Creek (CWF, MF)
				Trib. to Mahanoy Creek (CWF, MF)
				Mahanoy Creek (WWF, MF)
				Mahanoy Creek (WWF, MF)
				Mahanoy Creek (WWF, MF)
				Trib. to Mahanoy Creek (CWF, MF)
				Trib. to Mahanoy Creek (CWF, MF)
				Mahanoy Creek (WWF, MF)
				Mahanoy Creek (WWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024811007	Al Sherwood JJLH Associates Ltd. 298 Stoke Park Rd. Bethlehem, PA 18017	Northampton	Hanover Twp.	Monocacy Creek, HQ-CWF, MF

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

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI2030611009	Daniel Winkler East Penn Manufacturing Deka Road, PO Box 147 Lyon Station, PA 19536	Berks	Longswamp Twp.	Toad Creek/HQ-CWF, MF

Southwest Region: Watershed Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.  
 Fayette County Conservation District, 10 Nickman Plaza, Lemont Furnace, PA 15456, (412.241.7645)

Permit No.	Applicant & Address	County	Municipality	Stream Name
PAI052611006	Robert Softcheck North Fayette County Municipal Authority PO Box 368 Dunbar, PA 15431	Fayette	Dunbar Township	Dunbar Creek to Gist Run (HQ/CWF/TSF)

Somerset County Conservation District, 6024 Glades Pike Road, Somerset, PA 15501, (814.445.4352)

Permit No.	Applicant & Address	County	Municipality	Stream Name
PAI055609002	Pennsylvania Department of Transportation District 9-0 1620 North Juniata Street Holidaysburg, PA 16648	Somerset	Black, Brothersvalley, Somerset & Summit Twps.	Blue Lick Creek (CWF), Casselman River (CWF), UNTB to Casselman River (CWF), Swamp Creek (CWF), Buffalo Creek (CWF), UNTB to Buffalo Creek (CWF), Wilson Creek (WWF), UNTB to Laurel Run (WWF), UNTB to Kimberly Run (CWF)

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

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

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

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

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

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

**NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET**

Agricultural Operation Name and Address	County	Total Acres	Animal Equivalent Units	Animal Type	Special Protection Waters (HQ or EV or NA)	Renewal/ New
New Hope Farm CVFF 23117 Back Road Concord, PA 17217	Franklin	6.5	1310.25	Swine	NA	Renewal
Leroy Zimmerman 327 Stackstown Road Marietta, PA 17547	Lancaster	166.3	340.1	Swine / Steers / Heifers	NA	Renewal

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal / New</i>
Chick Valley Farm Joel Frey 1170 Breneman Road Conestoga, PA 17516	Lancaster	74	204.66	Pullets	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**

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

**Application No. 3611547 MA, Minor Amendment, Public Water Supply.**

Applicant	<b>Mountaintop Mobile Home Park</b>
Municipality	Caernarvon Township
County	<b>Lancaster</b>
Responsible Official	Larry J. Farkas PE, Professional Engineer 637 Jeffers Circle Exton, PA 19341
Type of Facility	Public Water Supply

Consulting Engineer	Larry J. Farkas, P.E. Cawley Environmental Services, Inc. 637 Jeffers Circle Exton, PA 19341
Application Received:	11/14/2011
Description of Action	Installation of chlorine contact piping and demonstration of 4-log treatment of viruses

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

**Permit No. 3011501, Public Water Supply.**

Applicant	<b>Southwestern Pennsylvania Water Authority,</b> 1442 Jefferson Road, Jefferson, PA 15344
[Township or Borough]	Cumberland Township
Responsible Official	Joseph Simatic, Manager Southwestern Pennsylvania Water Authority, 1442 Jefferson Road, Jefferson, PA 15344
Type of Facility	Water treatment plant
Consulting Engineer	Bankson Engineers, Inc., 267 Blue Run Road, PO Box 200, Indianola, PA 15051
Application Received Date	December 2, 2011
Description of Action	Construction of four gravity filters, installation of two ultraviolet reactors for disinfection, retrofitting four existing gravity filters with air scour, replacement of all four high service pumps and the installation of variable frequency drives.

**Permit No. 0211503, Public Water Supply.**

Applicant	<b>Municipal Authority of the Borough of Oakmont,</b> PO Box 73, 721 Allegheny Avenue, Oakmont, PA 15139
[Township or Borough]	Indiana Township

Responsible Official John Dunlap, General Manager  
Municipal Authority of the  
Borough of Oakmont,  
PO Box 73,  
721 Allegheny Avenue,  
Oakmont, PA 15139

Type of Facility Water storage tanks

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

Application Received Date October 17, 2011

Description of Action Cleaning, repairs and installation  
of PAX mixers to the Rich Hill and  
Indianola water storage tanks.

**MINOR AMENDMENT**

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

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

**Application No. 4511504MA**

Applicant **Skytop Lodges, Inc.**  
[Township or Borough] Barrett Township,  
**Monroe County**

Responsible Official Jim Siglin, Representative  
Skytop Lodges, Inc.  
Skytop, PA 18357  
570-595-8918

Type of Facility Community Water System

Consulting Engineer Brick T. Linder, PE  
Linder Engineering, Inc.  
RD 1, Box 408D  
Canadensis, PA 18325  
570-595-6432

Application Received Date November 28, 2011

Description of Action Construction of larger diameter  
conveyance lines at the system's  
three supply wells to provide  
additional contact volume  
following chlorination to allow  
compliance with the Ground  
Water Rule.

**Application No. 4811504 MA, Minor Amendment.**

Applicant **Lower Saucon Township  
Authority**  
3706 Old Philadelphia Pike  
Bethlehem, PA. 18015-5426

[Township or Borough] Lower Saucon Township,  
**Northampton County**

Responsible Official Mr. Gar W. Davidson Authority  
Administrator

Type of Facility Public Water Supply

Consulting Engineer Hanover Engineering Associates,  
Inc. Mr. J. Bradley Youst, PE.  
5920 Hamilton Blvd. Suite 108  
Allentown, PA. 18106-8942

Application Received Date November 30, 2011

Description of Action This project provides for the  
construction of an Emergency  
Water System Interconnection  
between Hellertown Borough  
Authority and the Lower Saucon  
Authority public water systems.  
This interconnection will provide  
an emergency source of domestic  
and fire fighting water for certain  
portions of Lower Saucon  
Authority service area if needed.

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

**Application No. 2611507MA, Minor Amendment.**

Applicant **National Pike Water Authority,**  
PO Box 10,  
Markleysburg, PA 15459

[Township or Borough] Wharton Township

Responsible Official Douglas Friend, President  
National Pike Water Authority,  
PO Box 10,  
Markleysburg, PA 15459

Type of Facility Water system

Consulting Engineer McMillen Engineering,  
115 Wayland Smith Drive,  
Uniontown, PA 15401

Application Received Date December 2, 2011

Description of Action Installation of waterlines along  
Route 40; State Routes 2015, 381,  
2011; and Township Roads 718  
and 377.

**LAND RECYCLING AND  
ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995**

**PREAMBLE 1**

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

Sections 302—305 of the Land Recycling and Environ-  
mental Remediation Standards Act (act) (35 P. S.  
§§ 6026.302—6026.305) require the Department to pub-  
lish in the *Pennsylvania Bulletin* an acknowledgment  
noting receipt of Notices of Intent to Remediate. An  
acknowledgment of the receipt of a Notice of Intent to  
Remediate is used to identify a site where a person  
proposes to, or has been required to, respond to a release  
of a regulated substance at a site. A person intending to  
use the background standard, Statewide health standard,  
the site-specific standard or intend to remediate a site as  
a special industrial area shall file a Notice of Intent to  
Remediate with the Department. A Notice of Intent to  
Remediate filed with the Department provides a brief  
description of the location of the site, a list of known or  
suspected contaminants at the site, the proposed remedia-  
tion measures for the site and a description of the  
intended future use of the site. A person who demon-  
strates attainment of one or a combination of cleanup  
standards or receives approval of a special industrial area

remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

**Cricket Hill Golf Course**, RR 2, Cricket Hill Road, Berlin Township, **Wayne County**. Martin P. Gilgallon, Pennsylvania Tectonics, Inc., 826 Main Street, Peckville, PA 18452 has submitted a "Revised" Notice of Intent to Remediate (on behalf of his client, FNB Holding Corp., 4866 State Route 52, Jeffersonville, NY 12748), concerning the remediation of soil and groundwater found to have been impacted by leaded and unleaded gasoline and diesel fuel as a result of the disposal of these contaminants into an on-lot septic system. The "original" Notice of Intent to Remediate, received on October 28, 2009, only included the remediation of soil. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard for soil and groundwater. The current and future use of the property is as a golf course. 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.

**Jeras Corporation Property (Runk Barn)**, 2175 Pirma Avenue, South Whitehall Township, **Lehigh County**. Chris Jacangelo, J. Rockwood & Associates, Inc., P. O. Box 1006, Easton, PA 18044 has submitted a Notice of Intent to Remediate (on behalf of his client, Jeras Corporation, 1802 N. Cedar Crest Boulevard, Allentown, PA 18104), concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a pitted and corrosive underground storage tank, which was observed during the tank's removal process. The

applicant proposes to remediate the site to meet the Residential statewide Health Standard for soil. The current and future use of the property is residential. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

**Former Northern Carrier**, 626 West Lackawanna Avenue, Scranton City, **Lackawanna County**. Sandra L. Szempruch-Koza, MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18013 has submitted a Notice of Intent to Remediate (on behalf of her client, Penn Security Bank and Trust Company, 150 N. Washington Avenue, Scranton, PA 18503), concerning the remediation of soil found to have been impacted by No. 2 heating oil, waste oil, and leaded gasoline during the uncovering and removal of three (3) 4,000-gallon and two (2) 3,000-gallon underground storage tanks. The applicant proposes to remediate the site to meet the Non-Residential Statewide Health Standard for soil. The current and likely future use of the property is commercial. A summary of the Notice of Intent to Remediate was published in *The Scranton Times* on November 14, 2011.

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

**Rutherford Intermodal Transfer Facility**, 5050 Paxton Street, Harrisburg, PA 17111, Swatara Township, **Dauphin County**. Marshall Miller & Associates, 534 Industrial Park Road, Bluefield, VA 24605, on behalf of Consolidated Rail Corporation, Two Commerce Square, 2001 Market Street, Philadelphia, PA 19101 and Norfolk Southern Railway Company, 1200 Peachtree Street, NE, Box 13, Atlanta, GA 30309, submitted a revised Notice of Intent to Remediate groundwater contaminated with BTEX, PHCs, and PAHs. The site will be remediated to the Site-Specific standard and will remain an intermodal transfer facility.

**Ephrata Marketplace**, 830 to 870 East Main Street, Ephrata, PA 17522, Ephrata Township, **Lancaster County**. Advantage Engineers LLC, 910 Century Drive, Mechanicsburg, PA 17055, on behalf of Ephrata GF, LP, 1000 North Front Street, Suite 500, Wormleysburg, PA 17043, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with PCBs, VOCs, PAHs and metals. The site will be remediated to the Statewide Health standard. Future use of the site is a commercial strip mall.

## 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*

**03-00245B: Rosebud Mining Co.** (301 Market Street, Kittanning, PA 16201) to increase coal processing from 420,000 tons per year to 750,000 tons per year at TJS #6 Plant in Plumcreek Township, **Armstrong County**.

**65-00857B: Saint-Gobain, Inc.** (4702 Route 982, Latrobe, PA 15650) to construct a roller hearth kiln at the Saint-Gobain Advanced Ceramics Corp. plant in Derry Township, **Westmoreland County**.

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

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

**43-309B: Bucks Fabricating Inc.** (3547 Perry Highway, Hadley, PA 16130-2325) for installation of two paint booths in Sandy Creek Township, **Mercer County**. A dry filter system is used to control particulate matter (PM) emissions.

**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*

**09-0024I: Waste Management of Pennsylvania, Inc.—WMPI** (1000 New Ford Mill Road, Morrisville, PA 19067) for installation of a landfill gas fired 2233 brake horsepower (bhp) generator engine at the Tullytown Resource Recovery Facility (TRFF) in Tullytown Borough, **Bucks County**. The landfill is a Title V facility. The engine will employ lean burn technology to minimize formation of nitrogen oxides (NOx). The engine will be limited to emissions of 0.41 g/bhp-hr formaldehyde. The project is subject to the requirements of Non-attainment New Source Review, codified at 25 Pa. Code § 127.203(b)(1)(ii). Emissions that are required to be offset are 33.1 tons of VOC. WMPI will offset the net increases of VOC, at the offset ratio of 1.3:1, in accordance with 25 Pa. Code § 127.210. A total of 43.03 tons of VOC ERC, that WMPI has already procured, are authorized for this project. The engine is subject to the requirements of New Source Standards of Performance (NSPS) for Stationary Spark Ignition Internal Combustion Engines, 40 CFR Part 60, Subpart JJJJ. The company will comply with all required monitoring, recordkeeping and testing requirements.

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

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

**43-356B: Hermitage Municipal Authority** (800 North Hermitage Road, Hermitage, PA 16148-3220) for modification of sources permitted in Plan Approval 43-356A. The facility will remove C101 (Selective Catalytic Reduction) from Source 101 (Combined Heat & Power Unit) and requests a correction to the emission limits for Source 105 (Emergency Generator). This equipment is located at the Bobby Run Water Pollution Control Plant in the City of Hermitage, **Mercer County**. Sources modified in this plan approval include 101 and 105.

Pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 43-356B to the Hermitage Municipal Authority for the operation of a combined heat and power unit and an emergency generator, at the Bobby Run Water Pollution Control Plant located in the City of Hermitage, Mercer County. The Plan Approval will subsequently be incorporated into a facility Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 43-356B is for the modification of the combined heat and power unit and emergency generator. Based on the information provided by the applicant and DEP's own analysis, the combined subject sources will have the potential to emit approximately 16.6 tons of year of nitrogen oxides; 2.41 tons per year of carbon monoxide; 1.02 tons per year of particulate matter; 0.76 tons per year of sulfur oxides and 0.51 tons per year of volatile organic compounds.

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

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

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

**AMS 11245: Philadelphia Gas Works—Richmond Plant** (3100 East Venango Street, Philadelphia, PA 19134) to install a 91.5 MMBTU/hr ethylene glycol heater. The heater will be limited to 18 million cubic feet of natural gas burned and less than 1.0 tons of nitrogen oxide (NO<sub>x</sub>) emissions per rolling 12-month period. The plan approval will contain monitoring and recordkeeping requirements to ensure operation within all applicable requirements.

**AMS 11195: Honeywell International—Frankford Plant** (Margaret & Bermuda St. Philadelphia, PA 19137 to permanently route the aldehyde drum (VT-401) vent to the inlet to the CADs 401/402/403 in the City of Philadelphia, **Philadelphia County**. The project will have a zero tpy VOC emissions. 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.**

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

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

**65-00354: Sunoco Partners Marketing & Terminals L.P.** (1734 Old Route 66, Delmont, PA, 15626) for operation of a Petroleum Marketing Terminal, known as the Delmont Terminal, located at 1734 Old Route 66 in Salem Township, **Westmoreland County**. The facility currently has Title V Operating Permit, No. TVOP-65-00354.

The facility currently has three gasoline, one ethanol, one diesel fuel, and one kerosene storage tanks. It also has gasoline and diesel tank truck loading racks, with emissions controlled by a vapor refrigeration unit, (VRU) or alternately, a backup vapor combustion unit. (VCU) Maximum annual emissions are estimated to be 99.72 tons of VOC and emissions of 1.76 tons of all HAPs combined, with the vapor combustion unit in operation. Gasoline throughput at the facility shall not exceed 483,296,354 gallons in any consecutive 12-month period. The facility is subject to state requirements as well as 40 CFR 60 Subpart XX, related to standards of performance for bulk gasoline terminals, 40 CFR Subpart Ka related to standards of performance for storage vessels for petroleum liquids, and 40 CFR 63 Subpart BBBBBB related to national emission standards for hazardous air pollutants for source category: gasoline distribution bulk terminals, bulk plants, and pipeline facilities. The Operating Permit contains appropriate emission limitations, testing, monitoring, recordkeeping, reporting requirements, and work practice standards. Further details on the conditions and the reasons for their inclusion are available upon request

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are

available for public review during normal business hours at 400 Waterfront Drive, Pittsburgh, PA 15222.

Interested persons may submit written comments, suggestions or objections concerning the proposed Plan Approval to the regional office within 30 days of publication of this notice. Written comments submitted to the Department during the 30-day public comment period shall include the following:

Name, address and telephone number of the commentator.

Identification of the proposed Operating Permit No. TVOP-65-00354.

A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such a notification is sufficient. Written comments or requests for a public hearing should be directed to Martin Hochhauser, P.E., Operating Permits, 400 Waterfront Drive, Pittsburgh, PA, 15222, 412-442-4057.

##### **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*

**09-00212: Allied Tube and Conduit Corp.** (600 Dean Sievers Place, Morrisville, PA 19067) for operation of a tube manufacturing plant in Falls Township, **Bucks County**. The manufacturing processes consist of mechanically forming and welding steel stock into tubes, and painting the products, which result in the emissions of ammonia, Volatile Organic Compounds (VOCs), and metal fabrication Hazardous Air Pollutants (MFHAPs). The proposed operating permit is for a non-Title V (State Only), Natural Minor facility. It contains 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*

**54-00027: Titanium Wire Corp.** (235 Industrial Park Road, Frackville, PA 17931) for operation of a natural gas fired furnace in West Mahanoy Township, **Schuylkill 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, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-705-4863*

**36-05153: Pierson Rheems, LLC** (5 Heisey Quarry Road, Elizabethtown, PA 17022) for their stone quarry in West Donegal Township, **Lancaster County**.

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

The subject facility has actual emissions of 0.49 tpy of PM-10. 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 OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

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

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

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

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

Mr. Thomas Hanlon, Chief, East Permitting Section 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.

**22-03046: Haines & Kibblehouse, Inc.** (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474-0196) for the operation of rock crushing operations in Lower Swatara Township, **Dauphin County**. This is a renewal of their State-Only Operating Permit issued in 2005.

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

The subject facility has the potential to emit 5.8 tpy of PM10. 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 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

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

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

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

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

Tom Hanlon, Chief, East Permitting Section, 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*

**17-00061: Junior Coal Contracting, Inc.** (2330 Six Mile Road, Philipsburg, PA 16866-8203) for issuance of a state only operating permit for their facility in Decatur Township, **Clearfield County**. The facility's source is a coal preparation plant. The potential emission of all air contaminants are below their respective major emission thresholds. The proposed state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**49-00040: Reagent Chemical & Research, Inc.** (145 Happy Hollow Road, Coal Township, PA 17866-7733) for issuance of a state only operating permit for their facility in Coal Township, **Northumberland County**. The facility's sources include a limestone storage operation, two skeet target production lines and two parts washers. The potential emission of all air contaminants are below their respective major emission thresholds. The proposed state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**49-00009: Masonite Corp.** (PO Box 112, Northumberland, PA 17857-0112) for issuance of a state only operating permit for their facility in Point Township, **Northumberland County**. The facility's sources include two combustion units, five surface coating spray booths and associated cleanup operations, a prefinish line, a gluing operation, a milling & sanding operation, an emergency generator and a parts washer. The potential emission of all air contaminants are below their respective major emission thresholds. The proposed state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**41-00067: Glenn O. Hawbaker, Inc.** (711 East College Ave., Bellefonte, PA 16823) for issuance of a State-Only (Synthetic Minor) Operating Permit renewal for operation of their Montoursville Plant No. 15 facility in Loyalsock Township, **Lycoming County**.

The facility operates oil preheater, a drum mix asphalt plant, a RAP processing system, an Eagle mobile crushing



unit, fuel oil storage tanks, Kolberg mobile crushing and screening unit, and a Nordberg mobile crushing unit.

The facility has the potential to emit up to 29.03 tons of PM/PM10, 5.02 tons of HAPs, 79.88 tons of SO<sub>x</sub>, 75.44 tons of NO<sub>x</sub>, 30.22 tons of VOCs, and 77.10 tons of CO per year.

The facility is not a major (Title V) facility for any air contaminant.

The Department of Environmental Protection (Department) proposes to issue State-Only (Synthetic Minor) Operating Permit 41-00067. The Department intends to incorporate into the operating permit all applicable conditions of approval contained in the RFD exemptions for various insignificant air-contaminant sources and air-contaminant sources authorized under general plan approvals/general operating permits. The proposed renewal operating permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

**60-00020: Pik Rite, Inc.** (60 Pik Rite Lane, Lewisburg, PA 17837-6840) for issuance of a state only operating permit for their facility in Buffalo Township, **Union County**. The facility's source is a surface coating operation. The potential emission of all air contaminants are below their respective major emission thresholds. The proposed state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

**65-00322: PIAD Precision Casting Corp.** (Westmoreland County Industrial Park, 112 Industrial Park Road, Greensburg, PA 15601) for manufacturing—industrial furnaces and ovens at their Hempfield Township Plant in Hempfield Township, **Westmoreland County**. This is a State Only Operating Permit Application submittal.

**30-00177: Coresco, LLC** (308 Dents Run Road, Morgantown, WV 26501) for bituminous coal and lignite surface mining at their Dooley Run Terminal in Dunkard Township, **Greene County**. This is a State Only Operating Permit Application submittal.

**65-00792: Metalor Electrotechnics USA Corp.** (1003 Corporate Lane, Export, PA 15632) for fabricated metal products at Metalor Plant #5 in Export Borough, **Westmoreland County**. This is a State Only Operating Permit Application submittal.

**65-00316: BFS Petroleum Products, Inc.** (1768 Mileground Road, Morgantown, WV 26505) for petroleum distribution at their Vandergrift Bulk Plant in Vandergrift Borough, **Westmoreland County**. This is a State Only Operating Permit Application submittal.

**30-00130: BFS Petroleum Products, Inc.** (1768 Mileground Road, Morgantown, WV 26505) for petroleum distribution at their Bruceton Petroleum (PA Division) Plant in Franklin Township, **Westmoreland County**. This is a State Only Operating Permit Application submittal.

**32-00375: Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201), Natural Minor Operating

Permit for the operation of a coal preparation plant, known as the Lowry Deep Mine, located in White Township, **Indiana County**.

The facility contains air contamination sources consisting of screens, conveyers, storage piles, and one 277-bhp emergency diesel generator engine. Raw coal throughput of the facility is limited to 800,000 tons per year. Facility emissions are 15.12 tons per year of PM10, 0.82 tons per year of NO<sub>x</sub>, 0.08 tons per year of CO. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to state requirements as well as 40 CFR 60, Subpart Y—Standards of Performance for Coal Preparation and Processing Plants and 40 CFR 60, Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. The permit includes emission limitations, operational requirements, monitoring requirements, and recordkeeping requirements for the facility.

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

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

Identification of the proposed Operating Permit (specify Operating Permit OP-32-00375), and

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

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

**32-00398: Western Allegheny Energy, LLC** (301 Market Street, Kittanning, PA 16201), Natural Minor Operating Permit for the operation of a coal preparation plant, known as the Knob Creek Mine, located in Young Township, **Indiana County**.

The facility contains air contamination sources consisting of screens, conveyers, storage piles, and one 277-bhp emergency diesel generator engine. Raw coal throughput of the facility is limited to 800,000 tons per year. Facility emissions are 13.99 tons per year of PM10, 0.81 tons per year of NO<sub>x</sub>, 0.08 tons per year of CO. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to state requirements as well as 40 CFR 60, Subpart Y—Standards of Performance for Coal Preparation and Processing Plants and 40 CFR 60, Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. The permit includes emission limitations, operational requirements, monitoring requirements, and recordkeeping requirements for the facility.

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

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

Identification of the proposed Operating Permit (specify Operating Permit OP-32-00398), and

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

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

**63-00110: World Kitchen, Inc.** (100 Eighth Street, Charleroi, PA 15022) In accordance with 25 Pa Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a Synthetic Minor State Only Operating Permit (SOOP) to World Kitchen, Inc. to authorize the continued operation of a pressed and blown glass manufacturing facility at their Charleroi Plant located in Charleroi Boro, **Washington County**. The facility consists of systems for the receiving, batching and storage of raw materials (controlled with 3 baghouses), one melting tank with associated molding and mold swabbing operations, a chrome plating operation (controlled with a composite mesh pad), and miscellaneous natural gas combustion sources including 5 kilns, 4 firepolishers, 5 forehearths, and 1 lehr). To stay below major source thresholds, facility will limit the charge to the melting furnace and limit the use of sodium sulfate. Emissions from the facility, on a 12-month rolling basis, after taking synthetic minor limitations are limited to 35 tons PM<sub>10</sub>, 95 tons SO<sub>x</sub>, 65 tons NO<sub>x</sub>, 10 tons VOC, 25 tons CO, 0.29 tons HF, 0.04 tons HCl, and 0.0094 tons Chromium.

The facility is subject to 60 CFR 63, Subpart N (related to chrome plating), 40 CFR 98, Subpart N (related to mandatory greenhouse gas reporting), and 25 Pa. Code Chapters 121—145. The proposed SOOP contains conditions related to restrictions, testing, monitoring, recordkeeping, reporting and work practice standards. DEP believes that these conditions ensure compliance with all applicable Federal and State regulations.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Operating Permit may submit the information to Barbara Hatch, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222, 412-442-5226. Written comments must contain the following:

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

Identification of the proposed Operating Permit (SOOP-63-00110), and

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

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

**56-00314: Bognar and Co., Inc.** (731-733 Washington Blvd, PO Box 11999, Pittsburgh, PA 15228) for coal mining services at their Somerset Plant in Black Township, **Somerset County**. This is a State Only Operating Permit Application submittal.

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

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

**S10-003: South Eastern Pennsylvania Transportation Authority, Berridge/Courtland Maintenance Shop.** (at 200 West Wyoming Avenue, Philadelphia, PA 19140) for the operation of a public transportation in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes two each 12.553 MMBTU/hr boilers, two each 5.021 MMBTU/hr boilers, one 2.95 MMBTU/hr and one 3.95 MMBTU/hr heaters, and one 1 MMBTU/hr, two each 0.5 MMBTU/hr and nine each 1.21 MMBTU/hr hot water heaters, six pressure washers, two space heaters, one Catalyst Regeneration Unit, Stage 2 Vapor Recovery Units, Spray Booths, Printing Presses and a 200 KW emergency generator.

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

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

#### PLAN APPROVALS

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

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

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

**54-310-055: Richard E Pierson Construction Co., Inc.—Middleport Quarry** (PO Box 4309, Woodstown, NJ 08098-0430) for replacement of a crushing plant with

a new crushing plant with water sprays at Middleport Quarry for their facility in Walker Township, **Schuylkill 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 Richard E Pierson Construction Company, Inc. (Middleport Quarry) (PO Box 4309, Woodstown, NJ 08098-0430) for their facility located in Walker Twp, Schuylkill County. This Plan Approval No. 54-310-053 will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 54-310-055 is for the replacement of a crushing plant with a new crushing plant with water sprays at Middleport Quarry. The crushing operation is subject to NSPS Subpart OOO requirements. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. These limits will meet BAT requirements for this source. 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.

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, 2 Public Square, Wilkes-Barre, PA 18701-1915.

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

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

Identification of the proposed permit No.: 54-310-055.

A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

### **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.

### **MINING ACTIVITY NPDES DRAFT PERMITS**

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

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

#### *Effluent Limits for Coal Mining Activities*

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

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

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

\* The parameter is applicable at all times.

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

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

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

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

*Effluent Limits for Noncoal Mining Activities*

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

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

\* The parameter is applicable at all times.

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

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

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

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

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

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

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

*Noncoal NPDES Draft Permits*

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

**NPDES No. PA0223701 on Surface Mining Permit No. 67960301. Codorus Stone & Supply Co., Inc.** (135 Mundis Race Road, York, PA 17402) renewal of an NPDES Permit for a limestone quarry operation in Manchester Township, **York County**, affecting 42.4 acres. Receiving stream: Codorus Creek, classified for the following use: warm water fishes. Application received: August 8, 2011.

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

The outfall(s) listed below discharge to Codorus Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
1	No	O.D.

**NPDES No. PA0123242 on Surface Mining Permit No. 7475SM10. ESSROC Cement Corp.** (Route 248 & Easton Road, Nazareth, PA 18064), renewal of an NPDES Permit for a limestone quarry operation in Upper Nazareth and Lower Nazareth Townships and Nazareth Borough, **Northampton County**, affecting 176.0 acres. Receiving stream: East Branch Monocacy Creek, classified for the following use: HQ-cold water fishes. Application received: October 26, 2011.

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

The outfall(s) listed below discharge to East Branch Monocacy Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
1	No	O.D.

*Coal NPDES Draft Permits*

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

**NPDES No. PA0597457 (Mining permit no. 32850114), Beilchick Brothers**, P. O. Box 7, Heilwood, PA 15745, renewal of an NPDES permit for surface mining in Pine Township, **Indiana County**, affecting 147.5 acres. Receiving stream(s): Unnamed Tributaries to Little Yellow Creek, classified for the following use(s): high quality cold water fishery. This receiving stream is included in the Kiskiminetas-Conemaugh River TMDL. Application received: September 21, 2011.

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

The treatment pond outfall(s) listed below discharge to Unnamed Tributaries to Little Yellow Creek.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001, 002, 003 and 004	N

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.9
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)			50.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The sediment pond outfall(s) listed below discharge to Unnamed Tributaries to Little Yellow Creek.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
005, 006, 007 & 008	N

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

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

**NPDES No. PA0263273 (Mining permit no. 56110105), Wilson Creek Energy, LLC**, 140 West Union Street, Somerset, PA 15501, new NPDES permit for a bituminous surface mine in Lincoln Township, **Somerset County**, affecting 84.7 acres. Receiving stream(s): unnamed tributary to Quemahoning Creek, classified for the following use(s): cold water fishery. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: June 21, 2011.

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

The outfall(s) listed below discharge to unnamed tributary to Quemahoning Creek.

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

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.9
Total Suspended Solids (mg/l)	35.0	70.0	90.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times  
Alkalinity must exceed acidity at all times

The stormwater outfall(s) listed below discharge to: unnamed tributary to Quemahoning Creek

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

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.9
Total Suspended Solids (mg/l)	35.0	70.0	90.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times  
Alkalinity must exceed acidity at all times

**NPDES No. PA0262595 (Mining permit no. 32080102), Britt Energies, Inc.**, 2450 Philadelphia Street, Indiana, PA 15701, revised NPDES permit for a surface coal mine operation in Pine Township, **Indiana County**, affecting 85.2 acres. Receiving stream(s): unnamed tributaries to Leonard Run, classified for the following use(s): cold water fishery. This receiving stream is included in the Kiskiminetas-Conemaugh River TMDL. Application received: July 27, 2011.

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

The outfall(s) listed below discharge to unnamed tributaries to Leonard Run.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 Treatment Pond 1	No
002 Treatment Pond 2	No

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.9
Total Suspended Solids (mg/l)	35.0	70.0	90.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times  
Alkalinity must exceed acidity at all times

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
003—Sediment Pond A	No
004—Sediment Pond B	No
005—Sediment Pond C	Yes

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.9
Total Suspended Solids (mg/l)	35.0	70.0	90.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times  
Alkalinity must exceed acidity at all times

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

**NPDES No. PA0225011 on Surface Mining Permit No. 54111301. Little Buck Coal Company**, (57 Lincoln Road, Pine Grove, PA 17963), new NPDES Permit for an anthracite underground mine operation in Tremont Township, **Schuylkill County**, affecting 1.5 acres of surface area and 20.0 acres of subsurface area. Receiving stream: Stumps Run, classified for the following uses: cold water fishes and migratory fishes. Application received: May 10, 2011.

The proposed average daily discharge rate for Outfall 001 is 0.288 MGD & Outfall 002 is 0.0001 MGD.

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

The outfall(s) listed below discharge to Stumps Run.

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

The proposed effluent limits for the above listed outfalls are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		1.5	3.0	3.8
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.75	1.5	1.9
Alkalinity greater than acidity <sup>1</sup>				
Total Dissolved Solids (mg/l)		Monitor & Report		

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

**NPDES No. PA0594318 on Surface Mining Permit No. 49663009. Mallard Contracting Co., Inc.**, (100 Lehigh Street, Mt. Carmel, PA 17851) renewal of an NPDES Permit for an anthracite surface mine, coal refuse reprocessing, coal refuse disposal, coal preparation plant and excess spoil removal & disposal operation in Mt. Carmel and Conyngham Townships, **Northumberland** and **Columbia Counties**, affecting 1200.0 acres. Receiving stream: Shamokin Creek via Scott Overflow of mine pool discharge, classified for the following uses: cold water fishes. Application received: January 18, 2011.

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

The outfall(s) listed below discharge to Shamokin Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	N	O.D.

**NPDES No. PA0225070 on Surface Mining Permit No. 40663031. Jeddo-Highland Coal Company** (46 Public Square, Suite 600, Wilkes-Barre, PA 18701) new NPDES Permit for an anthracite surface mine and coal refuse reprocessing operation in Foster Township, **Luzerne County**, affecting 536.0 acres. Receiving streams: Black Creek and Sand Run, classified for the following use: cold water fishes. Application received: October 7, 2011.

This permit is issued as a "Non-Discharge" permit with applicable BMP's.

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

The outfall(s) listed below discharge to Black Creek and Sandy Run.

## 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.*

**E64-289. Ken & Kris Tanji**, 285 East Shore Drive, Lake Ariel, PA 18436, in Lake Township, **Wayne County**, U.S. Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a boathouse cantilevered over approximately 1,220 square feet of Lake Ariel. The boathouse extends into the lake approximately 35 feet from the shoreline. The project is located at 285 East Lake Shore Drive (Lake Ariel, PA Quadrangle, Latitude: 41°26'56"; Longitude: -75°22'33").

**E52-230. Municipal Authority of the Township of Westfall**, 155 Westfall Town Drive, Matamoras, PA 18336, in Westfall Township, **Pike County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a sewage pump station in the floodplain of the Delaware River (WWF, MF). The project is located on the south side of Mountain Avenue approximately 0.2 mile west of its intersection with US Route 6 (Port Jervis South, NY-NJ-PA Quadrangle, Latitude: 41°21'31.8"; Longitude: -74°43'10").

**E40-720. PPL Bell Bend, LLC**, 38 Bombay Lane, Suite 2, Berwick, PA 18603, in Salem Township, **Luzerne County**, U.S. Army Corps of Engineers, Philadelphia District.

To authorize the following water obstructions and encroachments associated with the Bell Bend Nuclear Power Plant Project:

1. (Impact A) To remove the existing bridge and to construct and maintain a 60-foot wide, 5-span concrete vehicular bridge across the relocated Walker Run (CWF) and created riparian wetlands. The bridge has a 400-foot span and an approximate 11-foot underclearance. (Latitude: 41°05'10"; Longitude: -76°10'03")

2. (Impact B) To remove the existing vehicular bridge and to construct and maintain a 60-foot wide, 3-span concrete bridge across an UNT to Walker Run (CWF) and adjacent wetlands (EV). The bridge has a 408-foot span and an approximate 45-foot underclearance. (Latitude: 41°05'08"; Longitude: -76°09'46")

3. (Impact C) To construct and maintain a 10-foot wide, 4-span pre-fabricated metal truss utility bridge across an UNT to Walker Run (CWF) and adjacent wetlands (EV). The bridge has a 340-foot span and an approximate 30-foot underclearance and carries an 8-inch diameter DIP water line, a 10-inch diameter DIP sewer line, a 12-inch diameter cement lined DIP water line (fire) and four 6-inch diameter steel electrical conduits. (Latitude: 41°05'11"; Longitude: -76°09'40")

4. (Impact D) To construct and maintain a combined 87-foot wide, 4-span concrete vehicular bridge and adjacent utility bridge across an UNT to Walker Run (CWF) and adjacent wetlands (EV). The bridges have a 410-foot

span and an underclearance of 23 feet and 15 feet, respectively. (Latitude: 41°05'09"; Longitude: -76°09'27")

5. (Impact E) To construct and maintain a 28-foot wide, 6-span concrete railroad bridge across an UNT to Walker Run (CWF) and adjacent wetlands (EV). The bridge has a 535-foot span and an approximate 11-foot underclearance. (Latitude: 41°05'09"; Longitude: -76°09'25")

6. (Impact F) To construct and maintain a 60-foot wide, 5-span concrete bridge across approximately 390 feet of wetlands. The bridge has a 508-foot span and an approximate 10-foot underclearance. (Latitude: 41°04'55"; Longitude: -76°09'21")

7. (Impact G) To construct and maintain a stream enclosure of an UNT to Lake Took-a-While (CWF) consisting of a 125-foot long, 48-inch diameter reinforced concrete pipe with concrete endwalls for the purpose of constructing a railroad crossing. The invert will be depressed 6-inches below streambed elevation. (Latitude: 41°05'15"; Longitude: -76°08'37")

8. (Impact H) To remove the existing stream enclosure and to construct and maintain a stream enclosure of an UNT to Walker Run (CWF) consisting of a 428-foot long, 36-inch diameter reinforced concrete pipe with the invert depressed 12-inches below streambed elevation. (Latitude: 41°05'15"; Longitude: -76°09'41")

9. (Impact I) To fill 0.12 acre of wetlands for the purpose of constructing the proposed power block. (Latitude: 41°05'23"; Longitude: -76°10'05")

10. (Impact J) To fill 0.06 acre of wetlands for the purpose of constructing the switchyard expansion. (Latitude: 41°05'18"; Longitude: -76°08'55")

11. (Impact K) To fill 0.98 acre of wetlands and 617 feet of a tributary to the Susquehanna River known as the North Branch Canal Outfall Channel for the purpose of constructing the intake structure and associated parking and access road. (Latitude: 41°05'13"; Longitude: -76°07'58")

12. (Impact M) To construct and maintain a water intake and blowdown pipeline crossing of a tributary to the Susquehanna River known as the North Branch Canal Outfall Channel and approximately 950 feet of wetlands, temporarily impacting 0.78 acre of wetlands. (Latitude: 41°05'18"; Longitude: -76°08'00")

13. (Impact N) To construct and maintain an intake structure in and adjacent to the west bank of the Susquehanna River (WWF, MF). To excavate and maintain a 120-foot by 220-foot area along the west bank of the Susquehanna River to an approximate depth of 1-foot below the riverbed for the purpose of constructing the intake structure. (Latitude: 41°05'14"; Longitude: -76°07'52")

14. (Impact O) To construct and maintain a 24-inch diameter blowdown diffuser pipe anchored to a 116.5-foot long by 7-foot wide concrete pad set on the river bed covered with riprap. The pipe extends approximately 325 feet into the Susquehanna River (WWF, MF) from the shoreline. (Latitude: 41°05'06"; Longitude: -76°07'51")

15. (Impact P, Q & R) To construct and maintain various aerial transmission line crossings of wetlands throughout the project area. (Impact P—Latitude: 41°05'21"; Longitude: -76°09'42"; Impact Q—Latitude: 41°05'21"; Longitude: -76°09'21"; Impact R—Latitude: 41°05'03"; Longitude: -76°08'59")

16. (Impact U) To construct and maintain various stormwater outfalls to the Walker Run, Susquehanna River and tributaries thereto.



17. (Impact V) To relocate approximately 3,440 feet of Walker Run with the construction and maintenance of approximately 4,474 feet of new stream channel using natural stream design techniques.

The project includes 2.57 acres of permanent wetland impacts and 997 feet (0.21 acre) of permanent stream impacts. The project also includes 7.33 acres of temporary wetland impacts and 2,200 feet (1.42 acres) of temporary stream impacts.

The project is located approximately 4.5 miles northeast of the intersection of U.S. Route 11 and U.S. Route 93, directly south of Beach Grove Road and to the west and to the south of the existing PPL Nuclear Power Plant Facility. The project is bisected by Confers Lane (Berwick, PA Quadrangle Latitude: 41° 5' 17.57"; Longitude: -76° 9' 42.08") in Salem Township, Luzerne County.

**E64-290. Tennessee Gas Pipeline Company**, 1001 Louisiana Street, Houston, TX 77002, in Berlin Township & Palmyra Township, **Wayne County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain 28 water obstructions and encroachments in and along Swamp Brook (HQ-CWF) and unnamed tributaries thereof, and unnamed tributaries to Indian Orchard Brook (HQ-CWF) and impacting approximately 4,700 linear feet of wetlands (PEM, PFO, PSS). This work is associated with Tennessee Gas Pipeline Company's Northeast Upgrade Project which includes the installation of approximately 21.83 miles of pipeline in Pennsylvania, of which 8.12 miles is located in Wayne County. The project begins approximately 0.10 mile west from the intersection of State Route 2001 and Adams Pond Road in Berlin Township and ends on the north side of Juniper Way approximately 0.80 mile north of the its intersection with State Route 0590 in Palmyra Township. (White Mills & Narrowsburg, PA Quadrangle, Latitude: Beginning 41° 33' 47.823" N, Ending 41° 29' 58.201" N; Longitude: Beginning -75° 11' 31.943" W, Ending -75° 08' 57.650" W).

**E52-231. Tennessee Gas Pipeline Company**, 1001 Louisiana Street, Houston, TX 77002, in Milford Township, Westfall Township & Lackawaxen Township, **Pike County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain 94 water obstructions and encroachments in and along Tinkwig Creek (HQ-CWF) and unnamed tributaries thereof, West Falls Creek (HQ-CWF) and unnamed tributaries thereof, Pinchot Brook (EV) and unnamed tributaries thereof, Dimock Meadow Brook (EV) and unnamed tributaries thereof, Vandermark Creek (HQ-CWF) and unnamed tributaries thereof, Deep Brook (EV) and unnamed tributaries thereof, Delaware River (WWF) and unnamed tributaries thereof Cummins Creek (HQ-CWF) and unnamed tributaries thereof, Laurel Brook (HQ-CWF), Crawford Branch (HQ-CWF), Rosetown Creek (HQ-CWF), and unnamed tributaries to Vantine Brook (HQ-CWF) and impacting approximately 6,670 linear feet of wetlands (PEM, PFO, PSS). This work is associated with Tennessee Gas Pipeline Company's Northeast Upgrade Project Loops 321 and 323 which includes the installation of approximately 21.83 miles of pipeline in Pennsylvania, of which 9.27 miles is located in Pike County. The project begins on the north side of Juniper Way approximately 0.80 mile north of the its intersection with State Route 0590 in Lackawaxen Township and ends on the southeast side of U.S. Route 0209 approximately 0.70 mile southwest of the its intersection with U.S. Route 0006 in Milford Township (White Mills, Narrowsburg, Milford, Port Jervis South, PA Quadrangle,

Latitude: Beginning 41° 29' 58.201" N, Ending 41° 19' 45.260" N; Longitude: Beginning -75° 08' 57.650" W, Ending -74° 46' 14.907" W).

**E45-568. Robert H. Grammes**, P. O. Box 155, Kresgeville, PA 18333, in Polk Township, **Monroe County**, U.S. Army Corps of Engineers, Philadelphia District.

To maintain seven check dams and boulder bank stabilization in and along a 240-foot reach of a tributary to Pohopoco Creek (CWF, MF). The project is located on the west side of Keller Road (T429) approximately 0.3 mile south of its intersection with Beltzville Drive (Pohopoco Mountain, PA Quadrangle, Latitude: 40° 53' 49.5"; Longitude: -75° 31' 11.0") in Polk Township, Monroe County.

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

**E05-362: Pa. Department of Transportation, Engineering District 9-0**, 1620 North Juniata Street, Hollidaysburg, Pennsylvania 16648, in Snake Spring Township, **Bedford County**, Army Corps of Engineers, Baltimore District

To: 1) remove the existing structure, 2) construct and maintain a single span, prestressed concrete beam bridge skewed 80° having a normal clear span of 112.30 feet, a width of 31.40 feet, and an minimum underclearance of 7.28 feet across Cove Creek (EV, MF), 3) remove a gravel bar from Cove Creek (EV, MF) having a length of 175.0 feet, an average width of 35.0 feet, and an average depth of 1.5 feet, 4) stabilize approximately 73.0 feet of the left streambank and 71.0 feet of the right streambank of Cove Creek (EV, MF) with rock, and 5) temporarily impact 0.09 acre of PEM EV wetland, all for the purpose of improving transportation safety and roadway standards. The project will involve the use of two staged causeways for construction and demolition. The project is located along SR 1004 (Everett West, PA Quadrangle, N: 1.0 inch, W: 6.7 inches; Latitude: 40°00'20", Longitude: -78°25'21") in Snake Spring Township, Bedford County.

**E21-424: Mount Holly Springs Borough Authority**, 200 Harman Street, Mount Holly Springs, Pennsylvania 17065, in Mount Holly Springs Borough, **Cumberland County**, ACOE Baltimore District

To construct and maintain a blower platform with an area of 296.0 square feet, a screening chamber with an area of 428.0 square feet, an influent manhole with an area of 20.0 square feet, a decant pumping station and control panel with an area of 50.0 square feet, and 3,940.0 square feet of new paving; all within the 100-year FEMA floodplain of Mountain Creek (TSF, MF). The purpose of the project is to improve the existing Mount Holly Springs Borough Wastewater Treatment Plant. The project is located at 11 Mill Street in Mount Holly Springs Borough, Cumberland County (Mount Holly Springs, PA Quadrangle; N: 23.36 inches, W: 8.92 inches; Latitude: 40°07'23"; Longitude: -77°11'20").

**E21-426: Susan E. Sanders, Shippensburg Public Library**, 73 West King Street, Shippensburg, Pennsylvania 17257, in Shippensburg Borough, **Cumberland County**, ACOE Baltimore District

To remove an existing building and construct and maintain: 1) a building addition onto the existing library facility, a parking area, and a pedestrian bridge in the floodway of Middle Spring Creek (HQ-CWF, MF). The project is located at 73 West King Street in the Borough of Shippensburg, Cumberland County (Shippensburg, PA

Quadrangle; N: 9.03 inches, W: 3.27 inches; Latitude: 40°02'59", Longitude: -77°31'24"). The purpose of the project is to renovate and expand the public library.

**E36-894: Pa. Department of Transportation, Engineering District 8-0**, 2140 Herr Street, Harrisburg, Pennsylvania 17103, in Martic Township, **Lancaster County**, Army Corps of Engineers, Baltimore District

To: 1) remove the existing pipe and install and maintain a 7.6-foot x 4.8-foot reinforced concrete pipe culvert having a length of 30.0 feet in Clark Run (HQ-CWF, MF) at its confluence with Tucquan Creek (Holtwood, PA Quadrangle; N: 20.7 inches, W: 12.6 inches; Latitude: 39°51'51", Longitude: -76°20'23"), 2) relocate and maintain 205.0 feet of Clark Run (HQ-CWF, MF) upstream of the pipe culvert replacement (Holtwood, PA Quadrangle; N: 20.7 inches, W: 12.6 inches; Latitude: 39°51'51", Longitude: -76°20'23"), 3) relocate and maintain 325.0 feet of Clark Run (HQ-CWF, MF) upstream of the road crossing at Douts Hill Road (Holtwood, PA Quadrangle; N: 21.4 inches, W: 12.7 inches; Latitude: 39°52'5", Longitude: -76°20'26"), and 4) temporarily impact 0.01 acre of PEM EV wetland at the stream relocation at Douts Hill Road (Holtwood, PA Quadrangle; N: 21.4 inches, W: 12.7 inches; Latitude: 39°52'5", Longitude: -76°20'26"), all for the purpose of improving transportation safety. The project is located along SR 3017 (River Road) in the area of Tucquan Glen in Martic Township, Lancaster County.

**E67-895: Kenneth and Elaine Beinhower**, 260 Old York Road, New Cumberland, Pennsylvania 17070, in Fairview Township, **York County**, ACOE Baltimore District

To construct and maintain a 460.0-foot long, 48.0-inch reinforced concrete pipe in an unnamed tributary to Marsh Run (WWF, MF) for the purpose of providing a storage area of excess fill material. The project is located at the intersection of Marsh Run Road and State Route 1003 (Steelton, PA Quadrangle; N: 13.62 inches, W: 13.50 inches; Latitude: 40°12'00", Longitude: -76°50'48") in Fairview Township, York County.

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

**E02-584-A14 Hanson Aggregates PMA, Inc.**, 2200 Springfield Pike, Connellsville, Pa. 15425, in Vanport and Potter Townships, **Beaver County**, Pittsburgh ACOE District. To amend Permit E02-584, which authorizes commercial sand and gravel dredging in select areas of the Allegheny River (WWF) and Ohio River (WWF), subject to review of fish surveys, mussel surveys, and prescribed setbacks in Allegheny, Armstrong, Beaver and Westmoreland Counties to include Ohio River Mile Points 27.2 to 27.92 (Upstream beginning point: Beaver, PA Quadrangle N: 10.5 inches, W: 7.8 inches; Latitude: 40°41'0.5", Longitude: -80°19'5.76". Downstream end point: Beaver, PA Quadrangle N: 9.9 inches, W: 6.2 inches; Latitude: 40°40'47.58", Longitude: -80°19'44.82"), left and right descending banks in Vanport and Potter Townships, Beaver County.

**E02-919-A14 Tri-State River Products, Inc.**, Box 218, 334 Insurance Street, Beaver PA 15009, in Vanport and Potter Townships, **Beaver County**, Pittsburgh ACOE District. To amend Permit E02-919, which authorizes commercial sand and gravel dredging in select areas of the Allegheny River (WWF) and Ohio River (WWF), subject to review of fish surveys, mussel surveys, and prescribed setbacks in Allegheny, Armstrong, Beaver and Westmoreland Counties to include Ohio River Mile Points 27.2 to 27.92 (Upstream beginning point: Beaver, PA

Quadrangle N: 10.5 inches, W: 7.8 inches; Latitude: 40°41'0.5", Longitude: -80°19'5.76". Downstream end point: Beaver, PA Quadrangle N: 9.9 inches, W: 6.2 inches; Latitude: 40°40'47.58", Longitude: -80°19'44.82"), left and right descending banks in Vanport and Potter Townships, Beaver County.

**E02-1657 Motiva Enterprises, LLC**, 4094 Majestic Lane PMB 224, Fairfax, VA 22033, in Coraopolis Borough and Moon Township, **Allegheny County**. The applicant proposes to construct and maintain a 160.0 foot long recovery trench on the right bank of Thorn Run (WWF), a 140.0 foot long recovery trench on the left bank of said stream and 25.0 linear feet of geo-synthetic clay liner on the left bank of said stream located at the MH12 area, to construct and maintain two (2) 4-inch diameter monitoring wells on the right bank of Thorn Run (WWF), to place and maintain soil cement mix approximately 1.0 foot deep in the channel of said stream and to construct and maintain approximately 400.0 linear feet of geo-synthetic clay liner on the right bank of said stream located at the OF2 area and to construct and maintain a sheet pile wall approximately 215.0 feet in length in the channel and along the left bank of the Ohio River (WWF-N) for the purpose of preventing sheens in Thorn Run and the Ohio River. The project is located approximately 4,500.0 feet upstream from the Sewickley Bridge (Ambridge, PA Quadrangle N: 4.5 inches; W: 7.0 inches; Latitude: 40° -31'-30"; Longitude: 80°-10'-34") in Moon Township, Allegheny County and will impact approximately 835 linear feet of stream channel (permanent) and 1,170 linear feet of stream channel (temporary).

**E03-455 West Hills Area Water Pollution Control Authority**, 257 Linde Road, Kittanning, PA 16201-4719, in North Buffalo Township, **Armstrong County**. Applicant proposes to Construct and maintain a 40 ft. box culvert, including wing walls, over an UNT to the Allegheny River (WWF). and to construct and maintain an aerial sewer crossing over an UNT to Glade Run (CWF), all for the purpose of extending a wastewater collection system. The project is located near Furnace Run in North Buffalo Township, Armstrong County. (Pittsburgh ACOE District, Box Culvert Kittanning, PA quadrangle, North 18.26" West 7.11" Latitude 40 51' 02"; Longitude 79 33'05"; Aerial line crossing: Kittanning, PA quadrangle, North 8.17"; West 10.34"; Latitude 40 47' 42"; Longitude 79 34' 29")

**E04-339 Beaver County Board of Commissioners, Beaver County Courthouse**, 810 Third Street, Beaver, PA 15009-2139, in Brighton Township, **Beaver County**. Applicant proposes to construct, operate and maintain a 30 ft. by 36 ft. precast modular bridge system that will replace the existing structure with a stream impact of 35 ft. and 0.015 acre of wetland impacts. The proposed structure will be constructed in Bradys Run (TSF). The project is located along Bradys Run Road approximately one mile from the intersection of Bradys Run Road and S.R. 51N (USGS Beaver, PA quadrangle; N: 12.26 inches, W: 14.25 inches; Latitude: 40° 43' 54.6"; Longitude: 80° 21' 8.4")

**E63-637 MPG Hospitality, Inc.**, 101 Gosai Drive, Bentleyville, PA 15314, in Chartiers Township, **Washington County**. Applicant proposes 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 of Interstate 79 in Chartiers Township, Washington County, PA. (Pittsburgh ACOE District, Washington East, PA quadrangle, N 17.7"; W 12.7"; Latitude 40 13' 21"; Longitude 80 12' 57")

## 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 free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**I. NPDES Renewal Permit Actions**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAS232207 (Storm Water)	Gellner Industrial, LLC 105 Tide Road Tidewood East Industrial Park Hometown, PA 18252	Schuylkill County Rush Township	Unnamed Tributary of Nesquehoning Creek (2-B)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0114677 (Industrial)	JW Alum Company 2475 Trenton Avenue Williamsport, PA 17701-7904	Lycoming County Williamsport City	Unnamed Tributary of Fox Hollow (10-A)	Y
PA0229016	Andrew S. Vogelsong SRSTP 767 N. Shaffer Hill Road Cogan Station, PA 17728	Lycoming County, Lycoming Township	Unnamed Tributary to Hoagland Run (10-A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0253073 Sew	Elk Lick Energy, Inc. PO Box 260 Friedens, PA 15541	Somerset Cnty Lincoln Twp	Horner Run	Y
PA0028410 Sew	Muni Auth Boro of Baden PO Box 143 Baden, PA 15005	Beaver Cnty Baden Boro	Ohio River	N

\*\*\*\*Renewal individuals

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0000809 (Industrial Waste)	Aqua Pennsylvania Inc. 644 N Water Avenue Sharon, PA 16146-1515	Mercer County City of Sharon	Shenango River 20-A	Y
PA0222283 (Sewage Amendment)	Corsica Borough P. O. Box 176 Corsica, PA 15829	Jefferson County Corsica Borough	Welch Run 17-C	Y
PA0221261 (Sewage Amendment)	Pamela A. & Richard A. Roupe 600 Minard Run Road Bradford, PA 16701	McKean County Bradford Township	Unnamed Tributary to Minard Run 16-C	Y
PA0221988 (Sewage Amendment)	North Memorial Animal Hospital, Inc. 143 State Route 18 New Wilmington, PA 16142-3713	Lawrence County Wilmington Township	Unnamed Tributary to Shenango River 20-A	Y

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

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

**NPDES Permit No. PA0053449**, SEW, **Birmingham Township**, 1040 West Street Road, West Chester, PA 19382-8012.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge from a facility known as Birmingham Township STP to Radley Run in Watershed 3-H.

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

**NPDES Permit No. PA0027006**, Sewage, SIC Code 4952, **Borough of Tamaqua**, 320 East Broad Street, Tamaqua, PA 18252.

This existing facility is located in Walker Township, **Schuylkill County**.

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

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

**NPDES Permit No. PA0038415 Amendment No. 3**, Sewage, **East Pennsboro Township**, 98 South Enola Drive, Enola, PA 17025.

This proposed facility is located in East Pennsboro Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization of amended permit to discharge to Conodoguinet Creek in Watershed 7-B.

**NPDES Permit No. PA0026441 Amendment No. 2**, Sewage, **Lemoyne Borough Municipal Authority**, 3 Lowther Street, Lemoyne, PA 17043.

This proposed facility is located in Lemoyne Borough, **Cumberland County**.

Description of Proposed Action/Activity: Authorization of amended permit to discharge to the Susquehanna River in Watershed 7-E.

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

**PA0021814**, Sewage, SIC Code 4952, **Mansfield Borough Municipal Authority**, 19 East Wellsboro Street, Mansfield, PA 16933-1527. Facility Name: Mansfield Municipal Authority STP. This existing facility is located in Mansfield Borough, **Tioga 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), the Tioga River, is located in State Water Plan watershed 4-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 1.3 MGD:

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	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
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
COD <sub>5</sub>	270	430	XXX	25	40	50
Total Suspended Solids	320	485	XXX	30	45	60
Fecal Coliform (CFU/100 ml)				200		
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean	XXX	10,000
Total Phosphorus	21	32	XXX	2.0	3.0	4.0

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

Parameters	Mass (lbs)			Concentration (mg/l)	
	Monthly	Annual	Minimum	Monthly Average	Maximum
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	23744		Report	
Net Total Phosphorus	Report	3166			

\* 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 9/30/2012. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2012.

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

- Solids Management
- CSO Conditions
- Chesapeake Bay Requirements

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.

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

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

**WQM Permit No. 4605202**, Sewage, **Transfer, Global Advanced Metals USA, Inc.**, 1223 County Line Road, Boyertown, PA 19512.

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

Description of Action/Activity: Permit was transferred from Cabot Corporation to Global Advanced Metals USA, Inc. with continued operation of a wastewater treatment plant.

**WQM Permit No. 0990412**, Sewage, **Transfer, James F. Walter**, 1492 Sugar Bottom Road, Furlong, PA 18925.

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

Description of Action/Activity: Permit being transferred from a Lester Garmas & Carol Lanis to James F. Walter.

**WQM Permit No. WQG02460808**, Sewage, **Renewal, Horsham Water and Sewer Authority**, 617 Horsham Road, Horsham, PA 19044.

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

Description of Action/Activity: Renewal of this WQM permit to continued operation of this wastewater treatment plant.

**WQM Permit No. WQG02151011**, Sewage, **London Grove Township Municipal Authority**, 372 Rose Hill Road, Suite 300, West Grove, PA 19390.

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

Description of Action/Activity: Construction and operation of a low pressure sewer system and force main to serve 9 unit subdivision.

**WQM Permit No. 2311401**, Sewage, **Delaware County Regional Water Quality Control Authority**, 100 East Fifth Street, P. O. Box 999, Chester, PA 19016-0999.

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

Description of Action/Activity: The replacement of existing dissolved air flotation (DAF) units and rotary drum sludge thickener with two gravity belt sludge thickeners sized to allow for WWTP expansion to 50 MGD.

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

**WQM Permit No. 0311403**, Sewerage, **Parks Twp Muni Auth**, 1106 Highland Ave, Vandergrift, PA 15690

This proposed facility is located in Parks Twp, **Armstrong Cnty**

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a pump station and force main.

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

**WQM Permit No. WQG018828**, Sewage, **Anthony Masone**, 2931 Crane Road Edinboro, PA 16412.

This proposed facility is located in Washington Township, **Erie County**.

Description of Proposed Action/Activity: Issuance of a new permit for a Single Residence Sewage Treatment Plant.

**WQM Permit No. WQG018825**, Sewage, **Jennifer L. Richardson**, 11013 US Route 19 Waterford, PA 16441.

This proposed facility is located in Waterford Township, **Erie County**.

Description of Proposed Action/Activity: Issuance of a new permit for a Single Residence Sewage Treatment Plant.

**WQM Permit No. 2489202**, Industrial Waste, **Amendment, 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: Issuance of a Water Quality Permit to upgrade an existing Sewage Treatment Facility to provide an addition of an above-ground storage tank.

**WQM Permit No. 3397404**, Sewage, **Amendment, Corsica Borough**, P. O. Box 176 Corsica, PA 15829.

This existing facility is located in Corsica Borough, **Jefferson County**.

Description of Proposed Action/Activity: Issuance of a Water Quality Permit to upgrade an existing Sewage Treatment Facility with the addition of liquid chlorine solution to the flow metering tank.

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

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

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PA01151125	Exeter 3222 Phoenixville, LP 2260 Butler Pike, Ste 200 Plymouth Meeting, PA 19462	Chester	Charlestown Township	Valley Creek (EV-MF)

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI024511007	PPL Electric Utilities Co. 2 North Ninth St. GENN4 Allentown, PA 18101	Monroe	Chestnuthill Twp.	Unnamed Tributary to Jonas Creek, EV, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI0563100005A-1	Joseph N. DeNardo Majestic Hills, LLC 3625 Washington Pike Bridgeville, PA 15017	Washington	North Strabane Township	UNT to Little Chartiers Creek (HQ-WWF)
PAI056310003	Richard Doncals JR Properties 1, Inc. 6000 Waterdam Plaza Drive McMurray, PA 15317	Washington	North Strabane Township	UNT to Chartiers Creek (HQ-WWF)

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

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

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

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

#### *General Permit Type—PAG-02*

#### *Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Richland Township Bucks County	PAG0200 0911060	Royal Bank of America 732 Montgomery Avenue Narberth, PA	Morgan Creek— Tohickon Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Easttown Township Chester County	PAG0200 1511036	Code 44, LLC 501 North Latches Lane Merion Station, PA 19066	Darby Creek (CWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Downingtown Borough Chester County	PAG0200 1511029— Phases 2-4	Saint Joseph Parish 460 Manor Avenue Downingtown, PA 19335	Unnamed Tributary Beaver Creek (CWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Providence Township Delaware County	PAG0200 2308011	PA Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406-1525	Tributary Crum Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Philadelphia Philadelphia County	PAG0201 511131	The Zoological Society of Phila 3400 West Girard Avenue Philadelphia, PA 19104	Lower Schuylkill River (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511133	ACC-OP Development, LLC 127000 Hill Country Blvd, Ste T200 Austin, TX 78738	Schuylkill River (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Franklin Twp. Adams County	PAG02000111014	Daniel Colvin Paint the Wind, LLC 1207 Flohrs Church Road Biglerville, PA 17307	UNT to Marsh Creek / CWF-MF	Adams Co. Conservation District 670 Old Harrisburg Rd, Ste 201 Gettysburg, PA 17325 717.334.0636
Huntingdon Twp. Adams County	PAG02000111016	Harold Weaver 150 Rolling Road York Springs, PA 17372	Bermudian Creek/WWF	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717-334-0636
King Township Bedford County	PAG02000511011	Corle Building Systems Inc. 404 Sara Furnace Road Imler, PA 16655	UNT to Mud Run/CWF	Bedford Co. Conservation District 702 West Pitt Street Bedford, PA 15522 814.623.7900
Exeter Township Berks County	PAG02000611032	Patrick Connolly 1760 Boone Avenue Bronx, NY 10460	UNT Heisters Creek/ WWF; MF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Logan Township Blair County	PAG02000705002RR	Kettle Creek Partners Doug Endler 8042 Woodbury Pike Roaring Springs, PA 16673	UNT to Sandy Run / CWF	Blair Co. Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.0877
Greenfield Twp. Blair County	PAG02000711016	Brian Soyka Sheetz, Inc. 5700 Sixth Avenue Altoona, PA 16602	Beaverdam Creek/CWF	Blair Co Conservation District 1407 Blair St Hollidaysburg, PA 16648 814.696.0877
Beale Township Juniata County	PAG02033410005	Beale Township 537 Cider Press Road Port Royal, PA 17082	UNT to Markee Creek/ Unclassified	Juniata Co. Conservations District 146 Stoney Creek Drive, Suite 4 Mifflintown, PA 17059 717.436.8953
Fermanagh Twp. Juniata County	PAG02033411003	Don Haubert 15 Central Boulevard Camp Hill, PA 17011	Schweyer Run/ CWF	Juniata Co. Conservations District 146 Stoney Creek Drive, Suite 4 Mifflintown, PA 17059 717.436.8953



*Northcentral Region: Watershed Management Program Manager, 208 W Third Street, Williamsport, Pa 17701*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Athens Township Bradford County	PAG02000811019	Dan Sparks Chesapeake Land Development LLC PO Box 18496 Oklahoma City OK 73154	Chemung River WWF	Bradford County Conservation District Stoll Natural Resource Center 200 Lake Rd Ste E Towanda PA 18848 (570) 265-5539 X 120
Richmond Township Tioga County	PAG02005911016	Lisa Guthrie 2204 S Main St Mansfield PA 16933	Tioga River CWF, MF	Tioga County Conservation District 50 Plaza Ln Wellsboro PA 16901 (570) 724-1801 Ext. 5

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

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Armstrong County Centerville Borough	PAG02000307012R	PA Turnpike Commission PO Box 67676 Harrisburg, PA 17106	Monongahela River & Two Mile Run (WWF)	Armstrong County CD Armsdale Administration Building 124 Armsdale Rd Kittanning, PA 16201 (724) 548-3435
Indiana County Center Township	PAG02003211010	Central Indiana County Joint Sanitary Authority 603 S Main St EXT PO Box 7 Homer City, PA 15478	Two Lick Creek (TSF)	Indiana County CD 625 Kolter Drive, Suite 8 Indiana, PA 15701 (724) 471-4751
Somerset County Stonycreek Township	PAG02005610003	Somerset County Conservancy PO Box 241 Somerset, PA 15501	Lamberts Run (CWF)	Somerset County CD 6024 Glades Pike, Suite 103 Somerset, PA 15501 (814) 445-4352

*General Permit Type—PAG-03*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant's Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Philadelphia Philadelphia County	PAR800112	Philadelphia City Division of Aviation Philadelphia National Airport, Terminal E Philadelphia, PA 19153	Unnamed Tributary to Wooden Bridge Run and Walton Run—3J	Southeast Region Water Management 484.250.5970
City of Philadelphia Philadelphia County	PAR900025	Exelon Generation Co. LLC 3901 North Delaware Avenue Philadelphia, PA 19153	Delaware River and Frankford Creek—3J	Southeast Region Water Management 484.250.5970

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

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Sugarcreek Borough Venango County	PAR708311	IA Construction Corporation 158 Lindsay Road Zelienople, PA 16063	Allegheny River 16-E	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Erie Erie County	PAR118313 Smith Meter, Inc. P. O. Box 10428, 1602 Wagner Avenue Erie, PA 16514-0428	Municipal Storm Sewers to Lake Erie 15	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
North East Borough Erie County	PAR118325 The Electric Materials Company 50 South Washington Street North East, PA 16428	Municipal Storm Water Tributaries to Sixteenmile Creek 15	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-4*

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Wrightstown Township Bucks County	PAG040156 Carousel Village At Indian Walk 591 Durham Road Newtown, PA 18940	Unnamed Tributary to Neshaminy Creek—2F	Southeast Region Water Management 484-250-5970
Buckingham Township Bucks County	PAG040022 Walter James F 1492 Sugar Bottom Road Furlong, PA 18925	Neshaminy Creek—2-F	Southeast Region Water Management 484-250-5970

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

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Washington Township Erie County	PAG041061 Anthony Masone 2931 Crane Road Edinoboro, PA 16412	Unnamed tributary to Little Conneauttee Creek 16-A	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Waterford Township Erie County	PAG041059 Jennifer L. Richardson 11013 US Route 19 Waterford, PA 16441	Unnamed tributary to LeBoeuf Creek 16-A	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

**PUBLIC WATER SUPPLY PERMITS**

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

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

and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

**SAFE DRINKING WATER**

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

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

**Operations Permit** issued to: **Hoffman Homes, Inc.**, 7010021, Mt. Joy Township, **Adams County** on 11/30/2011 for the operation of facilities approved under Construction Permit No. 0111506 MA.

**Operations Permit** issued to: **Comcast Cable**, 7011006, Mt. Joy Township, **Adams County** on 12/1/2011 for the operation of facilities submitted under Application No. 0111526 MA.

**Operations Permit** issued to: **Satillo Municipal Water Works**, 4310026, Saltillo Borough, **Huntingdon County** on 11/30/2011 for the operation of facilities submitted under Application No. 3111509 MA.

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

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

Applicant	<b>Duncan Township Municipal Water Authority</b>
[Township or Borough]	Duncan Township
County	<b>Tioga</b>
Responsible Official	Mr. Ken Foreman Duncan Township Municipal Water Authority RR 1, Box 55 Wellsboro, PA 16901
Type of Facility	Public Water Supply
Consulting Engineer	Chris Beidler, P.E. Larson Design Group 1000 Commerce Park Drive Suite 201 Williamsport, PA 17701
Permit Issued	November 29, 2011
Description of Action	Addition of an Aquagard well cap for Well #2 with related cleaning appurtenances.

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

Applicant	<b>Tylersville Mutual Water Association</b>
[Township or Borough]	Logan Township
County	<b>Clinton</b>
Responsible Official	Mr. Richard Miller Tylersville Mutual Water Association 3845 Narrows Road Tylersville, PA 17773
Type of Facility	Public Water Supply
Consulting Engineer	N/A
Permit Issued	December 2, 2011
Description of Action	4-log inactivation of viruses at Entry Point 100 (infiltration gallery).

**Permit No. 1709503**—Operation Public Water Supply.

Applicant	<b>Clearfield Municipal Authority</b>
[Township or Borough]	Lawrence Township
County	<b>Clearfield</b>
Responsible Official	Mr. Jeffrey Williams Clearfield Municipal Authority 107 East Market Street Clearfield, PA 16830
Type of Facility	Public Water Supply

Consulting Engineer	N/A
Permit Issued	December 2, 2011
Description of Action	Operation of the Goshen Church West distribution system, including approximately 26,500 LF of 8-inch diameter ductile iron piping, a pressure reducing vault and a 163,000 gallon stainless steel finished water storage tank.

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

<b>Permit No. 0211502</b> , Public Water Supply.	
Applicant	<b>Municipal Authority of the Borough of West View</b> , 210 Perry Highway, Pittsburgh, PA 15229
[Borough or Township]	Town of McCandless
County	<b>Allegheny</b>
Type of Facility	Ronald Spray Pump Station - chloramination
Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road PO Box 200 Indianola, PA 15051
Permit to Construct Issued	November 29, 2011

**Permit No. 0211503**—**Returned**, Public Water Supply.

Applicant	<b>Municipal Authority of the Borough of West View</b> , 210 Perry Highway, Pittsburgh, PA 15229
[Borough or Township]	Town of McCandless
County	<b>Allegheny</b>
Type of Facility	Franklin Park Pump Station - chloramination
Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road PO Box 200 Indianola, PA 15051
Permit to Construct Issued	November 29, 2011

**Operations Permit** issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, (PWSID #5030008) Rayburn Township, **Armstrong County** on November 29, 2011 for the operation of facilities approved under Permit # 0389505A1.

**Permit No. 1110512GWR, Minor Amendment.** Public Water Supply.

Applicant	<b>Highland Sewer &amp; Water Authority</b> , 120 Tank Drive, Johnstown, PA 15904
[Borough or Township]	Summerhill and Adams Townships
County	<b>Cambria</b>
Type of Facility	Water system

Consulting Engineer The EADS Group, Inc.,  
450 Aberdeen Drive,  
Somerset, PA 15501

Permit to Operate November 29, 2011  
Issued

**Permit No. 1110504GWR, Minor Amendment.** Public Water Supply.

Applicant **US Department of Justice,  
Federal Bureau of Prisons,**  
PO Box 1000,  
772 Saint Joseph Street,  
Loretto, PA 15940

[Borough or Township] Allegheny Township

County **Cambria**

Type of Facility Federal Correction Institute-  
Loretto

Consulting Engineer

Permit to Operate November 29, 2011  
Issued

**Permit No. 1111508MA, Minor Amendment.** Public Water Supply.

Applicant **Portage Borough  
Municipal Authority,**  
606 Cambria Street,  
Portage, PA 15946

[Borough or Township] Portage Township

County **Cambria**

Type of Facility Water system

Consulting Engineer The EADS Group, Inc.,  
450 Aberdeen Drive,  
Somerset, PA 15501

Permit to Operate November 30, 2011  
Issued

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

Cancellation of Construction Permit issued to Erie City Water Authority d/b/a Erie Water Works, PWSID #6250028, City of Erie, Erie County on April 26, 2010. This action represents the cancellation of Permit Number 363W3-T1-MA4 issued December 1, 2011.

**Operations Permit** issued to **Cranberry Village Mobile Home Park**, PWSID #5100050, Cranberry Township, **Butler County**. Permit Number 1006502-MA1, issued December 6, 2011 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

**Operations Permit** issued to **Erie City Water Authority d/b/a Erie Water Works**, PWSID #6250028, City of Erie, **Erie County**. Permit Number 2510506 issued December 5, 2011 for the operation of the Camphausen Pump Station bulk sodium hypochlorite feed system. This permit is issued in response to an operation inspection conducted by representatives of the Erie County Department of Health on November 23, 2011.

**Operations Permit** issued to **Erie City Water Authority d/b/a Erie Water Works**, PWSID #6250028, City of Erie, **Erie County**. Permit Number 2598501-MA6 issued December 5, 2011 for the operation of the Kuhl Road rechlorination system and the Freeman Road pressure reducing valve. This permit is issued in response to

an operation inspection conducted by representatives of the Erie County Department of Health on November 23, 2011.

### WATER ALLOCATIONS

**Actions taken on applications received under the Act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.**

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

**WA-09-1003**, Water Allocation, **Newtown Artesian Water Company**, P. O. Box 217, Newtown, PA 18940-0217. Newtown Township, **Bucks County**. The subsidiary water allocation permit grants the applicant's right to purchase up to 0.3 mgd from Pennsylvania American Water Company.

### SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Tilden Township	874 Hex Hwy, Hamburg PA 19526	Berks

*Plan Description:* Approval of an Update Revision to the Official Sewage Plan of Tilden Township, Berks County. The project is known as the Hill Drive Sanitary Sewer Extension. The plan provides for an extension of the sewer service area to serve the Village at Pleasant Hills MHP and three single family dwellings with sewage flows of 89,250 gallons per day tributary to the Hamburg Municipal Authority STP. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-06965-123-3M and the APS Id is 765351. Any required WQM Permits must be obtained in the name of the municipality.

### HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

#### Notice of Proposed Interim Response

**Berkley Products Company Plant Site, West Earl Township and Akron Borough, Lancaster County**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305) is proposing an interim response at the Berkley Products Company Plant Site, 405 South 7th Street, Akron PA 17501.

The Berkley Products Company Site (Berkley) is located at 405 South 7th Street in West Earl Township and is bordered by the Borough of Akron, Lancaster County, Pennsylvania. The approximately 2.5 acre facility is located on a hillside sloping from South 7th Street at the front to South 9th Street at the rear. Residential properties surround most of the site, but a few commercial properties are also present. Berkley is an operating facility producing customized coatings and has manufac-

tured coatings at the facility since 1955. During most of their operation, solvents were used as drying agents in the coatings and for cleaning the manufacturing equipment. In 1980, Berkley submitted a Part A Application for Resource Conservation and Recovery Act (RCRA) Interim Status as a treatment and storage facility. By then Berkley was blending waste for cement kiln fuel and consolidating waste for shipment to various disposal facilities. The waste streams included toluene, trichloroethene (TCE), other individual solvents and chemicals, and solvent and chemical mixtures. The facility is in the RCRA Corrective Action Program, but is financially unable to address environmental problems. Soil, groundwater, and surface water contamination have been identified.

The proposed response will consist of excavation and offsite disposal of all contaminated soil that exceeds statewide health standards under Chapter 250 Title 25 of the Land Recycling and Remediation Standards Act. The Department considered consolidation and capping or excavation and off-site thermal desorption before selecting the proposed response. The proposed response for groundwater contamination consists of in-situ chemical oxidation of groundwater plume hotspots, enhanced in-situ bioremediation, institutional controls, and monitored natural attenuation. After the in-situ injections, continued monitoring and further injections as necessary to attain the groundwater statewide health standards will be conducted as operation and maintenance activities. Groundwater monitoring will be initiated to track the groundwater remediation progress. After groundwater has attained the remediation standards at the property boundary, monitored natural attenuation will over time return the groundwater beneath the plant property to the maximum beneficial use of the groundwater as the long term final remediation goal. Institutional controls will be utilized to restrict groundwater use and ensure the use of vapor mitigation systems installed in the affected and potentially affected residences under a previous HSCA interim response. The Department considered the proposed groundwater response actions individually and in alternate combinations before selecting the proposed response.

The Department is providing this notice under sections 505(b) and 506(b) of HSCA (35 P. S. Sections 6020.505(b) and 6020.506(b)), and the publication of this notice starts the administrative record period under HSCA. The Administrative Record which contains information about this site and which supports the Department's decision to perform this action at the site is available for public review and comment. The Administrative Record can be examined from 8 a.m. to 4 p.m. at the Department's Southcentral Regional Office located at 909 Elmerton Avenue, Harrisburg, PA 17110, by contacting David Hrobuchak, at (717) 705-4843. The Administrative Record may also be reviewed at the Akron Borough Municipal Office, 117 South Seventh Street, Akron, PA 17501, by calling (717) 859-1600.

The Administrative Record will be open for comment beginning December 17, 2011, and will remain open for 90 days. Persons may submit written comments regarding this action to the Department before March 16, 2012, by mailing them to Mr. Hrobuchak at the Department's Southcentral Regional Office address.

The public will have an opportunity to present oral comments regarding the proposed action at a public hearing. The hearing has been scheduled for January 25, 2012, at 7 p.m. at the Akron Elementary School, 125 South 11th Street, Akron, PA. Persons wishing to present

formal oral comments at the hearing should register before 4 p.m., January 20, 2012, by calling Mr. Hrobuchak at the above number. An informational meeting will be held prior to the hearing.

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 call Mr. Hrobuchak at the above number or through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 2

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

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

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

The Department has received the following plans and reports:

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

**Commercial Property**, Lansdale Borough, **Montgomery County**. Staci Cottone, J&J Spill Service and Supplies, Inc., PO Box 370, Blue Bell, PA 19422 on behalf of Phillip Jenke, Liberty Bell Realty, 21 Jenkins Avenue,

Lansdale, PA 19446 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.

**Llanarch Quarry**, Haverford Township, **Delaware County**. Bella Bakrania, IES Engineers, 1720 Walton Road, Blue Bell, PA 19422, Darryl Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Bala Cynwyd, PA 19004 on behalf of David F. Crockett, Jr. Quarry Center, LP, 940 Haverford Road, Suite 102, Bryn Mawr, PA 19010 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with inorganics and other organics. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Salvation Army**, City of Philadelphia, **Philadelphia County**. Raymond P. Duchaine, P.G., ENVision Environmental, Inc., 912 North Orianna Street, Philadelphia, PA 19123, Major Kevin D. Bone, The Salvation Army, 701 North Broad Street, Philadelphia, PA 19123 on behalf of Major Jorge Diaz, The Salvation Army, 440 West Nyack Road, West Nyack, NY 10994 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.

**310 South 48th Street**, City of Philadelphia, **Philadelphia County**. Richard S. Werner, Environmental Consulting, Inc., 2022 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406, Samuel W. Galenty, Environmental Consulting, Inc., 2022 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Gregory Heller, The Enterprises Center Community Development Corporation, 4548 Market Street, Philadelphia, PA 19143 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.

**Mill Pond Center**, Morrisville Borough, **Bucks County**. Thomas Hippensteal, P.G. Environmental Consultants, Inc., PO Box 940, Springhouse, PA 19477 on behalf of Ashok Patel, Mill Pond Center, Pennsylvania Avenue and Bridge, Street, Morrisville, PA 19067 has submitted a Final Report concerning remediation of site groundwater contaminated with lead and antimony. The report is intended to document remediation of the site to meet the Background Standard.

**Rite Aid Store #2451**, City of Philadelphia, **Philadelphia County**. Ken Yoder, BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011 on behalf of Robert Lerner, Rite Aid Corporation, 30 Hunter Lane, Camp Hill, PA 17011 has submitted a Final Report concerning remediation of site groundwater and soil contaminated with motor oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Wilson Residence**, Haverford Township, **Delaware County**. Staci Cottone, J&J Spill Service and Supplies, Inc., PO Box 370, Blue Bell, PA 19422, Jill S. Haimson, Preferred Environmental Services, 323 Merrick Avenue, North Merrick, NY 11566 on behalf of Matthew and Andrea Wilson, 12 Shawnee Road, Ardmore, PA 19003 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.

**John Wanamaker Jr. High School**, City of Philadelphia, **Philadelphia County**. Harris Brody, Accredited

Environmental Technologies, Inc., 28 North Pennell Road, Media, PA 19063 on behalf of Carlo Cifarelli, Goldenberg Group, 350 Sentry Parkway, Building 630, Suite 300, Blue Bell, PA 19422 has submitted a Final Report concerning remediation of site soil contaminated with pah, and chlorinated. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**201 South Caln Road Multi-Family Property**, Caln Township, **Chester County**. Michael Welsh, Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335 on behalf of Tim Townes, Southdown Properties, Inc. 55 County Club Drive, Downingtown, PA 19335 has submitted a Final Report concerning remediation of site soil contaminated with arsenic. The report is intended to document remediation of the site to meet the Site Specific Standard

**Delmont Utilities**, Newtown Township, **Delaware County**. Joseph Diamadi, Jr, Marshall Geoscience, Inc. 170 East First Avenue, Colledgeville, PA 19428 on behalf of Al Conan, Delmont Utilities, Inc. 3565 Winding Way, Newtown Square, PA 19073 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.

**Commercial Office**, City of Philadelphia, **Philadelphia County**. Andrew D. Miller, Ally Services Company, 57 East Durham Street, Philadelphia, PA 19119 on behalf of John B. Sawyer, Jewish Family & Children Services, 2100 Arch Street, 5th Floor, Philadelphia, PA 19103 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.

**Corsaro Residence**, Upper Darby Township, **Delaware County**. Richard D. Trimpi, Trimpi Associates, Inc. 1635 Old Plains Road, Pennsburg, PA 18073, Joe Martina, Farmers Insurance Group, Suite 140, 309 International Circle, Cockeysville, MD 21030 on behalf of Marie Corsaro, 202 Huntley Road, Upper Darby, PA 19082 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.

**Synthes**, East Goshen Township, **Chester County**. Daniel F. Erdamn Keystone E-Science Group, Inc. 590 East Lancaster Avenue, Suite 200, Frazer, PA 19355 on behalf of Bryan Lee, Synthes, USA, HQ, Inc., 1302 Wrights Lane East, West Chester, PA 19380 has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Capozzi/David Property**, City of Philadelphia, **Philadelphia County**. Jeffery K. Walsh, Penn Environmental & Remediation, Inc. 2755 Bergey Road, Hatfield, PA 19440 on behalf of Bryan Cullen, Westrum Park Place, L.P. 370 Commerce Drive Fort Washington, PA 19034 has submitted a Final Report concerning remediation of site groundwater and soil contaminated with diesel fuel, and inorganics. The report is intended to document remediation of the site to meet the Site Specific Standard and Statewide Health Standard.

**Florence Titus Elementary School**, Warrington Township, **Bucks County**. Daniel B. Lewis, SSM Group, Inc. 1947 North Park Road, Reading PA 19610 on behalf of Michael Nickerson, Central Bucks School District, 320

West Swamp Road, Doylestown, PA 18901 has submitted a Final Report concerning remediation of site groundwater contaminated with no. 3 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Knights Road Shopping Center**, City of Philadelphia, **Philadelphia County**. Nancy Leitner, Island Environmental, Inc. 4252 Old National Pike, Suite 4, Middletown, MD 21769 on behalf of Phillip Schanzer, Knights Rod Shopping Center, LP, 708 Third Avenue, New York, NY 10017-4146 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific Standard.

*Northeast Region: Eric Supey, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**Former Northern Carrier**, 626 West Lackawanna Avenue, Scranton City, **Lackawanna County**. Sandra L. Szempruch-Koza, MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18013 has submitted a Final Report (on behalf of her client, Penn Security Bank and Trust Company, 150 N. Washington Avenue, Scranton, PA 18503), concerning the remediation of soil found to have been impacted by No. 2 heating oil, waste oil, and leaded gasoline during the uncovering and removal of three (3) 4,000-gallon and two (2) 3,000-gallon underground storage tanks. The report was submitted to document attainment of the Non-Residential Statewide Health Standard for soil. A public notice regarding the submission of the Final Report was published in *The Scranton Times* on November 14, 2011.

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

**Linker Property**, 175 Bunny Lane, Palmyra, PA 17078, East Hanover Township, **Dauphin County**. Pennsylvania Tectonics, Inc., 826 Main Street, Peckville, PA 18452, on behalf of Andrew and Michelle Linker, 175 Bunny Lane, Palmyra, PA 17078, submitted a Final Report concerning remediation of site soils and groundwater contaminated with No. 2 heating oil. The report is intended to document remediation of the site to meet the Residential Statewide Health standard.

**Lewis's Cleaners**, 1422 North George Street, York, PA 17404, Manchester Township and North York Borough, **York County**. BL Companies, Inc., 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011, on behalf of Northgate Associates, 146 Pine Grove Circle, Suite 100, York, PA 17403, submitted a Remedial Investigation Report and Final Report concerning groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet a combination of Statewide Health and Site-Specific standards.

**Whitmoyer Rental Property**, 2159 Logan Street, Harrisburg, PA 17110, City of Harrisburg, **Dauphin County**. Reliance Environmental, Inc., 130 East Chestnut Street, Lancaster, PA 17602, on behalf of Cindy Whitmoyer, 1001 East Main Street, Mount Joy, PA 17552, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health standard.

*Northwest Region: Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**Honeywell Farmers Valley Wax Plant Main** (Main Plant Area Farmers Valley Wax Plant), Keating Town-

ship, **McKean County**. URS Corporation, 12420 Milestone Center Drive, Suite 150, Germantown, MD 20876 on behalf of Pennzoil-Quaker State Company, 700 Milam, Houston, TX 77002 has submitted a Remedial Investigation/Risk Assessment Report concerning remediation of site soil contaminated by petroleum refining substances including but not limited to 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Benzene, Ethylbenzene, Toluene, Iron, Arsenic and site groundwater contaminated by petroleum refining substances including but not limited to Iron, Manganese, Arsenic, Aluminum, 1,2,4-Trimethylbenzene, Benzene, bis[2-ethylhexyl]phthalate, Cobalt, Lead, Methyl tert-butyl ether, 1,3,5-Trimethylbenzene, Ethylbenzene, Naphthalene, Toluene, Xylenes Total. The report is intended to document remediation of the site to meet 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:

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

**PECO Norristown MGP Site**, Borough of Norristown **Montgomery County**. Matthias Ohr, P.G., URS Corporation, 335 Commerce Drive Suite 300, Fort Washington, PA 19034, Gary Riehel, URS Corporation, 335 Commerce Drive Suite 300, Fort Washington, PA 19034, Keith Kowalski, PECO Energy Company, 2301 Market Street, S7-2, Philadelphia, PA 19103 on behalf of Richard LaMont, T. Lowe Enterprises, L.P. PO Box 7304, Audubon, PA 19407 has submitted a Cleanup Plan concerning the remediation of site soil and groundwater contaminated with pah's and other organics. The Cleanup Plan was approved by the Department on October 27, 2011.

**Exelon Power Southwark Generation Station**, City of Philadelphia, **Philadelphia County**. David Kistner, URS Corporation, 335 Commerce Drive, Suite 300, Fort Washington, PA 19034, Dale Davis, Exelon Generation Company, LLC, 3901 North Delaware Avenue, Philadelphia, PA 19137 on behalf of Michael Fluehr, Delaware Avenue Enterprise, 3301 South Columbus Blvd, Philadelphia, PA 19148 has submitted a Final Report concerning remediation of site groundwater contaminated with mtbe. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 27, 2011.

**Capozzi/Davis Property**, City of Philadelphia **Philadelphia County**. Jeffery K. Walsh, P.G., Penn E&R, Inc, 2755 Bergey Road, Hatfield, PA 19440 on behalf of Bryan Cullen, Westrum Park Place, L.P. 370 Commerce Drive, Fort Washington, PA 19034 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with diesel fuel. The Final report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on October 21, 2011.

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

**Green Acres MHP/Szoke Residence**, 8989 Breinigs Run Circle, Upper Macungie Township, **Lehigh County**. Christopher A. Jacangelo, J. Rockwood & Associates, Inc., P. O. Box 1006, Easton, PA 18044 submitted a Final Report (on behalf of his clients, MHC Green Acres, LP, c/o Equity Lifestyle Properties, Inc., Two North Riverside Plaza, Suite 800, Chicago, IL 60606 and Ms. Jean Szoke, 8989 Breinigs Run Circle, Box 43, Breinigsville, PA 18031), concerning the remediation of soil found to have been impacted by No. 2 fuel oil/kerosene as a result of an accidental release occurring from an aboveground storage tank, which is located outside the residential dwelling. The report documented attainment of the Residential Statewide Health Standard for soil and was approved November 28, 2011.

**John Lopatofsky 1V Well Site**, Springville Township, **Susquehanna County**. David Testa and James Pinta, Jr., URS Corporation, 501 Holiday Drive, Foster Plaza 4, Suite 300, Pittsburgh, PA 15220 submitted a Final Report

(on behalf of their client, Cabot Oil & Gas Corporation, Five Penn Center West, Suite 401, Pittsburgh, PA 15276), concerning the remediation of soil found to have been impacted by diesel fuel as a result of a drill rig fuel tank overflow during a fuel transfer from an auxiliary fuel tank. The report documented attainment of the Statewide Health Standard for soil and was approved on December 1, 2011. The report was originally submitted within 90 days of the release.

**Drugas Property**, 324 Beech Ridge Drive, Tobyhanna Township, **Monroe County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsylvania, PA 18073 submitted a Final Report (on behalf of his client, Jennifer Lewis, 187 19th Avenue, Brick, NJ 08724), concerning the remediation of soil and groundwater found to have been impacted by kerosene oil as a result of a release from a 275-gallon aboveground storage tank's severed fuel supply line due to an act of vandalism. The report was submitted to document attainment of the Residential Statewide Health Standard for soil and groundwater. The applicant voluntarily withdrew the Final Report on December 1, 2011.

**George's P & H, Inc.**, Little Gap Road, Lower Towamensing Township, **Carbon County**. Thomas Martinelli, JMT Environmental Technologies, Inc., P. O. Box 22044, Lehigh Valley, PA 18002-2044 submitted a Final Report (on behalf of his client, George's P & H, Inc., RR 2, Box 25, Aquashicola, PA 18012), concerning the remediation of soil found to have been impacted by diesel fuel as a result of a release from a regulated 20,000-gallon aboveground storage tank's broken/failed cast iron ball valve. The report documented attainment of the Statewide Health Standard for soil and was approved on November 30, 2011. The report was originally submitted within 90 days of the release.

*Northwest Region: Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**Farmer's Valley Wax Plant—Crude Tanks Area**, Keating Township, **McKean County**. URS Corporation, 200 Orchard Ridge Drive, Suite 101, Gaithersburg, MD 20878 on behalf of Pennzoil-Quaker State Company, 700 Milam, Houston, TX 20878 has submitted a Remedial Investigation/Risk Assessment/Final Report concerning the remediation of site soils contaminated with Bis[2-ethylhexyl]phthalate, 2-methylnaphthalene, Aluminum, Antimony, Arsenic, Barium, Beryllium, Cadmium, Calcium, Chromium, Cobalt, Copper, Iron, Lead, Magnesium, Manganese, Mercury, Nickel, Potassium, Selenium, Silver, Sodium, Thallium, Vanadium, Zinc and site groundwater contaminated with Methylcyclohexane, Caprolactam, Diethyl phthalate, Aluminum, Arsenic, Barium, Beryllium, Cadmium, Calcium, Cobalt, Iron, Magnesium, Manganese, Mercury, Potassium, Sodium, and Zinc. The Remedial Investigation/Risk Assessment/Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on December 1, 2011.

**Salem Tube**, Pymatuning Township, **Mercer County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412 on behalf of Salem Tube, Inc., 951 Fourth Street, Greenville, PA 16125 has submitted a Risk Assessment Report concerning the remediation of site soil contaminated with tetrachloroethene (PCE) and trichloroethene (TCE); site groundwater contaminated with cis-1,2-dichloroethene (cis-1,2-DCE), trans-1,2-dichloroethene (trans-1,2-DCE), 1,2-dichloroethene total (1,2-DCE (total), vinyl chloride, TCE, 1,1-dichloroethene, 1,1-dichloroethane, 1,1,2-trichloroethane, PCE, and



methylene chloride; site sediment contaminated with TCE and vinyl chloride. The Risk Assessment Report was approved by the Department on December 2, 2011.

#### RESIDUAL WASTE GENERAL PERMITS

**Permit Issued Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.**

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

**General Permit Application No. WMGR066. Enviro Waste Oil Recovery, LLC.** PO Box 747, 279 Route 6, Mahopac, NY 10541. This permit is for processing of waste oil, virgin fuel oil tank bottoms, spent antifreeze, and waste oil/water mixtures via operation of a transfer facility. The permit was issued by Central Office on November 23, 2011.

Persons interested in reviewing the general permit may contact Scott E. Walters, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

**General Permit Application No. WMGR129. ALCOA, Inc.,** 201 Isabella St., Pittsburgh, PA 15212. General Permit Numbered WMGR129 is for the beneficial use of Alcoa's Alkaline Clay (AAC) as a soil additive for reclamation of acidic coal refuse mine sites by land application to approximately 24 inches depth on top of waste coal refuse material followed by hydro-seeding and mulching. The beneficial use activity will be conducted at the Mather Mine site - Morgan Township, located in **Greene County**. This residual waste general permit was issued by the Central Office on November 30, 2011.

Persons interested in reviewing the general permit may contact Scott E. Walters, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

#### DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

**Determination of Applicability for General Permit issued under the Solid Waste Management Act and Municipal Waste Regulations for a General Permit To Operate Municipal Waste Processing Facilities (25 Pa. Code § 271.811 relating to authorization for general permit).**

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

**General Permit No. WMGM039-SC002. York Building Products Co., Inc.** Roosevelt Blacktop Plant, 1070 Roosevelt Avenue, York, PA 17404. The Department of Environmental Protection has issued a determination of applicability under General Permit WMGM039 to York Building Products Co, Inc. for their Roosevelt Blacktop

Plant located at 1070 Roosevelt Avenue, **York County**, York, PA 17404. This permit was issued on December 2, 2011.

Persons interested in reviewing the general permit may contact John Oren, Facilities Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

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

**Determination of Applicability for General Permit issued under the Solid Waste Management Act and Residual Waste Regulations for a General Permit To Operate Residual Waste Processing Facilities (25 Pa. Code § 287.611 relating to authorization for general permit).**

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

**General Permit No. WMGR038-SC004. Ecore International,** 76 Acco Drive, York, PA 17402. The Department of Environmental Protection has issued a Determination of Applicability under General Permit WMGR038 to Ecore International, for processing waste tires and tire-derived material for fuel and consumer products. This Determination of Applicability was issued on December 2, 2011.

Persons interested in reviewing the general permit may contact John Oren, Facilities Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

#### AIR QUALITY

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

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

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

**GP1-09-0097: Archdiocese of Philadelphia,** (222 North 17th Street, Philadelphia, PA 19103) on December 1, 2011, was authorized to construct two (2) small natural gas and No. 2 fuel oil fired combustion units under GP-1 for the Archbishop Wood Catholic High School in Warminster Township, **Bucks 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*

**58-399-028GP5: Williams Field Services LLC** (51 Warren Street, Tunkhannock, PA 18657) on November 18, 2011, to construct and operate six (6) IC Engines and two (2) dehy/reboilers at a Natural Gas Compressor Station site in Forest Lake Township, **Susquehanna County**.

**58-399-030GP5: Williams Field Services LLC** (51 Warren Street, Tunkhannock, PA 18657) on November 18, 2011, to construct and operate three (3) dehy/reboilers at

their Natural Gas Compressor Station site in Springville Township, **Susquehanna County**.

**35-302-127GP1: Gentex Corp.** (324 Main Street, PO Box 315, Carbondale, PA 18407) on November 11, 2011, to operate a 27.22 MMBTU boiler at their site in Fell Township, **Lackawanna County**.

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

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-705-4863*

**GP1-22-03088: Harrisburg School District** (2291 North 7th Street, Harrisburg, PA 17110) on November 29, 2011, for their two (2) natural gas-fired boilers under GP1 at the John Harris High School in the City of Harrisburg, **Dauphin County**.

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

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

**GP3-17-501D: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on September 29, 2011, to construct and operate a portable nonmetallic mineral processing plant with associated water spray dust suppression system pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their Grampian Facility in Pike and Penn Townships, **Clearfield County**.

**GP3-59-223: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on November 29, 2011, to construct and operate a portable nonmetallic mineral processing plant with associated water spray dust suppression system pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their Shell Impoundment in Delmar Township, **Tioga County**.

**GP3-08-277A: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on November 23, 2011, to construct and operate a portable nonmetallic mineral processing plant with associated water spray dust suppression system pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their Canton Facility in Canton Township, **Bradford County**.

**GP3-08-277B: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on November 23, 2011, to construct and operate a portable nonmetallic mineral processing plant with associated water spray dust suppression system pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their Canton Facility in Canton Township, **Bradford County**.

**GP9-08-277A: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on November 23, 2011, to construct and operate one 100 bhp Caterpillar model 3052 diesel-fired engine pursuant to the General Plan Approval And/Or General Operating Permit (BAQ-GPA/GP-9): Diesel or #2 Fuel-fired Internal Combustion Engines at their Canton Facility in Canton Township, **Bradford County**.

**GP11-08-277B: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on November 23, 2011, to construct and operate one 300 bhp Caterpillar model JSC 05460 engine pursuant to the General Plan Approval And/Or General Operating Permit (BAQ-GPA/GP-11): Nonroad engines at their Canton Facility in Canton Township, **Bradford County**.

**GP5-08-351: Appalachia Midstream Services L.L.C.** (6100 North Western Avenue, Oklahoma City, OK 73118-6114) on October 21, 2011, to construct and operate five (5) 131.3-MMscf/day triethylene glycol dehydration units, each with a flash tank and 2.0 MMBtu/hr reboiler, and eight (8) 400-bbl pipeline fluids/water tanks at their Rush Compressor Facility in Orwell Township, **Bradford County**.

**GP5-57-058: Appalachia Midstream Services L.L.C.** (6100 North Western Avenue, Oklahoma City, OK 73118-6114) on November 8, 2011, to construct and operate three (3) 126 MMscf/day triethylene glycol dehydration units, each with flash tank and 2.0 MMBtu/hr reboiler, and four (4) 400-bbl pipeline fluids/water tanks at their Cherry Compressor Facility in Cherry Township, **Sullivan County**.

**GP5-08-357: Appalachia Midstream Services L.L.C.** (6100 N. Western Avenue, Oklahoma City, OK 73118-6114) on November 17, 2011, to construct and operate three (3) 126 MMscf/day triethylene glycol dehydration units, each with flash tank and 2.0 MMBtu/hr reboiler, one (1) Baldor 605 bhp natural gas fired generator, and four (4) 400-bbl pipeline fluids/water tanks at their Wilmot Compressor Facility in Wilmot Township, **Bradford County**.

**GP5-59-199B: SWEPI, LP** (190 Thorn Hill Road, Warrendale, PA 15086) on November 28, 2011, to construct and operate two (2) 1,380 hp Caterpillar model G3516B LE (serials JEF01242 & JEF01234) four-stroke ultra-lean-burn natural gas-fired compressor engines each equipped with an EMIT model ELX-4200Z-1616F-33CEE-36 oxidation catalyst, one 30 MMscf/day NATCO SB12-8 dehydration unit equipped with a 0.275 MMBtu/hr natural-gas fired reboiler, one 60 MMscf/day Cameron 300/550 dehydration unit equipped with a 0.55 MMBtu/hr natural-gas fired reboiler, one 10,000 gallon drained water tank and the addition of Miratech model SP-ZES-30x31-12XH2B1 oxidation catalyst on an existing 1,340 hp Caterpillar G3516 TALE, serial WPW0157 four-stroke lean-burn natural gas-fired compressor engine at their Krause Compressor Station in Sullivan Township, **Tioga County**.

**GP5-17-473A: Mountain Gathering, LLC** (810 Houston Street, Fort Worth, TX 76102) on November 21, 2011, to construct and operate a 68 brake-horsepower, natural gas-fired Arrow compressor engine and a 1.0 MMscf/day Natco triethylene glycol dehydrator equipped with a 0.075 million Btu per hour reboiler under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane Or Gob Gas Production Or Recovery Facilities (BAQ-GPA/GP-5) at their Brink Compressor Station in Chest Township, **Clearfield County**.

**GP5-41-632: Anadarko Marcellus Midstream LLC** (1201 Lake Robbins Drive, The Woodlands, TX 77380) on December 2, 2011, to construct and operate of two (2) 40 MMscf/day triethylene glycol dehydration units, each with flash tank and 650 MBtu/hr reboiler, and six (6) Caterpillar model G3516B 1380 bhp compressor engines at the Bull Run COP Tract 685 Compressor Station in Cummings Township, **Lycoming 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*

**GP5-32-00383A: Mountain Gathering, LLC** (810 Houston Street, Suite 2000, Fort Worth, TX 76102) on December 6, 2011, to allow the continued operation of one rich burn natural gas-fired compressor engine rated at 225 bhp and controlled by a three-way catalyst at the Henry Compressor Station, located in East Mahoning Township, **Indiana County**.

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

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

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

**23-0117: Majestic Products, LLC**, (800 West Front Street, Building B1, Chester, PA 19013) on November 29, 2011, to install a Sea Salt Drying and sizing process along with control devices at a new facility in City of Chester, **Delaware County**. The Plan Approval will contain monitoring, recordkeeping and operating restrictions designed to minimize emissions and keep the facility operating within all applicable air quality requirements. The application was received by the Department on October 11, 2011.

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

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-705-4863*

**36-03152C: Wenger's Feed Mill, Inc.** (101 W Harrisburg Avenue, Rheems, PA 17570) on November 28, 2011, to install ductwork from an existing hammermill to create a closed loop exhaust system to the existing dried soybean storage bin; at the extruded soybean meal and soybean oil manufacturing facility in West Donegal Township, **Lancaster County**.

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**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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

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

**18-00011H: Croda, Inc.** (8 Croda Way, Mill Hall, PA 17751) on December 1, 2011, to extend the temporary period of operation of the pastillation of Behentrimonium Methosulfate (BTMS) process at their facility in Bald Eagle Township, **Clinton County**. Additionally, the plan approval was revised to incorporate language that clarifies the process steps that are controlled by the scrubber. The plan approval contains monitoring, recordkeeping and reporting requirements to demonstrate compliance with State and Federal regulatory requirements. The plan approval was extended.

**17-00001D: GenON REMA, LLC** (121 Champion Way, Canonsburg, PA 15317) on December 1, 2011, to extend the temporary period of operation of the carbon injection system on Units 3 and 4. The plan approval contains monitoring, recordkeeping and reporting requirements to demonstrate compliance with State and Federal regulatory requirements. The plan approval was extended.

**41-00078B: Chief Gathering, LLC** (6051 Wallace Road Extension, Suite 210, Wexford, PA 15090-7386) on October 20, 2011, to extend the authorization for the construction of three natural gas-fired compressor engines each equipped with oxidation catalysts at the Barto Compressor Station located in Penn Township, **Lycoming County** to April 24, 2012. The plan approval has been extended.

**41-00079A: Eureka Resources, LLC** (301 Charles Street, South Williamsport, PA 17702-7428) on November 30, 2011 to extend the authorization to operate a gas well water treatment operation at their facility in Williamsport, **Lycoming County** on a temporary basis to May 29, 2012. The plan approval has been extended.

**08-00030A: Angelina Gathering Co.** (2350 North Sam Houston Parkway East, Houston, TX 77009) on November 4, 2011, to extend the authorization for the construction of four natural-gas-fired compressor engines each equipped with oxidation catalysts and the construction two natural gas glycol dehydration units each equipped with reboiler fireboxes at the Greenzweig Compressor Station located in Herrick Township, **Bradford County** to May 12, 2012. The plan approval has been extended.

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

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

**26-00573A: Johnson Matthey, Inc.** (605 Mountain View Dr., Smithfield, PA 15478) on December 1, 2011, to extend the period of temporary operation of the catalyst production facility covered under plan approval 26-00573A until June 8, 2012 in Smithfield Borough, **Fayette County**.

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

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

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

**41-00010: Andritz, Inc.** (35 Sherman Street, PA 17756-1202) on November 10, 2011, for renewal of their Title V Operating Permit for their facility in Muncy Borough, **Lycoming County**.

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

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

**62-00012: Pittsburgh Glass Works, LLC—Meadville Works 8** (PO Box 800, Kebert Industrial Park, Meadville, PA 16335-6600) on November 30, 2011, to modify their Title V Operating Permit for their glass manufacturing facility in Greenwood Township, **Crawford County**. The modification was at the request of the permittee and incorporates the requirements from 25 Pa. Code §§ 129.301—129.310, Control of NOx Emissions from

Glass Melting Furnaces. The permittee has requested an alternative compliance schedule for Source ID: 102—Furnace 8-2 as permitted under the PA Glass Melting Furnace NOx Rule. The language contained in 25 Pa. Code § 129.304(c)(2) allows the permittee to submit a petition, in writing, requesting an alternative compliance schedule. Their petition requested that Source ID: 102—Furnace 8-2 be exempted from the PA Glass Melting Furnace NOx Rule until after the next scheduled cold shutdown which is currently projected to be in the year 2024. The requested compliance schedule has been granted.

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

*Contact: Thomas Huynh, Chief—Telephone: 215-685-9476*

**V10-026: University of Pennsylvania** (3451 Walnut Street, Philadelphia, PA 19104) for the operation of a university in the City of Philadelphia, **Philadelphia County**. The Title V operating permit was administratively amended to correct typographically errors.

**V10-026: University of Pennsylvania** (3451 Walnut Street, Philadelphia, PA 19104) for the operation of a university in the City of Philadelphia, **Philadelphia County**. The facility's air emissions' sources nine <10 MMBTU/hr heaters and furnaces, 56 emergency generators, one peak shaving generator, and two fire pumps.

**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*

**23-00015: BMR-145 King of Prussia Road LP** (145 King of Prussia Road, Radnor, PA 19087) on December 1, 2011, for a Non-Title V Facility, State-Only, Synthetic Minor Permit in Radnor Township, **Delaware County**. The sources of emissions include boilers and emergency generators. The facility has a potential to emit less than 25 tons per year of Nitrogen Oxides (NOx). Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

**09-00146: Pelmor Laboratories, Inc.** (3161 State Road, Bensalem, PA 19020) on December 1, 2011, for a Non-Title V Facility, State-Only, Natural Minor Permit in Bensalem Township, **Bucks County**. The sources of emissions include four rubber mills controlled by a baghouse. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

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

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

**66-00003: Deer Park Lumber, Inc.** (3042 SR 6, Tunkhannock, PA 18657) on November 18, 2011, for a hardwood sawmill in Tunkhannock Township, **Wyoming County**. The State-only permit was renewed.

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

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-705-4863*

**28-05022: Signature Companies** (5171 Innovation Way, Chambersburg, PA 17201) on November 23, 2011, for their wood cabinet, stair and railing manufacturing facility located in Greene Township, **Franklin County**. The State-only permit was renewed.

**22-05023: Paxton Street Terminals Corp.** (PO Box 2621, Harrisburg, PA 17105-2621) on November 22, 2011, for their bulk gasoline terminal in Swatara Township, **Dauphin County**. The State-only permit was renewed.

**01-05019: Colonial Fiberglass Industries, Inc.** (262 Church Street, Hanover, PA 17331-8991) on November 23, 2011, for their fiberglass automotive after-market accessory manufacturing facility in Conewago Township, **Adams County**. The State-only permit was renewed.

**06-05073: Dyer Quarry, Inc.** (PO Box 188, Rock Hollow Road, Birdsboro, PA 19508-0188) on November 29, 2011, for the Dyer stone quarry in Robeson Township, **Berks County**. The State-only permit was renewed.

**06-03098: Ralph Good, Inc.** (306 E Main Street, PO Box 924, Adamstown, PA 19501) on November 29, 2011, for their potato chip manufacturing facility in Adamstown Borough, **Berks County**. The State-only permit was renewed.

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

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

**60-00005: Elkay Wood Products Co.** (100 Industrial Park, Mifflinburg PA 17844) on November 18, 2011, to issue a state only operating permit for their facility in Mifflinburg, **Union County**. State Only Operating Permit 60-00005 contains monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulatory requirements.

**17-00046: HPM Industries, Inc.—Atlas Pressed Metals** (125 Tom Mix Drive, DuBois, PA 15801) on November 18, 2011, to issue a state only operating permit for their powdered metal parts manufacturing facility in the City of DuBois, **Clearfield County**. The facility's main sources include five (5) sintering furnaces, a dip sizing operation, and an oil impregnation system. The facility has the potential to emit sulfur oxides (SOx), nitrogen oxides (NOx), carbon monoxide (CO), particulate matter with an aerodynamic diameter of 10 microns or less (PM10), volatile organic compounds (VOCs), and hazardous air pollutants (HAPs) below the major emission thresholds. The proposed operating permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

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

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

**10-00369: ESM Special Metals & Technology, Inc.** (955 Saxonburg Boulevard, Saxonburg, PA 16056) on November 29, 2011, for an initial Natural Minor Permit to operate a magnesium powder manufacturing facility in Clinton Township, **Butler County**. The facility's major emission sources include, Magnesium grinding / building 1, Magnesium grinding / building 2, Magnesium grinding / building 3, Magnesium grinding / building 4, Super Eddy current pulverizer, Powdered Magnesium transfer and storage, Emergency generator and parts washer. The

emission of the pollutants from the facility is less than Title V threshold limits. Thus the facility is natural minor. The emergency generator is subject to 40 CFR Part 63, Subpart ZZZZ.

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

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

**S11-008: Episcopal Hospital** (100 East Lehigh Avenue, Philadelphia, PA 19125) on October 18, 2011, for the operation of a hospital facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes two 475 HP boilers and five (5) emergency generators.

**S11-020: National Publishing Co.** (11311 Roosevelt Blvd, Philadelphia, PA 19154) on October 18, 2011, for operation of a printing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include includes fourteen (14) 0.5 MMBTU/hr natural gas fired space heaters, four (4) lithographic presses with less than 8 MMBTU/hr natural gas fired dryers, and a 1.75 MMBTU/hr natural gas fired thermal oxidizer.

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

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

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-705-4863*

**21-05002: PPG Industries, Inc.** (400 Park Drive, Carlisle, PA 17013-9271) on November 30, 2011, to modify

the Title V permit for their flat glass manufacturing facility in South Middleton Township, **Cumberland County**. The permit was modified, pursuant to Pa. Code § 127.463 to incorporate an alternative compliance schedule for the glass melting furnace NOx regulation, in accordance with 25 Pa. Code § 129.304(c)(2). Conditions were also added regarding AIMS reporting and electronic notification to EPA. Tempering Line 4 was removed from the permit. Standard CEM conditions were also added.

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

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

**49-00030: Sunbury Textile Mills, Inc.** (1200 Miller Street, City of Sunbury, PA 17801-0786) issued a revised state only operating permit on November 10, 2011 to incorporate restrictions on the usage of #2 fuel oil in their Series 600 L-591313 Cleaver Brooks Boiler and Series 300 Hurst Boiler at their facility is located in the City of Sunbury, **Northumberland County**. This state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**49-00007: Cherokee Pharmaceuticals, LLC.** (PO Box 367, Riverside, PA 17868), issued a revised Title V operating permit on November 8, 2011 for their pharmaceutical production facility located in Riverside Borough, **Northumberland County**. The revision of the Title V permit changed language of condition #003 and #007 of Source ID 180 to clarify the applicability of the throughput restriction in condition #003. Cherokee noticed the abovementioned changes to the public in The Daily Item on October 3, 2011. The Title V operating permit contains appropriate monitoring, recordkeeping and reporting conditions to verify compliance with the regulatory requirement in condition #003.

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

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

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

**25-00179: Erie City Sewer Authority** (68 Port Access Road, Erie, PA 16507-2299) for its facility located in the City of Erie, **Erie County**. The de minimis increases are a result of modifications to the existing ash silo. The Department has started a list of de minimis increases as prescribed in 25 Pa. Code § 127.449(i).

Since the July 13, 2007 Title V Operating Permit issuance date, the Erie City Sewer Authority has notified the Department of the following de minimis emission increases:

Date	Source	PM10 (tons)	SOx (tons)	NOx (tons)	VOC (tons)	CO (tons)
10/20/2011	Ash Handling Silo Modification	0.015	0	0	0	0
Total Reported Increases		0.015	0	0	0	0

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**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.**

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

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

**25-00967: Spectrum Control, Inc.** (8061 Avonia Road, Fairview, PA 16415) on November 30, 2011, for revocation of their State Operating Permit for the electronic connector manufacturing facility in Fairview Township, **Erie County**. The plant removed the TCE degreaser (Source 102) which previously was approved under a plan approval. The facility has two degreasers that use N-Propyl Bromide and one degreaser that uses N-Methyl-pyrrolidone. The degreasers were exempt from plan approval because the VOC combined emissions are less than 2.7 TPY and there are no HAPs. The facility no longer requires a plan approval and the operating permit was therefore revoked.

**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).**

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*Coal Permits Actions*

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

**30031301, Dana Mining Company of Pennsylvania, LLC**, (308 Dents Run Road, Morgantown, WV 26501), to revise the permit for the 4-West Mine in Dunkard, Perry, and Whiteley Township, **Greene County** to add underground permit and subsidence control plan area acres, Underground Acres Proposed 4380.6, Subsidence Control Plan Acres Proposed 4380.6. No additional discharges. The application was considered administratively complete on June 17, 2010. Application received: November 20, 2009. Permit issued: December 1, 2011.

**30841316, Consol Pennsylvania Coal Company, LLC**, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323), to revise the permit for the Bailey Mine and Prep Plant in Morris and Richhill Township, **Greene County** to install an overhead power line from the Bailey Central Mine Complex to the 7 North 1 Shaft and Portal Facility, Surface Acres Proposed 60.9. No additional discharges. The application was considered administratively complete on January 10, 2011. Application received: September 21, 2010. Permit issued: December 1, 2011.

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

**11070102 and NPDES No. PA0262293. CMT Energy, Inc.**, 108 South Twigg Street, Box 23, Smokerun, PA 16881, permit renewal for reclamation only of a bituminous surface and auger mine in Chest Township, **Cambria County**, affecting 15.2 acres. Receiving stream(s): unnamed streams #1-4 to Chest Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: October 6, 2011. Permit issued: November 29, 2011.

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

**41940101 and NPDES No. PA0219843. Fisher Mining Co.** (40 Choate Circle, Montoursville, PA 17754). Permit renewal for the continued operation of an existing bituminous surface mine and coal preparation plant located in Pine and McHenry Townships, **Lycoming County** affecting 640.0 acres. Receiving streams: Buckeye Run, Otter Run to Little Pine Creek classified for high quality cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Renewal application received: May 16, 2011. Permit issued: November 23, 2011.

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

**54901302T2 and NPDES Permit No. PA0594792. Carline Coal Company, Inc.**, (P. O. Box 188, Sacramento, PA 17968), transfer of an existing anthracite underground mine operation Hegins Township, **Schuylkill County** affecting 5.0 acres, receiving stream: West Branch of Rausch Creek. Application received: September 7, 2010. Transfer issued: December 2, 2011.

**40840203T2. Blaschak Coal Corp.** (P. O. Box 12, Mahanoy City, PA 17948), transfer of an existing anthracite coal refuse reprocessing and surface mine operation in Hazle Township, **Luzerne County** affecting 80.0 acres, receiving stream: Nescopeck Creek. Application received: November 2, 2010. Transfer issued: December 5, 2011.

**40840203GP104. Blaschak Coal Corp.** (P. O. Box 12, Mahanoy City, PA 17948) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40840203T2 in Hazle Township, **Luzerne County**, receiving stream: Nescopeck Creek. Application received: December 20, 2010. Permit issued: December 5, 2011.

*Noncoal Permits Actions*

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

**21900301 and NPDES Permit No. PA0595055. E. E. Kough Sons**, P. O. Box 134, 195 Green Springs Road, Newville, PA 17241, renewal of NPDES Permit, North Newton Township, **Cumberland County**. Receiving stream(s): unnamed tributary to Conodoguient Creek classified for the following use(s): warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: July 28, 2011. Permit issued: November 28, 2011.

**21050301. JR Zimmerman Enterprises, LLC**, 35 Ridge Road, Newville, PA 17241, revision of an existing surface mine to change land use in North Newton Township, **Cumberland County**, affecting 33.3 acres. Receiving stream(s): unnamed tributary to Green Spring

Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: August 4, 2011. Permit issued: November 28, 2011.

**5074SM1 and NPDES Permit No. PA0122629, Valley Quarries, Inc.**, P. O. Box 2009, Chambersburg, PA 17201, renewal of NPDES Permit, Guilford Township, **Franklin County**. Receiving stream(s): UT to Conococheague Creek classified for the following use(s): warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: October 3, 2011. Permit issued: November 29, 2011.

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

**65900403 and NPDES Permit No. PA0591866. Hanson Aggregates BMC, Inc.** (2200 Springfield Pike, Connellsville, PA 15425). Renewal permit issued for continued operation and reclamation to a large noncoal surface mine, located in Unity and Cook Townships, **Westmoreland County**, affecting 662.5 acres. Receiving streams: unnamed tributaries to Nine Mile Run. Renewal application received: December 8, 2010. Permit issued: November 29, 2011.

**65900402 and NPDES Permit No. PA059177. Hanson Aggregates BMC, Inc.** (2200 Springfield Pike, Connellsville, PA 15425). Renewal permit issued for continued operation and reclamation to a large noncoal surface mine, located in Derry Township, **Westmoreland County**, affecting 1,303.0 acres. Receiving streams: unnamed tributaries to Harbridge Run and Tannery Hollow. Renewal application received: December 27, 2010. Permit issued: November 29, 2011.

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

**59020301 and NPDES No. PA0243213. Chad E. Cross** (19316 Route 6, Mansfield, PA 16933). Transfer of an existing industrial mineral surface mine from Jill D. Cross located in Lawrence Township, **Tioga County** affecting 13.8 acres. Receiving streams: Harts Creek to the Tioga River classified for warm water fisheries. There are no potable water supply intakes within 10 miles downstream. Transfer application received: June 1, 2011. Permit issued: November 21, 2011.

**59950301 and NPDES No. PA0220086. Chad E. Cross** (19316 Route 6, Mansfield, PA 16933). Transfer of an existing industrial mineral surface mine from Jill D. Cross located in Sullivan Township, **Tioga County** affecting 30.0 acres. Receiving streams: unnamed tributary to Corey Creek to Corey Creek to the Tioga River classified for cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Transfer application received: June 1, 2011. Permit issued: November 23, 2011.

**53110301 and NPDES No. PA0257788. Jerome Eckert, DBA North Penn Supply**, (269 Route 6 West, Galeton, PA 16922). Commencement, operation and restoration of a large industrial mineral permit (bluestone) located in Sweden Township, **Potter County** affecting 18.0 acres. Receiving stream: Mill Creek classified for high quality cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: July 18, 2011. Permit issued: December 1, 2011.

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

**36820301C8 and NPDES Permit No. PA0612171. Haines & Kibblehouse, Inc.**, (P. O. Box 196, Skippack, PA 19474), correction to an existing quarry operation and NPDES Permit for discharge of treated mine drainage in Brecknock Township, **Lancaster County** affecting 131.7 acres, receiving stream: unnamed tributary to Black Creek. Application received: March 9, 2011. Correction issued: November 29, 2011.

**8275SM3C7 and NPDES Permit No. PA0117986. Martin Limestone, Inc.**, (P. O. Box 550, Blue Ball, PA 17506), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Caernarvon and East Earl Townships, **Lancaster County**, receiving stream: unnamed tributary of Conestoga River. Application received: June 20, 2011. Renewal issued: December 1, 2011.

**22880302C6 and NPDES Permit No. PA0594211. Haines & Kibblehouse, Inc.**, (P. O. Box 196, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Lower Swatara Township, **Dauphin County**, receiving stream: Swatara Creek. Application received: September 16, 2011. Correction issued: December 1, 2011.

#### 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*

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

**08114021. John Brainard** (3978 SR 2073, Kingsley, PA 18826-0980). Construction blasting for a well pad located in Wyalusing Township, **Bradford County**. Permit issued: November 21, 2011. Permit expires: June 30, 2012.

**08114022. Doug Wathen, LLC** (16208 State Highway 13, Suite 100, Branson West, MO 65616). Construction blasting for a well pad located in Terry & Wilmot Townships, **Bradford County**. Permit issued: November 22, 2011. Permit expires: November 1, 2012.

**08114138. Maurer & Scott Sales, Inc.** (122 Thomas St, Coopersburg, PA 18036-2100). Construction blasting for the Stoshak water impoundment located in Wilmot Township, **Bradford County**. Permit issued: November 23, 2011. Permit expires: April 30, 2012.

**57114111. Main Drilling & Blasting Inc.** (P. O. Box 1140, Gardiner, ME 04345-1140). Construction blasting for a compressor station located in Cherry Township, **Sullivan County**. Permit issued: November 30, 2011. Permit expires: November 5, 2012.

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

**36114171. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Benue Smucker dwelling in Salisbury Township, **Lancaster County** with an expiration date of December 31, 2011. Permit issued: November 28, 2011.

**66114123. Meshoppen Blasting, Inc.**, (P. O. Box 127, Meshoppen, PA 18630), construction blasting for Macialek

Well Site in Washington Township, **Wyoming County** with an expiration date of April 30, 2012. Permit issued: November 28, 2011.

**09114110. Rock Work, Inc.**, (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Warrington Meadows in Warrington Township, **Bucks County** with an expiration date of November 30, 2012. Permit issued: December 1, 2011.

**36114172. Abel Construction Co., Inc.**, (P. O. Box 476, Mountville, PA 17554), construction blasting for NS Yard Reconstruction (East Yard) in the City of Lancaster, **Lancaster County** with an expiration date of December 31, 2012. Permit issued: December 1, 2011.

**45114128. Explosive Services, Inc.**, (7 Pine Street, Bethany, PA 18431), construction blasting for Winona Lake Estates in Middle Smithfield Township, **Monroe County** with an expiration date of November 30, 2012. Permit issued: December 1, 2011.

**48114118. American Rock Mechanics, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Kingston Road Project in Palmer Township, **Northampton County** with an expiration date of December 31, 2012. Permit issued: December 1, 2011.

**58114139. Meshoppen Blasting, Inc.**, (P. O. Box 127, Meshoppen, PA 18630), construction blasting for Gregerson Well Site & Access Road in Auburn Township, **Susquehanna County** with an expiration date of April 1, 2012. Permit issued: December 1, 2011.

**58114140. Midstream Explosives, LLC**, (289 Southside Drive, Newville, PA 17241), construction blasting for Angelina Gathering Pipeline in Lenox Township, **Susquehanna County** with an expiration date of November 22, 2012. Permit issued: December 1, 2011.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

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### Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

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*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Northcentral Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**E0829-016: Talisman Energy USA, Inc.**, 50 Penwood Place, Warrendale, PA 15086, Wells Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. One 12 inch diameter natural gas line, and a 6 inch diameter flex steel water line impacting 833 square feet of a Palustrine Emergent Wetland (Gillett, PA Quadrangle, Latitude: 41°57'04", Longitude: -76°51'14").
2. One 12 inch diameter natural gas line, and a 6 inch diameter flex steel water line impacting 116 square feet of a Palustrine Emergent Wetland (Gillett, PA Quadrangle, Latitude: 41°56'51", Longitude: -76°51'23").
3. One 12 inch diameter natural gas line, a 6 inch diameter flex steel water line and a 16 foot wide equipment mat impacting 7,871 square feet of a Palustrine Emergent Wetland (Gillett, PA, Latitude: 41°56'51", Longitude: -76°51'29").
4. One 12 inch diameter natural gas line, a 6 inch diameter flex steel water line and a 16 foot wide equipment mat impacting 3,278 square feet of a Palustrine Emergent Wetland (Gillett, PA Quadrangle, Latitude: 41°56'48", Longitude: -76°51'57").
5. One 12 inch diameter natural gas line, a 6 inch diameter flex steel water line and a 16 foot wide equipment mat impacting 16 linear feet of an unnamed tributary to Beckwith Creek (CWF, MF) and an adjacent Palustrine Emergent Wetland impacting 1,355 square feet (Gillett, PA Quadrangle, Latitude: 41°56'46", Longitude: -76°51'58").
6. One 12 inch diameter natural gas line, a 6 inch diameter flex steel water line and a 16 foot wide equipment mat impacting 16 linear feet of an unnamed tributary to Beckwith Creek (CWF, MF) and an adjacent Palustrine Emergent Wetland impacting 923 square feet (Gillett, PA Quadrangle, Latitude: 41°56'33", Longitude: -76°51'56").
7. One 12 inch diameter natural gas line, a 6 inch diameter flex steel water line and a 16 foot wide equipment mat impacting 3718 square feet of a Palustrine



Emergent/Scrub-Shrub Wetland (Gillett, PA Quadrangle, Latitude: 41°56'32", Longitude: -76°51'56").

8. One 12 inch diameter natural gas line, a 6 inch diameter flex steel water line and a 16 foot wide equipment mat impacting 1,898 square feet of a Palustrine Emergent Wetland (Gillett, PA Quadrangle, Latitude: 41°56'28", Longitude: -76°51'56").

9. One 12 inch diameter natural gas line, a 6 inch diameter flex steel water line and a 16 foot wide equipment mat impacting 16 linear feet of an unnamed tributary to Beckwith Creek (CWF, MF) (Gillett, PA, Latitude: 41°56'18", Longitude: -76°51'55").

10. One 12 inch diameter natural gas line, and a 6 inch diameter flex steel water line impacting 383 square feet of a Palustrine Emergent Wetland (Gillett, PA Quadrangle, Latitude: 41°56'15", Longitude: -76°52'21").

11. One 12 inch diameter natural gas line and a 6 inch diameter flex steel water line impacting 13 linear feet of Beckwith Creek (CWF, MF) and an adjacent Palustrine Emergent/Scrub-Shrub Wetland impacting 817.5 square feet (Millerton, PA Quadrangle, Latitude: 41°56'15", Longitude: -76°52'44").

The project will result in 61 linear feet of temporary stream impacts and 21,191 square feet (0.49 acres) of PEM/PSS wetland impacts all for the purpose of installing a natural gas pipeline and a water line with associated access roadways.

**E4129-017 EXCO Resources (PA), LLC**, 3000 Ericson Drive, Suite 200, Warrendale, PA 15086, Mifflin Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain a surface water withdrawal along Larry's Creek (EV) adjacent to the intersection of Route 973 and Quenshukeny Road (Saladasburg Quadrangle 41°17'51"N 77°11'52"W). The proposed withdrawal will include two submersible pumps with related materials placed on the stream bed. The project will result in 66 square feet of stream impact all for the purpose of obtaining water for use to develop multiple Marcellus Shale wells.

**E4129-013: Chief Gathering, LLC**, 6051 Wallace Road, Suite 210, Wexford, PA 15090, Franklin & Jordan Townships, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

(1) one 12 inch gas pipeline impacting 76 linear feet of an unnamed tributary to Little Muncy Creek (CWF, MF) and 485 square feet of adjacent palustrine forested (PFO) wetland (Lairdsville Quadrangle 41°14'16"N 76°35'57"W),

(2) one 12 inch gas pipeline across an unnamed tributary to Little Muncy Creek (CWF, MF) impacting 64 linear feet (Lairdsville Quadrangle 41°14'01"N 76°35'12"W),

(3) one 12 inch gas pipeline across an unnamed tributary to Little Muncy Creek (CWF, MF) impacting 63 linear feet (Lairdsville Quadrangle 41°13'36"N 76°34'16"W),

(4) one 12 inch gas pipeline across an unnamed tributary to Little Muncy Creek (CWF, MF) impacting 65 linear feet (Lairdsville Quadrangle 41°13'29"N 76°34'16"W),

(5) one 12 inch gas pipeline across an unnamed tributary to German Run (CWF, MF) impacting 69 linear feet (Lairdsville Quadrangle 41°12'15"N 76°35'09"W),

(6) one 12 inch gas pipeline impacting 352 square feet of a palustrine emergent (PEM) wetland adjacent to an

unnamed tributary to German Run (Lairdsville Quadrangle 41°12'14"N 76°35'09"W),

(7) one 12 inch gas pipeline across an unnamed tributary to German Run (CWF, MF) impacting 63 linear feet (Lairdsville Quadrangle 41°12'11"N 76°35'16"W),

(8) one 12 inch gas pipeline impacting 3562 square feet of a palustrine emergent (PEM) wetland adjacent to an unnamed tributary to German Run (Lairdsville Quadrangle 41°12'28"N 76°35'52"W),

(9) one 12 inch gas pipeline across an unnamed tributary to German Run (CWF, MF) impacting 62 linear feet (Lairdsville Quadrangle 41°12'30"N 76°35'52"W),

(10) one 12 inch gas pipeline across an unnamed tributary to German Run (CWF, MF) impacting 79 linear feet (Lairdsville Quadrangle 41°12'34"N 76°36'09"W),

(11) one 12 inch gas pipeline across an unnamed tributary to Little Muncy Creek (CWF, MF) impacting 81 linear feet (Lairdsville Quadrangle 41°13'12"N 76°34'07"W),

(12) one 12 inch gas pipeline across an unnamed tributary to West Branch Run (CWF, MF) impacting 26 linear feet (Lairdsville Quadrangle 41°12'51"N 76°32'53"W).

The project will result in 648 linear feet of temporary stream impacts and 4399 square feet of wetland impacts from utility line crossings. These crossings will accumulate a total of 0.09 acres of watercourse impacts and 0.10 acres of wetland impacts all for the purpose of installing a natural gas gathering line with associated access roadways for Marcellus well development.

**E4129-015 Southwestern Energy Production Company**, 2350 North Sam Houston Parkway East, Suite 125, Houston, Texas 77032, Jackson Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain a surface water withdrawal along Blockhouse Creek (EV) adjacent to Route 284 west of Route 15 (White Pine Quadrangle 41°29'48"N 77°10'06"W). The proposed withdrawal will include the construction of an 18 inch diameter T-intake set below the stream bed and a temporary cofferdam. The project will result in 737 square feet of temporary stream impacts all for the purpose of obtaining water to use to develop multiple Marcellus Shale wells.

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

**E22-564: Williamstown Borough Sewer Authority**, PO Box 44, Williamstown, Pennsylvania 17098, in Williams Township, **Dauphin County**, ACOE Baltimore District

To construct and maintain: 1) a 4.0-foot diameter by 14.0-foot deep fiberglass sanitary sewer pumping station, 2) 25.0 lineal feet of 8.0-inch diameter PVC sanitary sewer line, 3) a 4.0-foot diameter concrete sanitary sewer manhole, and 4) 86.0 lineal feet of 2.0-inch diameter PVC sanitary sewer force main in the floodway of Wiconisco Creek (WWF, MF); to maintain: 5) a 39.0-foot long, 3.0-foot high by 8.0-inch wide concrete retaining wall, 6) 18.0-inch diameter PVC outfall with associated endwall and riprap outlet scour protection, 7) a 4.0-foot diameter sanitary sewer manhole, 8) grading and asphalt paving of 420.0 square feet of an access roadway, and 9) a 50.0-foot wide by 140.0-foot long earthen stormwater detention facility in the floodway of Wiconisco Creek (WWF, MF); to maintain: 10) approximately 422.0 lineal feet of 8.0-inch

diameter PVC sanitary sewer line, 11) a 4.0-foot diameter concrete sanitary sewer manholes, and 12) 103.0 lineal feet of 2.0-inch diameter PVC sanitary sewer force main in the floodplain of Wiconisco Creek (WWF, MF); 13) to maintain 20.0 lineal feet of 6.0-inch depressed, dual 36.0-inch HDPE stormwater culverts in an unnamed tributary to Wiconisco Creek (WWF, MF); 14) to restore approximately 0.01 acre of Palustrine Scrub Shrub wetland, and 15) to restore and stabilize an unnamed tributary to Wiconisco Creek (WWF, MF) by restoring the channel to its original flow-path, installing 50.0 feet of R-4 riprap bank stabilization and installing 2.0 cubic yards of R-7 riprap for rock cross-vane structures in an unnamed tributary to Wiconisco Creek (WWF, MF). The purpose of the project is to improve a sewage treatment facility and correct pollution caused by malfunctioning of on-lot septic systems. The wastewater treatment plant is located west of South Orange Street, approximately 500.0 feet south of the intersection of West Market Street and South Orange Street (Lykens, PA Quadrangle, N: 14.23 inches, W: 0.23 inch; Latitude: 40°34'42", Longitude: -76°37'36") and the pump station is located approximately 175.0 feet south of East Market Street approximately 250.0 feet east of its intersection with Greenfield Street (Tower City, PA Quadrangle, N: 14.23 inches, W: 0.23 inch; Latitude: 40°34'51", Longitude: -76°36'18") located in Williams Township, Dauphin County. This permit is the result of a violation.

**E22-571: The Borough of Millersburg**, 101 West Street, Millersburg, Pennsylvania 17061, in Millersburg Borough, **Dauphin County**, ACOE, Baltimore District

To construct and maintain: 1) an 8.0-foot wide, 1,055.0-foot long asphalt pedestrian trail with sitting areas; 2) 280.0 square feet of concrete walks; 3) 258.0 square feet of dry laid pavers; 4) a 20.0-foot by 30.0-foot concession/restroom building and 630.0 square feet of concrete paving in the area of the concession/restroom building; 5) 30.0 feet of steel guiderail; 6) 138.0 square feet of bituminous parking area; 7) to perform and maintain approximately 1380.0 square feet of regrading and paving to existing boat ramp access drives; and 8) to replace and maintain approximately 400.0 square feet of asphalt paving with concrete lawn pavers. All impacts are proposed within the floodplain of the Susquehanna River (WWF, MF). The project is located west of River Street from Keystone Street (Millersburg, PA Quadrangle, N: 6.56 inches, W: 12.47 inches; Latitude: 40°32'10", Longitude: -76°57'53") to Moore Street (Millersburg, PA Quadrangle, N: 7.57 inches, W: 12.50 inches; Latitude: 40°32'30", Longitude: -76°57'54") located in the Borough of Millersburg, Dauphin County. The purpose of the project is to expand and upgrade the existing community park.

*Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636*

**E18-468. Trish A. Heichel & Rickie A. Worden**, 360 Cottage Lane, Mill Hall, PA 17751. Heichel Project, in Bald Eagle Township, **Clinton County**, ACOE Baltimore District (Mill Hall, PA Quadrangle N: 41°07'07"; W: -77°29'57").

To: 1) remove an existing remnant of a 50-foot by 20-foot burnt house foundation, 2) construct and maintain a new 40-foot by 25-foot house elevated 9 feet above the ground level and one entry staircase on a 1,200 square foot grout filled concrete block wall foundation in the left 100-year floodway of Bald Eagle Creek located 0.5 miles

on Cottage Lane from Creek Road. This permit was issued under Section 105.13(e) "Small Projects."

**E57-122. Jeffrey Ottaviano**, 301 Washington Lane, Jenkintown, PA 19046-3147. Water Obstruction and Encroachment Joint Permit, in Cherry Township, **Sullivan County**, ACOE Susquehanna River Basin District (Dushore, PA Quadrangle N: 41° 30' 2"; W: -76° 27' 35").

To construct and maintain a steel I-beam bridge measuring 60-feet long by 16-feet wide, with an average underclearance of 4-feet on a skew of 66°, over Wampole Run, 1.2 mi. south of the int. with SR 0087 and Cook Hill Road (T-348) along Cook Hill Road. This project proposes to permanently impact 25 linear feet of Wampole Run, which is designated an Exceptional Value Fishery stream and does not propose to impact any jurisdictional wetlands. This permit was issued under Section 105.13(e) "Small Projects."

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

**E02-1637. Allegheny County Department of Public Works**, 501 County Office Building, 542 Forbes Avenue, Pittsburgh, PA 15219, Tarentum Borough, **Allegheny County**. The applicant proposes to restore and maintain the channel of Bull Creek (TSF), by stabilizing the stream banks (rock protection at two (2) locations along the stream banks, a gabion wall on the left stream bank between the Railroad Bridge and the Fourth Avenue Bridge and planting native species of grass along the left stream bank), by installing and maintaining scour protection in front of the Fourth Avenue bridge abutments, and by dredging said stream for approximately 515' (from Station 10+85 to Station 5+70). The project is located at the Seventh Avenue Bridge and extends downstream to the mouth of the Allegheny River (New Kensington West, PA Quadrangle N: 18.5 inches; W: 1.1 inches; Latitude: 40° 36' 07"; Longitude: 79° 45' 29").

**E65-937. Ligonier Township**, One Municipal Park Drive, Ligonier, PA 15658, in Ligonier Township, **Westmoreland County**. Applicant proposes to Restore approximately 700' of an unnamed tributary to Mill Creek (HQ-WWF) to a more natural condition by removing accumulated sediment and reconstructing the stream channel. The project is located starts at Baltic Lane and extends north past Mohawk Lane, (Wilpen, Pa Quadrangle, N: 0.25"; W: 14.25"; Latitude 40° 15' 6"; Longitude 79° 13' 36").

## DAM SAFETY

**Actions on applications filed 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 of the Federal Water Pollution Control Act. (33 U.S.C.A. § 1341(a)).**

*Central Office: Bureau of Waterways Engineering, 400 Market Street, Floor 3, PO Box 8554, Harrisburg, PA 17105-8554*

**D30-061. Lovingood Dam**. Consolidation Coal Company, 1 Bridge Street, Monongah, WV 26554. To modify Lovingood Dam across a tributary to Toms Run (WWF) for the purpose of providing a private pond. A concrete emergency spillway will be constructed that will control the normal pool at a level approximately 8 feet lower than it is currently maintained. The modifications are required by the Mine Safety and Health Administration

to permit mining beneath the impoundment. (Holbrook PA Quadrangle N: 6.6 inches; W: 6.85 inches) Jackson Township, **Greene County**.

**D63-006. Canonsburg No. 1 Dam. Lindenwood Golf Course**, 1018 Sheriffs Court, McMurray PA 15317-2754. To modify, operate, and maintain Canonsburg No. 1 Dam across Speers Run (HQ-WWF) for the purpose of providing recreation and an irrigation source for the golf course. A portion of the downstream embankment will be flattened to provide a stable slope. The proposed modifications will have no wetland or stream impacts. (Canonsburg, PA Quadrangle N: 1.5 inches; W: 1.15 inches) North Strabane Township, **Washington County**.

**D43-067. Looney Lake Dam. Barbara A. Moreland and Harry Means**, 88 Seidle Road, Mercer, PA 16137-2134. To modify, operate and maintain Looney Lake Dam across a tributary to Lackawannock Creek for the purpose of recreation (Fredonia, PA Quadrangle N: 3.85 inches; W: 10.32 inches) in Jefferson Township, **Mercer County**.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

*Southwest Region: Oil & Gas Program Manager, 400 Waterfront Drive, Pittsburgh, PA*

11/02/2011  
ESCGP-1 No.: ESX11-125-0105  
Applicant Name: Range Resources—Appalachia LLC  
Contact Person Glenn Truzzi  
Address: 380 Southpointe Boulevard  
City: Canonsburg State: PA Zip Code: 15317  
County: Washington Township: Hanover  
Receiving Stream (s) And Classifications: UNTs to Kings Creek, Kings Creek/Raccoon Creek Watershed, Other

11/15/2011  
ESCGP-1 No.: ESX11-059-0032 Major Revision  
Applicant Name: EQT Production Company  
Contact Person: Todd Klaner  
Address: 455 Racetrack Road  
City: Washington State: Pa Zip Code: 15301

County: Greene Township(s): Morgan  
Receiving Stream(s) and Classifications: Tributary to 40296 to Castile Run WWF  
Tributary to 40297 to Castile Run WWF  
Tributary to 40298 to Castile Run WWF  
Bacon Run—WWF  
Tenmile Creek Watershed, Monongahela River Watershed, Other

10/07/11  
ESCGP-1 No.: ESX11-059-0011 Minor Revision  
Applicant Name: Chesapeake Appalachia LLC  
Contact Person: Tal Oden  
Address: P O Box 18496  
City: Oklahoma City State: OK Zip Code: 73154  
County: Greene Township(s): Aleppo  
Receiving Stream(s) and Classifications: South Fork Dunkard Fork, Other

10/03/2011  
ESCGP-1 No.: ESX11-007-0015  
Applicant Name: Chesapeake Appalachia LLC  
Contact Person: Eric Haskins  
Address: 101 North Main Street  
City: Athens State: PA Zip Code: 18810  
County: Beaver Township(s): South Beaver Township  
Receiving Stream(s) and Classifications: UNTs Painter Run HQ-CWF/little Beaver Creek, HQ

11/14/11  
ESCGP-1 No.: ESX09-063-0005 Minor Revision  
Applicant Name: XTO Energy Inc  
Contact Person: Stacey Vehovic  
Address: 395 Airport Road  
City: Indiana State: PA Zip Code: 15701  
COUNTY Indiana Township(s): Center  
Receiving Stream(s) and Classifications: UNTs to Cherry Run CWF/ Two Lick Creek TSF, other

10/11/2011  
ESCGP-1 No.: ESX10-063-0008 Major Revision  
Applicant Name: Mountain Gathering LLC  
Contact Person: Dewey Chalos  
Address: 395 Airport Road  
City: Indiana State: PA Zip Code: 15701  
County: Indiana Township(s): Center  
Receiving Stream(s) and Classifications: UNT to Cherry Run CWF/Cherry Run, Other

11/09/11  
ESCGP-1 No.: ESX11-059-0022 Major Revision  
Applicant Name: Laurel Mountain Midstream Operating LLC  
Contact Person: Clayton Roesler  
Address: 1605 Coraopolis Heights Road  
City: Moon Township State: PA Zip Code 15108  
County: Greene Township(s): Jefferson  
Receiving Stream(s) and Classifications: UNTs to Pumpkin Run WWF UNTs to Muddy Cree/Tenmile Watershed and South Fork Tenmile Creek Watershed, Other

11/10/2011  
ESCGP-1 No.: ESX11-129-0040  
Applicant Name: Chevron Appalachia LLC  
Contact Person: Jeremy Hirtz  
Address: 800 Mountain View Drive  
City: Smithfield State: PA Zip Code: 15478  
County: Westmoreland Township(s): Sewickley  
Receiving Stream(s) and Classifications: Pinkerton Run and Sewickley Creek/Lower Youghiogeny River Watershed, Other

09/02/2011  
ESCGP-1 No.: ESX11-059-0056

Applicant Name: Laurel Mountain Midstream Operating LLC

Contact Person: Frank Canneto  
Address: 1605 Coraopolis Heights Road  
City: Moon Township State: PA Zip Code: 15108  
County: Greene Township(s): Jefferson  
Receiving Stream(s) and Classifications: UNT to South Fork Tenmile Creek WWF, UNT to Pumpkin Run WWF/Tenmile Creek Watershed, Other

*Northcentral Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-1 # ESX11-115-0159  
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  
Receiving Stream(s) and Classification(s) UNT to Tuscarora Creek (CWF); Secondary: Susquehanna River (WWF)

ESCGP-1 # ESX10-081-0075 (01)  
Applicant Name EXCO Resources (PA), LLC  
Contact Person Larry Sanders  
Address 3000 Ericsson Drive Suite 200  
City, State, Zip Warrendale, PA 15086  
County Lycoming County  
Township(s) Franklin Township  
Receiving Stream(s) and Classification(s) UNT to Beaver Run (CWF), Beaver Run (CWF);  
Secondary: Little Muncy Creek (CWF)

ESCGP-1 # ESX11-115-0122  
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) Lenox Township  
Receiving Stream(s) and Classification(s) UNT to Branch of Tunkhannock Creek (CWF);  
Secondary: East Branch of the Tunkhannock Creek (CWF)

ESCGP-1 # ESX11-115-0155  
Applicant Name Williams Field Services, LLC  
Contact Person Clayton Roesler  
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/Upper Susquehanna River Basin)

ESCGP-1 # ESX11-033-0031  
Applicant Name EXCO Resources (PA), LLC  
Contact Person Larry Sanders  
Address 3000 Ericsson Drive Suite 200  
City, State, Zip Warrendale, PA 15086  
County Clearfield County  
Township(s) Brady Township  
Receiving Stream(s) and Classification(s) Little Anderson Creek (CWF);  
Secondary: Anderson Creek

ESCGP-1 # ESG11-131-0027  
Applicant Name Chief Gathering, LLC  
Contact Person Ted Wurfel  
Address 6051 Wallace Road, Suite 210  
City, State, Zip Wexford, PA 15090

County Wyoming and Susquehanna Counties  
Township(s) Nicholson and Lathorp Townships  
Receiving Stream(s) and Classification(s) Polovitch East & West Well Connects Pipeline

ESCGP-1 # ESX11-081-0132  
Applicant Name Anadarko E&P Company  
Contact Person Nathan S. Bennett  
Address 33 W. 3rd Street, Suite 200  
City, State, Zip Williamsport, PA 17701  
County Lycoming County  
Township(s) Plunketts Creek Township  
Receiving Stream(s) and Classification(s) Plunketts Creek (EV)

ESCGP-1 # ESX11-115-0147  
Applicant Name Chesapeake Appalachia, LLC  
Contact Person Mr. Eric Haskins  
Address 101 North Main Street  
City, State, Zip Athens, PA 18810  
County Susquehanna County  
Township(s) Rush Township  
Receiving Stream(s) and Classification(s) UNT to Deer Lick Creek (CWF);  
Secondary: East Branch Wyalusing Creek (CWF)

ESCGP-1 # ESX11-081-0148  
Applicant Name EXCO Resources (PA), LLC  
Contact Person Larry Sanders  
Address 3000 Ericsson Drive, Suite 200  
City, State, Zip Warrendale, PA 15086  
County Lycoming County  
Township(s) Penn Township  
Receiving Stream(s) and Classification(s) UNT to Greg's Run and Gregs Run (both CWF, MF);  
Secondary: Little Muncy Creek

ESCGP-1 # ESX11-131-0013 (01)  
Applicant Name Williams Field Services, LLC  
Contact Person Clayton Roesler  
Address 1605 Coraopolis Heights Road  
City, State, Zip Moon Township, PA 15108  
County Luzerne, Susquehanna and Wyoming Counties  
Township(s) Dallas, Eaton, Franklin, Lemon, Nicholson, Northmoreland, Springville & Tunkhannock Townships  
Receiving Stream(s) and Classification(s) Meshoppen Creek, Pond Brook, Stevens Creek, Thomas Creek, UNT to Stevens Creek, Jackson Creek, Martin Creek, Mill Creek, Moneypenny Creek, Sutton Creek, White-lock Creek, UNT to Martin Creek, UNT to Mill Creek, UNT to Moneypenny Creek, UNT to Susquehanna River, UNT to Sutton Creek, UNT to Whitelock Creek, Trout Brook, UNT to Trout Brook, Billings Mill Brook, Horton Creek, Monroe Creek, Oxbow Creek, UNT to Monroe Creek, UNT to Tunkhannock Creek (all CWF, MF); Susquehanna River (WWF, MF), Tunkhannock Creek (TSF, MF)

ESCGP-1 # ESX11-081-0130  
Applicant Name Anadarko E&P Company, LP  
Contact Person Nathan S. Bennett  
Address 33 W. 3rd Street, Suite 200  
City, State, Zip Williamsport, PA 17701  
County Lycoming County  
Township(s) Plunketts Creek Township  
Receiving Stream(s) and Classification(s) Plunketts Creek (EV)

ESCGP-1 # ESG11-131-0030  
Applicant Name Chief Gathering, LLC  
Contact Person Ted Wurfel  
Address 6051 Wallace Road, Suite 210  
City, State, Zip Wexford, PA 15090

County Wyoming and Luzerne Counties  
Township(s) Lemon, Washington, Tunkhannock, Eaton,  
Monroe and Dallas Townships

Receiving Stream(s) and Classification(s) Toby Creek  
(CWF, MF), Trout Brook (CWF, MF), Leonard Creek  
(HQ-CWF-MF), Bowman Creek (HQ-CWF, MF), Roar-  
ing Run (HQ-CWF, MF), Newton Run (CWF-MF),  
Sugar Hollow Creek (HQ-CWF, MF), Benson Hollow  
(HQCWF, MF), Susquehanna River (CWF, MF), Swale  
Brook (CWF, MF), Kern Glen Creek (CWF, MF), Taques  
Creek (CWF, MF), Billings Mill Brook (CWF, MF) and  
Meshoppen Creek (CWF, MF)

ESCGP-1 # ESX11-117-0127  
Applicant Name SWEPI LP  
Contact Person James Sewell  
Address 190 Thorn Hill Road  
City, State, Zip Warrendale, PA 15086  
County Tioga County  
Township(s) Charleston Township  
Receiving Stream(s) and Classification(s) UNT to Crooked  
Creek (WWF, MF)

ESCGP-1 # ESX11-033-0033  
Applicant Name EOG Resources, Inc.  
Contact Person Jon Jorgenson  
Address 2039 South Sixth Street  
City, State, Zip Indiana, PA 15701  
County Clearfield County  
Township(s) Lawrence Township  
Receiving Stream(s) and Classification(s) Cozy Hollow &  
Stone Run/Pine Run;  
Secondary: Lick Run/Trout Run

ESCGP-1 # ESX11-113-0022  
Applicant Name Chesapeake Appalachia, LLC  
Contact Person Eric Haskins  
Address 101 North Main Street  
City, State, Zip Athens, PA 18810  
County Sullivan County  
Township(s) Cherry Township  
Receiving Stream(s) and Classification(s) Mill Run (EV);  
Secondary: Loyalsock Creek (EV)

ESCGP-1 # ESX11-117-0129  
Applicant Name SWEPI LP  
Contact Person James Sewell  
Address 190 Thorn Hill Road  
City, State, Zip Warrendale, PA 15086  
County Tioga County  
Township(s) Delmar Township  
Receiving Stream(s) and Classification(s) Darling Run  
(HQ, CWF, MF)

ESCGP-1 # ESX11-015-0156 (01)  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Tracy Gregory  
Address 337 Daniel Zenker Drive  
City, State, Zip Horseheads, NY 14845  
County Bradford County  
Township(s) Canton Township  
Receiving Stream(s) and Classification(s) Alba Creek  
(CWF/MF), UNT to Alba Creek (CWF/MF)

ESCGP-1 # ESX11-115-0162  
Applicant Name Cabot Oil & Gas Corporation  
Contact Person Kenneth Marcum  
Address Five Penn Center West, Suite 401  
City, State, Zip Pittsburgh, PA 15276  
County Susquehanna County  
Township(s) Springville Township  
Receiving Stream(s) and Classification(s) UNT to Meshop-  
pen Creek (CWF)

ESCGP-1 # ESX11-117-0123  
Applicant Name Seneca Resources  
Contact Person Michael Clinger  
Address 51 Zents Boulevard  
City, State, Zip Brookville, PA 15825  
County Tioga County  
Township(s) Covington Township  
Receiving Stream(s) and Classification(s) Elk Run & UNT  
to Tioga River

ESCGP-1 # ESX11-015-0084 (01)  
Applicant Name Chief Oil & Gas, LLC  
Contact Person Michael Hritz  
Address 6051 Wallace Road Ext., Suite 210  
City, State, Zip Wexford, PA 15090  
County Bradford County  
Township(s) Monroe Township  
Receiving Stream(s) and Classification(s) UNT to Ben-  
netts Creek (WWF);  
Secondary: Bennetts Creek, Susquehanna River (both  
WWF)

ESCGP-1 # ESX11-117-0125  
Applicant Name SWEPI LP  
Contact Person 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) UNT to Corey  
Creek

ESCGP-1 # ESX11-015-0271  
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) Albany and Wilmot Townships  
Receiving Stream(s) and Classification(s) Bowman Creek,  
North Branch Mehoopany Creek, Wolf Run Rock Cabin  
Run, and UNT to Bowman Creek, North Branch  
Mehoopany Creek, Wolf Run, and Sugar Run Creek (all  
CWF, MF)

ESCGP-1 # ESX11-117-0128  
Applicant Name SWEPI LP  
Contact Person James Sewell  
Address 190 Thorn Hill Road  
City, State, Zip Warrendale, PA 15086  
County Tioga County  
Township(s) Farmington Township  
Receiving Stream(s) and Classification(s) Losey Creek  
(WWF, MF)

ESCGP-1 # ESX11-117-0128  
Applicant Name SWEPI LP  
Contact Person James Sewell  
Address 190 Thorn Hill Road  
City, State, Zip Warrendale, PA 15086  
County Tioga County  
Township(s) Middlebury Township  
Receiving Stream(s) and Classification(s) Crooked Creek  
(WWF)

ESCGP-1 # ESX11-015-0272  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Tracy Gregory  
Address 337 Daniel Zenker Drive  
City, State, Zip Horseheads, NY 14845  
County Bradford County  
Township(s) Warren Township  
Receiving Stream(s) and Classification(s) Wappasening  
Creek (CWF-MF)

- ESCGP-1 # EX11-015-0269  
 Applicant Name Chief Oil & Gas LLC  
 Contact Person Michael Hritz  
 Address 6051 Wallace Road, Ext. Suite 210  
 City, State, Zip Wexford, PA 15090  
 County Bradford County  
 Township(s) Leroy Township  
 Receiving Stream(s) and Classification(s) UNT to Towanda Creek (CWF-MF), Towanda Creek (TSF-MF);  
 Secondary: Susquehanna River (WWF)
- ESCGP-1 # ESX11-015-0267  
 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) Leroy Township  
 Receiving Stream(s) and Classification(s) Towanda Creek (TSF);  
 Secondary: Susquehanna River (WWF)
- ESCGP-1 # ESX10-081-0105 (02)  
 Applicant Name Anadarko E&P Company LP  
 Contact Person Rane Wilson  
 Address 33 W. 3rd Street, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) Cascade Township  
 Receiving Stream(s) and Classification(s) Slacks Run and UNT to Joe Gray Run (EV)
- ESCGP-1 # ESX11-015-0270  
 Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Patrick Myers, Jr.  
 Address 100 Ist Center  
 City, State, Zip Horseheads, NY 14845  
 County Bradford and Sullivan Counties  
 Township(s) Wilmot and Colley Townships  
 Receiving Stream(s) and Classification(s) Sciota Brook, Tributaries to Sciota Brook and Miller Brook (CWF, MF)
- ESCGP-1 # ESX11-081-0153  
 Applicant Name Anadarko E&P Company, LP  
 Contact Person Nathan Bennett  
 Address 33 W. 3rd Street, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) Cascade Township  
 Receiving Stream(s) and Classification(s) UNT to Wallis Run (EV, MF);  
 Secondary: Wallis Run (EV, MF)
- ESCGP-1 # ESX11-015-0266  
 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) Monroe Township  
 Receiving Stream(s) and Classification(s) Schrader Creek (HQ-CWF)
- ESCGP-1 # ESX11-081-0083 (01)  
 Applicant Name Southwestern Energy Production Company  
 Contact Person Dave Sweeley  
 Address 917 State Route 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Lycoming County  
 Township(s) Cogan House and Jackson Township  
 Receiving Stream(s) and Classification(s) UNT to Blockhouse Creek, Blockhouse Creek, UNT to Flicks Run, Flicks Run, UNT to Steam Valley Run & Steam Valley Run (all EV);  
 Secondary: Blockhouse Creek (EV)
- ESCGP-1 # ESX11-081-0152  
 Applicant Name Anadarko E&P Company, LP  
 Contact Person Nathan Bennett  
 Address 33 W. 3rd Street, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) Cascade Township  
 Receiving Stream(s) and Classification(s) Joe Gray Run (EV, MF);  
 Secondary: Wallis Run (EV, MF)
- ESCGP-1 # ESX11-015-0276  
 Applicant Name Chief Oil & Gas, LLC  
 Contact Person Michael Hritz  
 Address 6051 Wallace Road, Ext., Suite 210  
 City, State, Zip Wexford, PA 15090  
 County Bradford County  
 Township(s) Franklin and Leroy Townships  
 Receiving Stream(s) and Classification(s) UNT to Towanda Creek (CWF), Towanda Creek (TSF);  
 Secondary: Susquehanna River (WWF)
- ESCGP-1 # ESX11-015-0277  
 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) Sheshequin Township  
 Receiving Stream(s) and Classification(s) Snyder Creek, Tributaries: 30830 and 30829 to Snyder Creek and Tributary 30825 to Deer Lick Creek (all WWF, MF)
- ESCGP-1 # ESX11-015-0274  
 Applicant Name Talisman Energy USA, Inc.  
 Contact Person Tracy Gregory  
 Address 337 Daniel Zenker Drive  
 City, State, Zip Horseheads, NY 14845  
 County Bradford County  
 Township(s) Wells Township  
 Receiving Stream(s) and Classification(s) UNT to Mill Creek, Mill Creek (both TSF/MF)
- ESCGP-1 # ESG11-081-0140  
 Applicant Name Chief Gathering, LLC  
 Contact Person Ted Wurfel  
 Address 6051 Wallace Road, Suite 210  
 City, State, Zip Wexford, PA 15090  
 County Lycoming and Sullivan Counties  
 Township(s) Shrewsbury Township  
 Receiving Stream(s) and Classification(s) Lick Run (CWF, MF), UNT to Lick Run (HQ-CWF, MF), Lake Run (HQ-CWF, MF), UNT to Lake Run (HQ-CWF, MF), UNT to Rock Run (HQ, CWF, MF)
- ESCGP-1 # ESX11-081-0147  
 Applicant Name Seneca Resources Corporation  
 Contact Person Michael Clinger  
 Address 51 Zents Boulevard  
 City, State, Zip Brookville, PA 15825  
 County Lycoming County  
 Township(s) McIntyre Township  
 Receiving Stream(s) and Classification(s) Yoder Hollow & Long Run (HQ-CWF);  
 Secondary: Lycoming Creek (EV, MF)
- ESCGP-1 # ESX11-117-0130  
 Applicant Name SWEPI LP  
 Contact Person James Sewell

Address 190 Thorn Hill Road  
City, State, Zip Warrendale, PA 15086  
County Tioga County  
Township(s) Chatham, Farmington and Middlebury Townships

Receiving Stream(s) and Classification(s) Eastern Portion—Croft Hollow Creek & Western Portion Losey Creek/Susquehanna River Baskin in PA (List H);  
Secondary: Crooked Creek (WWF)

ESCGP-1 # ESX11-015-0268

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) Franklin Township

Receiving Stream(s) and Classification(s) UNT to Towanda Creek (TSF);

Secondary: Susquehanna River (WWF)

ESCGP-1 # ESX11-015-0273

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) Litchfield Township

Receiving Stream(s) and Classification(s) UNT (CWF)

Satterlee Creek (CWF) Owego—Wappasening;

Secondary: Satterlee Creek (CWF)

ESCGP-1 # ESX11-081-0142

Applicant Name Chief Gathering, LLC

Contact Person Ted Wurfel

Address 6051 Wallace Road, Suite 210

City, State, Zip Wexford, PA 15090

County Lycoming County

Township(s) Cogan House Township

Receiving Stream(s) and Classification(s) UNT to Roaring

Run (EV, MF)

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335*

ESCGP-1 #ESX11-019-0106—Jefferson Twp Compressor Station

Applicant Mountain Gathering, LLC

Contact Dewey Chalos

Address 810 Houston Street

City Fort Worth State TX Zip Code 76102

County Butler Township(s) Jefferson(s)

Receiving Stream(s) and Classification(s) Thorn Creek,

Connoquenessing Creek—Other

ESCGP-1 #ESX11-083-0055—RFP Location

Applicant Chesapeake Appalachia, LLC

Contact Mr. Eric Haskins

Address 101 North Main Street

City Athens State PA Zip Code 18810

County McKean Township(s) Sergeant(s)

Receiving Stream(s) and Classification(s) UNT to West

Branch Clarion River (CWF)

ESCGP-1 #ESX11-019-0107 McGowan

Applicant Swepi, LP

Contact Mr. H. James Sewell

Address 190 Thorn Hill Road

City Warrendale State PA Zip Code 15086

County Butler Township(s) Marion(s)

Receiving Stream(s) and Classification(s) Unnamed Tributaries to Blacks Creek

ESCGP-1 #ESX11-019-0101

Applicant Rex Energy Operating Corporation

Contact Russell D Macaw

Address 476 Rolling Ridge Drive, Suite 300

City State College State PA Zip Code 16801

County Butler Township(s) Butler(s)

Receiving Stream(s) and Classification(s) UNT of Con-

noquenessing Creek/ Connoquenessing Creek—WWF

## SPECIAL NOTICES

### Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of November 2011 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>
Chad Albright	3810 Broad Avenue Altoona, PA 16601	Mitigation
Robert Anderson Radon Protection Services	282 Longstreet Drive Gettysburg, PA 17325	Mitigation
Keith Carpenter	124 Old Colony Drive Johnstown, PA 15907	Mitigation
Kent Christel	P. O. Box 651 Reading, PA 19607	Testing
Mark Droege	238 Pheasant Drive Columbia, PA 17512	Testing
Michael Franz	2624 Chronister Farm Road York, PA 17402	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Gregory Gibson	P. O. Box 733 Tannersville, PA 18372	Mitigation
Steven Gorman Mason Dixon Home Inspection Services	282 Longstreet Drive Gettysburg, PA 17325	Testing
Joseph Hagarty	1513 Woodland Road West Chester, PA 19382	Testing
Donald Hart	613 Zimmermans Hollow Road Sunbury, PA 17801	Testing & Mitigation
Greg Kopenhaver	P. O. Box 902 Blue Bell, PA 19422	Testing
Juan Lluna-Garces	1324 Crestmont Drive Downingtown, PA 19335	Testing & Mitigation
Rob Lunny Radon Protection Systems	2370 York Road, Ste. A9-C Jamison, PA 18929	Testing
Stephen Notwick	27 Jasmine Road Levittown, PA 19056	Testing
James Painter	4821 Havana Drive Pittsburgh, PA 15239	Testing
Jooik Ro	30 Sunset Drive Carlisle, PA 17013	Mitigation
Kimberly Rodman	1216 Edgewood Drive West Homestead, PA 15120	Testing
Chad Rogness	650 North Cannon Avenue Lansdale, PA 19446	Mitigation
Thomas Sebald	4638 Highview Boulevard Erie, PA 16509	Testing
Wayne Treible	19108 Spring Run Road Spring Run, PA 17262	Testing
Thomas Troutman	41 Beard Road Mechanicsburg, PA 17050	Testing
Malcolm Whipkey	1934 Overland Court Allison Park, PA 15101	Testing
Patrick Wright	650 North Cannon Avenue Lansdale, PA 19446	Mitigation

**DRINKING WATER STATE REVOLVING FUND  
SPECIAL NOTICE**

**Special Notice Under the Federal Safe Drinking  
Water Act (42 U.S.C.A. § 300f, et. seq.)**

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

*Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Volant Borough	P. O. Box 96 Volant, PA 16156	Lawrence

*Project Description:* Volant Boro—Water System Improvements Project. The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth’s State Revolving Fund, is intended to be the funding source for this project. The Authority proposes to construct a new water treatment plant with a capacity of 72,000 gpd and replace approximately 4,000 LF of waterlines and appurtenances in Volant Borough, Lawrence County, Pennsylvania. The preliminary estimated project costs are \$1,312,446.00. The Department’s review of the

project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department is hereby granting the approval of the project State Environmental Review Process.

*Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Rimersburg Borough Municipal Authority	27 Main Street Rimersburg, PA 15601	Clarion

*Project Description:* Route 68 Waterline Extension Project. The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth’s State Revolving Fund, is intended to be the funding source for this project. The Authority proposes the installation of approximately 15,000 feet of 8” PVC waterline along SR 68, Hillis Road, Reigel School Road, Carwick Road, Rock Lane, and Mim Royd Lane in Toby Township. The Rimersburg Borough Municipal Authority proposes to install these lines to service about 120 residences, tying into an existing waterline just north of the Borough of



Rimersburg. The project will serve the Toby Township area of Clarion County, Pennsylvania. The preliminary estimated project costs are \$1,458,825.00. The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department is hereby granting the approval of the project State Environmental Review Process.

[Pa.B. Doc. No. 11-2147. Filed for public inspection December 16, 2011, 9:00 a.m.]

## Board and Committee Meeting Schedules for 2012

The following is a list of 2012 meetings of advisory and other boards and committees associated with the Department of Environmental Protection (Department). These schedules and an agenda for each meeting, including meeting materials, will be available through the Public Participation Center on the Department's web site at <http://www.depweb.state.pa.us> (DEP Keywords: Public Participation, Participate). Prior to each meeting, the Department encourages individuals to visit the Department's web site to confirm meeting date, time and location.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the individual listed for each board or committee, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

### *Agricultural Advisory Board*

The Agricultural Advisory Board will hold bimonthly meetings on the following dates. The meetings will begin at 10 a.m. in Susquehanna Room A, the Department's South Central Regional Office, 909 Elmerton Avenue, Harrisburg, PA, unless otherwise noted.

February 15, 2012—10 a.m. start  
Department of Environmental Protection Laboratory Building  
2575 Interstate Drive  
Harrisburg, PA 17110

April 18, 2012  
June 20, 2012  
August 15, 2012—8 a.m. start  
Department of Agriculture  
Samuel E. Hayes, Jr.  
Livestock Evaluation Center  
1494 West Pine Grove Road  
Pennsylvania Furnace, PA 16865

October 17, 2012  
December 19, 2012

*Contact:* Frank Schneider, Bureau of Watershed Management, P. O. Box 8465, Harrisburg, PA 17105-8465, [fschneider@pa.gov](mailto:fschneider@pa.gov) or (717) 772-5972.

### *Air Quality Technical Advisory Committee*

The Air Quality Technical Advisory Committee will meet at 9:15 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

January 12, 2012  
February 9, 2012  
April 12, 2012  
June 14, 2012  
August 2, 2012  
October 11, 2012  
December 13, 2012

*Contact:* Arleen Shulman, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, [ashulman@pa.gov](mailto:ashulman@pa.gov) or (717) 772-3436.

### *Board of Coal Mine Safety*

The 2012 meetings of the Board of Coal Mine Safety have not been scheduled. Notices for upcoming meetings will be published in future issues of the *Pennsylvania Bulletin*.

*Contact:* Allison Gaida, Bureau of Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401, [agaida@pa.gov](mailto:agaida@pa.gov) or (724) 439-7469.

### *Certification Program Advisory Committee (for Water and Wastewater System Operators)*

The 2012 meetings of the Certification Program Advisory Committee have not been scheduled. Notices for upcoming meetings will be published in future issues of the *Pennsylvania Bulletin*.

*Contact:* Cheri Sansoni, Bureau of Water Standards and Facility Regulation, Certification and Licensing, P. O. Box 8454, Harrisburg, PA 17105-8454, [csansoni@pa.gov](mailto:csansoni@pa.gov) or (717) 772-5158.

### *Citizens Advisory Council*

Meetings of the Citizens Advisory Council (CAC) are held on the third Tuesday of the month in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meetings typically begin at 11 a.m. The CAC does not meet in August and December. The meeting dates are as follows:

January 17, 2012—meeting cancelled  
February 21, 2012  
March 20, 2012  
April 17, 2012  
May 15, 2012  
June 19, 2012  
July 17, 2012  
September 18, 2012  
October 16, 2012  
November 20, 2012

*Contact:* Marsha Lohr, Citizens Advisory Council, P. O. Box 2063, Harrisburg, PA 17105-2063, [marlohr@pa.gov](mailto:marlohr@pa.gov) or (717) 783-2300.

### *Cleanup Standards Scientific Advisory Board*

Meetings of the Cleanup Standards Scientific Advisory Board will be held in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, and will be held from 9 a.m. until 3 p.m. The meeting dates are as follows:

March 21, 2012  
July 11, 2012  
December 6, 2012

*Contact:* Marilyn Wooding, P. O. Box 8471, Harrisburg, PA 17105-8471, [mwooding@pa.gov](mailto:mwooding@pa.gov) or (717) 783-7816.

### *Climate Change Advisory Committee*

Meetings of the Climate Change Advisory Committee will be held in Room 105, Rachel Carson State Office

Building, 400 Market Street, Harrisburg, PA, and will be held from 10 a.m. until 3 p.m. The meeting dates are as follows:

January 26, 2012  
 March 22, 2012  
 May 24, 2012  
 July 26, 2012  
 September 27, 2012  
 November 29, 2012

As the need arises, additional meetings may be added. Meetings may be moved to the Delaware Room, 16th Floor, for informational WebEx meetings.

*Contact:* Joseph Sherrick, Department of Environmental Protection, Climate Change Program, Bureau of Air Quality, josherrick@pa.gov or (717) 787-2030.

#### *Coal and Clay Mine Subsidence Insurance Fund Board*

Meetings of the Coal and Clay Mine Subsidence Insurance Fund Board will be held in the 10th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, and will begin at 10 a.m. The meeting dates are as follows:

April 10, 2012  
 December 11, 2012

*Contact:* Lawrence Ruane, Bureau of Mining and Reclamation, P. O. Box 8461, Harrisburg, PA 17105-8461, lruane@pa.gov or (717) 783-9590.

#### *Coastal Zone Advisory Committee*

Meetings of the Coastal Zone Advisory Committee will be held in the 10th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, and will begin at 9:30 a.m. The meeting dates are as follows:

January 11, 2012  
 June 6, 2012

*Contact:* Sabrina Stanwood, Interstate Waters Office, P. O. Box 2063, Harrisburg, PA 17105-2063, sstandwood@pa.gov or (717) 772-5622.

#### *Environmental Justice Advisory Board*

Meetings of the Environmental Justice Advisory Board (EJAB) are held quarterly in the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meetings will be held from 8:30 a.m. until 3:30 p.m. The EJAB meets four times a year. The meeting dates are as follows:

February 21, 2012—14th Floor Conference Room  
 May 1, 2012—Room 105  
 August 7, 2012—Room 105  
 November 13, 2012—Delaware Room

*Contact:* Marsha Lohr, Office of Environmental Advocate, Rachel Carson State Office Building, P. O. Box 2063, Harrisburg, PA 17105-2063, marlohr@pa.gov or (717) 783-2300.

#### *Environmental Quality Board*

Meetings of the Environmental Quality Board will be held in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, and will begin at 9 a.m. Meetings will only be held when there are a sufficient number of agenda items for consideration. The meeting dates are as follows:

January 17, 2012  
 February 21, 2012  
 March 20, 2012  
 April 17, 2012  
 May 15, 2012  
 June 19, 2012  
 July 17, 2012  
 August 21, 2012  
 September 18, 2012  
 October 16, 2012  
 November 20, 2012  
 December 18, 2012

*Contact:* Michele Tate, Environmental Quality Board, P. O. Box 8477, Harrisburg, PA, 17105-8477, mtate@pa.gov or (717) 783-8727.

#### *Laboratory Accreditation Advisory Committee*

The 2012 meetings of the Laboratory Accreditation Advisory Committee have not been scheduled. Notices for upcoming meetings will be published in future issues of the *Pennsylvania Bulletin*.

*Contact:* Aaren Shaffer Alger, Bureau of Laboratories, P. O. Box 1467, Harrisburg, PA 17105-1467, aaalger@pa.gov or (717) 346-7200.

#### *Laurel Hill/Back Creek Critical Area Advisory Committee Meeting*

The Laurel Hill/Back Creek Critical Area Advisory Committee (CAAC), associated with the Department, will meet from 9:30 a.m. until 12 p.m. at Seven Springs Lodge, Seven Springs, PA. The meeting dates are as follows:

January 12, 2012  
 February 8, 2012  
 March 14, 2012  
 April 12, 2012  
 May 9, 2012  
 June 13, 2012

The CAAC was created by the Ohio Regional Water Resources Committee under 27 Pa.C.S. Chapter 31 (relating to water resources planning) to help guide the development of a Critical Area Resource Plan (CARP). The Department has designated Laurel Hill and Back Creeks as Critical Water Planning Areas. The Department will work with the local CAAC and the Ohio Regional Water Resources Committee to develop a CARP for both watersheds.

*Contact:* Jay Braund, Bureau of Water Planning, P. O. Box 2063, Harrisburg, PA 17105-2063, jbraund@pa.gov or (717) 783-2402.

#### *Low-Level Waste Advisory Committee*

The Low-Level Waste Advisory Committee will meet on October 5, 2012, from 10 a.m. until 12:30 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

*Contact:* Rich Janati, Bureau of Radiation Protection, P. O. Box 8469, Harrisburg, PA 17105-8469, rjanati@pa.gov or (717) 787-2147.

#### *Marsh/Rock Creek Critical Area Advisory Committee Meeting*

The Marsh/Rock Creek CAAC, associated with the Department, will meet at the Adams County Agricultural Center, 670 Harrisburg Road, Gettysburg, PA. The meeting dates and times are as follows:

January 11, 2012—1 p.m. to 3 p.m.  
 February 15, 2012—9 a.m. to 3 p.m.  
 April 11, 2012—1 p.m. to 3 p.m.  
 July 11, 2012—1 p.m. to 3 p.m.

The CAAC was created by the Potomac Regional Water Resources Committee under 27 Pa.C.S. Chapter 31 to help guide the development of a CARP. The Department has designated Marsh and Rock Creeks as Critical Water Planning Areas. The Department will work with the local CAAC and the Potomac Regional Water Resources Committee to develop a CARP for both watersheds.

*Contact:* Heidi Moltz, Interstate Commission of the Potomac River Basin, 51 Monroe Street, Suite PE-08, Rockville, MD 20850, hmoltz@icprb.org or (301) 274-8116.

#### *Mine Families First Response and Communications Advisory Council*

The Mine Families First Response and Communications Advisory Council is scheduled to hold its annual meeting at 10 a.m. on April 24, 2012, in the Fayette County Health Center in Uniontown, PA.

*Contact:* Allison Gaida, Bureau of Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401, agaida@pa.gov or (724) 439-7469.

#### *Mining and Reclamation Advisory Board*

Meetings of the Mining and Reclamation Advisory Board are held quarterly in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, unless otherwise noted. The meeting dates are as follows:

January 5, 2012  
 April 26, 2012  
 July 12, 2012—Annual Field Trip, site to be determined  
 October 25, 2012

*Contact:* James Charowsky, Bureau of Mining and Reclamation, P. O. Box 8461, Harrisburg, PA 17105-8461, jcharowsky@pa.gov or (717) 787-7007.

#### *Oil and Gas Technical Advisory Board*

The Oil and Gas Technical Advisory Board meetings will be held from 10 a.m. until 1 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 16, 2012  
 May 16, 2012  
 August 15, 2012  
 November 15, 2012

*Contact:* Darek Jagiela, Bureau of Oil and Gas Planning and Program Management, P. O. Box 8765, Harrisburg, PA 17105-8765, djagiela@pa.gov or (717) 783-9645.

#### *Radiation Protection Advisory Committee*

Meetings of the Radiation Protection Advisory Committee will be held from 9 a.m. until 3 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

May 17, 2012  
 October 18, 2012

*Contact:* Joseph Melnic, Bureau of Radiation Protection, P. O. Box 8469, Harrisburg, PA 17105-8469, jmelnic@pa.gov or (717) 787-3720.

#### *Recycling Fund Advisory Committee*

The Recycling Fund Advisory Committee will meet on the date listed as follows. The meeting is expected to

begin at 10 a.m. and will be held in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

September 13, 2012 (annual meeting with Solid Waste Advisory Committee)

*Contact:* Patricia Stape, Bureau of Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471, pstape@pa.gov or (717) 787-9871.

#### *Sewage Advisory Committee*

Meetings of the Sewage Advisory Committee will be held in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, and will usually begin at 10:30 a.m. The meeting dates are as follows:

March 7, 2012  
 July 11, 2012  
 November 7, 2012

*Contact:* John Diehl, Chief, Act 537 Management, Bureau of Water Standards and Facility Regulation, P. O. Box 8774, Harrisburg, PA 17105-8774, jdiehl@pa.gov or (717) 783-2941.

#### *Small Business Compliance Advisory Committee*

Meetings of the Small Business Compliance Advisory Committee are held quarterly in the 12th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, and will begin at 10 a.m. The meeting dates are as follows:

January 25, 2012  
 April 25, 2012  
 July 25, 2012  
 October 24, 2012

*Contact:* Susan Foster, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, sufoster@pa.gov or (717) 787-7019.

#### *Solid Waste Advisory Committee*

The Solid Waste Advisory Committee meetings will be held in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, and will be held from 10 a.m. until 3 p.m. The meeting dates are as follows:

March 8, 2012  
 June 7, 2012  
 September 13, 2012 (annual meeting with Recycling Fund Advisory Committee)

*Contact:* Patricia Stape, Bureau of Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471, pstape@pa.gov or (717) 787-9871.

#### *State Board for Certification of Sewage Enforcement Officers*

The 2012 meetings of the State Board for Certification of Sewage Enforcement Officers have not been scheduled. Notices for upcoming meetings will be published in future issues of the *Pennsylvania Bulletin*.

*Contact:* Cheri Sansoni, Bureau of Water Standards and Facility Regulation, Certification and Licensing, P. O. Box 8454, Harrisburg, PA 17105-8454, csansoni@pa.gov or (717) 772-5158.

#### *Statewide Water Resources Committee*

The 2012 meetings of the Statewide Water Resources Committee have not been scheduled. Notices for upcoming meetings will be published in future issues of the *Pennsylvania Bulletin*.

*Contact:* Lori Mohr, Interstate Waters Office, P. O. Box 2063, Harrisburg, PA 17105-2063, laumohr@pa.gov or (717) 787-4628.

#### *Storage Tank Advisory Committee*

Meetings of the Storage Tank Advisory Committee will be held in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, and will begin at 10 a.m. Meetings will only be held when there are a sufficient number of agenda items for consideration. The meeting dates are as follows:

March 6, 2012  
June 5, 2012  
September 11, 2012  
December 4, 2012

*Contact:* Charles M. Swokel, Chief, Division of Storage Tanks, Bureau of Environmental Cleanup and Brownfields, P. O. Box 8762, Harrisburg, PA 17105-8762, cswokel@pa.gov or (717) 772-5806 or (800) 428-2657 ((800) 42-TANKS) within this Commonwealth.

#### *Technical Advisory Committee on Diesel-Powered Equipment*

Meetings of the Technical Advisory Committee on Diesel-Powered Equipment will be held at 10 a.m. in the Fayette County Health Center in Uniontown, PA. The meeting dates are as follows:

January 11, 2012  
April 11, 2012  
July 11, 2012  
October 10, 2012

*Contact:* Allison Gaida, Bureau of Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401, agaida@pa.gov or (724) 439-7469.

#### *Water Resources Advisory Committee*

Meetings of the Water Resources Advisory Committee will be held at 9:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

January 11, 2012  
April 11, 2012  
July 12, 2012  
October 10, 2012

*Contact:* Duke Adams, Office of Water Management, P. O. Box 2063, Harrisburg, PA 17105-2063, ranadams@pa.gov or (717) 783-7404.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 11-2148. Filed for public inspection december 16, 2011, 9:00 a.m.]

### **Issuance of a General Permit to Conduct Research and Development Involving the Beneficial Use of Residual Waste (WMGR097R017)**

Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and residual waste regulations for a General Permit to operate residual waste processing facilities and the beneficial use of residual waste other than coal ash, the Department of Environmental Protection (Department) by this notice informs the public of the issuance of General Permit Number WMGR097R017 to

Clean Earth, Inc., 334 South Warminster Road, Hatboro, PA 19040; Site: 212 Colvin Road, Williamsport, PA 17701. This permit is for research and development activities to support the processing prior to beneficial use of residual waste. The project involves stabilizing drill cuttings using cement, diatomaceous earth, soils, sands, clays, vermiculite, lime, lime kiln dust, cement kiln dust and coal ash for beneficial use at brownfield remediation sites. The permit was issued by the Department on November 29, 2011.

Persons interested in reviewing the general permit may contact Scott E. Walters, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 11-2149. Filed for public inspection December 16, 2011, 9:00 a.m.]

### **Nutrient Credit Trading Program; Notice of Certification Request**

The Department of Environmental Protection (Department) provides notice of the following certification request that has been submitted under the Nutrient Credit Trading Program (Trading Program). See 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed), published at 40 Pa.B. 5790 (October 9, 2010).

Nutrient credit trading is a market-based program that provides incentives for entities to create nutrient reduction credits (credits) by going beyond statutory, regulatory or voluntary obligations and goals to remove nutrients from a watershed. The credits can be traded to help others more cost-effectively meet their obligations or goals. The primary purpose of the Trading Program is to provide for more efficient ways for National Pollutant Discharge Elimination System (NPDES) permittees to meet their effluent limits for nutrients.

The information described in this notice relates to a certification request submitted from November 21, 2011, through November 30, 2011.

#### *Background*

Before a credit can be used by an NPDES permittee, a three-step process is followed: (1) the certification request must be approved; (2) generation of the credits must be verified; and (3) the credits must be registered.

Approval is also known as certification, which is a written approval by the Department for the use of a pollutant reduction activity to generate credits. Certifications are based on at least: (1) a written request describing the qualifying pollutant reduction activity that will reduce the pollutant loadings delivered to the applicable watershed; (2) the calculation to quantify the pounds of reductions expected; and (3) a verification plan that, when implemented, ensures that the qualifying pollutant reduction activity has taken place.

Once the credits are certified, they must be verified to be applied toward an NPDES permit for compliance with effluent limits. Verification means implementation of the verification plan contained in the certification. Verification plans require annual submittal of documentation to the Department that demonstrates that the qualifying pollutant reduction activity has taken place for the applicable compliance year.

The credits also need to be registered by the Department before they can be applied toward an NPDES permit for compliance with effluent limits. Registration occurs only after credits have been certified, verified and a contract has been submitted. The Department registers credits for use during the compliance year in which the qualifying pollutant reduction activity has taken place. The Department provides registered credits with an annual registry number for reporting and tracking purposes.

*Certification Request*

The following request is being reviewed by the Department. The Department will accept written comments on this proposed pollutant reduction activity for 30 days.

*Applicant*

TeamAg, Inc. on behalf of Oregon Dairy Farm, LLC and in coordination with Lancaster Farmland Trust

*Pollution Reduction Activity Description*

This certification request is for nutrient reduction credits to be generated from the pollutant reduction activity of continuous no-till and cover crops.

*Written Comments*

Interested persons may submit written comment on this proposed pollutant reduction activity by January 17, 2012. The Department will accept comments submitted by e-mail, but comments submitted by facsimile will not be accepted. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Ann Roda, Interstate Waters Office, Department of Environmental Protection, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4785, aroda@pa.gov.

For further information about this certification request or the Trading Program contact Ann Roda, at the previ-

ously listed address or phone number or visit the Department's web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keywords: "Nutrient Trading").

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 11-2150. Filed for public inspection December 16, 2011, 9:00 a.m.]

**Nutrient Credit Trading Program; Notice of Registration**

The Department of Environmental Protection (Department) provides notice of the following credit registrations recorded under the Nutrient Credit Trading Program (Trading Program). The request for registrations were submitted under 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed), published at 40 Pa.B. 5790 (October 9, 2010).

Nutrient trading is a market-based program that provides incentives for entities to create nutrient reduction credits by going beyond statutory, regulatory or voluntary obligations and goals by removing nutrients from a watershed. The credits can be traded to help others more cost-effectively meet their obligations or goals. The primary purpose of the Trading Program is to provide for more efficient ways for National Pollutant Discharge Elimination System permittees to meet their effluent limits for nutrients and sediment. Currently, the focus of the program is on the Chesapeake Bay Watershed.

This notice relates to the registrations of credits through November 30, 2011. For background information related to these credits, see the Department's certifications published at:

- 40 Pa.B. 5021 (August 28, 2010)—ElectroCell Technologies, Inc.
- 41 Pa.B. 3939 (July 16, 2011)—Wyoming Valley Sanitary Authority

The Department has registered the following credits.

<i>Seller/Generator</i>	<i>Location of Use</i>	<i>Credits Registered</i>	<i>Credit Generating Activity / Generator</i>	<i>Compliance Year</i>
ElectroCell Technologies, Inc.	Elkland Borough, Elkland, PA	1,722 Nitrogen	The operation of the Patz® OZy™ unit on a farm located in Lancaster County and the land applied nutrients.	October 2010—September 2011
Mercuria Energy America, Inc. (Wyoming Valley Sanitary Authority)	Municipal Authority of the Town of Bloomsburg, Bloomsburg, PA	13 Phosphorus	Wyoming Valley Sanitary Authority's installed treatment process.	October 2010—September 2011
Mercuria Energy America, Inc. (Wyoming Valley Sanitary Authority)	Borough of Highspire, Highspire, PA	558 Phosphorus	Wyoming Valley Sanitary Authority's installed treatment process.	October 2010—September 2011

For further information about these registrations or the Trading Program, contact Ann Roda, Interstate Waters Office, Department of Environmental Protection, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4726, aroda@pa.gov or visit the Department's web site at www.depweb.state.pa.us (DEP Keywords: "Nutrient Trading").

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 11-2151. Filed for public inspection December 16, 2011, 9:00 a.m.]

### **Pennsylvania's Draft Phase 2 Chesapeake Bay Watershed Implementation Plan**

The United States Environmental Protection Agency (EPA) published on December 29, 2010, the Chesapeake Bay Total Maximum Daily Load (TMDL) for nutrients (nitrogen and phosphorus) and sediment. The six watershed states and the District of Columbia submitted Phase 1 Chesapeake Watershed Implementation Plans (WIP) to show how the states and the District of Columbia, in partnership with Federal and local governments, will achieve and maintain the TMDL nitrogen, phosphorus and sediment limits necessary to meet Chesapeake Bay water quality standards.

Pennsylvania's Phase 1 Chesapeake WIP (Phase 1 WIP) outlined the State's plan to address nutrient and sediment loadings that drain to the Chesapeake Bay. The Phase 1 WIP was prepared following the EPA's November 4, 2009, guidance that outlined their expectations for WIPs, and was revised based on public comments, workgroup input and comments received from the EPA. Pennsylvania's Phase 1 WIP was prepared to address the EPA's expectations for the TMDL. The Phase 1 WIP is based on a foundation that addresses three core elements: 1) milestone implementation and tracking; 2) supporting the implementation of advanced technologies and nutrient trading; and 3) enhancing common sense compliance efforts. The Phase 1 WIP was prepared through an open process that solicited significant input from a variety of constituency groups.

The EPA announced on August 1, 2011, revised nutrient and sediment allocations for the Chesapeake Bay TMDL. The allocations are the result of the EPA's development of a revised Chesapeake Bay Watershed Model. Using the revised allocations, the EPA's "Guide for Chesapeake Bay Jurisdictions for the Development of Phase II Watershed Implementation Plans" issued on March 30, 2011, and the EPA's October 17, 2011, "Questions & Answers: Phase 2 WIPs," the EPA expects the states to develop a Phase 2 WIP so that local partners: (1) are aware of the WIP strategies; (2) understand their contribution to meeting the TMDL allocations; and (3) have been provided the opportunity to suggest any refinements to the WIP strategies. The EPA has established a December 15, 2011, deadline for submission of the draft Phase 2 Chesapeake WIP, and a March 30, 2012, deadline for the final plan. The EPA expects the Phase 2 Chesapeake WIP to contain greater detail about the first stage of implementation, which will last from when the EPA established the Chesapeake Bay TMDL in December 2010 until 2017.

The Department of Environmental Protection (Department) submitted the Commonwealth's draft Phase 2 WIP to the EPA on December 15, 2011. In developing the draft Phase 2 WIP, the process provided a valuable opportunity for the Department to interact with Commonwealth leaders from local-level organizations such as conservation districts, municipalities, planning commissions and authorities. The Department's general approach was to engage groups in discussions about the level of effort needed to meet TMDL goals. The discussions resulted in the Department receiving valuable new input and ideas that shaped the formation of this draft Phase 2 WIP.

Interested persons are invited to submit written comments regarding the draft Phase 2 WIP from December 17, 2011, through January 30, 2012. Notice of availability of the draft Phase 2 WIP for public comment has been posted on the Department's web site at www.depweb.state.pa.us (DEP Keywords: Chesapeake Bay). Comments submitted by facsimile will not be accepted. Written comments should be submitted to the Department of Environmental Protection, Interstate Waters Office, P. O. Box 2063, Harrisburg, PA 17105-2063 or ep-chesapeakebayprogram@pa.gov. A return name and address must be included in each e-mail transmission.

Questions regarding the draft Phase 2 WIP should be directed to the Interstate Waters Office at (717) 772-4785 or at the e-mail address provided previously.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 11-2152. Filed for public inspection December 16, 2011, 9:00 a.m.]

## **DEPARTMENT OF HEALTH**

### **Long-Term Care Nursing Facilities; Requests for Exception**

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Corry Manor  
640 Worth Street  
Corry, PA 16407  
FAC ID 815002

The following long-term care nursing facility is seeking an exception to 28 Pa. Code §§ 205.10(d), 205.19(b) and 205.33(b) (relating to doors; windows and windowsills; and utility room):

St. Ignatius Nursing Home  
4401 Haverford Avenue  
Philadelphia, PA 19104  
FAC ID 450602

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.20(f) (relating to resident bedrooms):

St. Francis Country House  
1412 Lansdowne Avenue  
Darby, PA 19023-1218  
FAC ID 190502

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

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 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 11-2153. Filed for public inspection December 16, 2011, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Receipt of Applications for Funding under the Section 5310 Program for Fiscal Year 2011-2012

The Department of Transportation, Bureau of Public Transportation, under the authority in section 5310 of the Federal Transit Laws (49 U.S.C.A. § 5310), gives notice that it will receive applications for the State-administered Section 5310 Program (program). Under this program, private nonprofit organizations and designated public bodies may apply for Federal capital assistance to pay up to 80% of the purchase cost of new wheelchair accessible small transit vehicles and other equipment used to provide needed transportation services for senior citizens and persons with disabilities who cannot be reasonably accommodated by existing transportation providers. Additional information can be obtained by contacting Ben Brosius of the Bureau of Public Transportation, (717) 787-1211, bbrosius@pa.gov.

BARRY J. SCHOCH, P.E.,  
*Secretary*

[Pa.B. Doc. No. 11-2154. Filed for public inspection December 16, 2011, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### 2012 Public Meeting Schedule

The Independent Regulatory Review Commission (Commission) will hold public meetings in 2012 as follows:

January 12, 2012	10 a.m.	14th Floor Conference Room 333 Market Street
January 26, 2012	10 a.m.	14th Floor Conference Room 333 Market Street
February 9, 2012	10 a.m.	14th Floor Conference Room 333 Market Street
February 23, 2012	10 a.m.	14th Floor Conference Room 333 Market Street
March 15, 2012	10 a.m.	14th Floor Conference Room 333 Market Street
April 5, 2012	10 a.m.	14th Floor Conference Room 333 Market Street
April 19, 2012	10 a.m.	14th Floor Conference Room 333 Market Street
May 17, 2012	10 a.m.	14th Floor Conference Room 333 Market Street
June 7, 2012	10 a.m.	14th Floor Conference Room 333 Market Street
June 21, 2012	10 a.m.	14th Floor Conference Room 333 Market Street
July 19, 2012	10 a.m.	14th Floor Conference Room 333 Market Street
August 2, 2012	10 a.m.	14th Floor Conference Room 333 Market Street
August 16, 2012	10 a.m.	14th Floor Conference Room 333 Market Street
September 20, 2012	10 a.m.	14th Floor Conference Room 333 Market Street

October 4, 2012	10 a.m.	14th Floor Conference Room 333 Market Street
October 18, 2012	10 a.m.	14th Floor Conference Room 333 Market Street
November 1, 2012	10 a.m.	14th Floor Conference Room 333 Market Street
November 15, 2012	10 a.m.	14th Floor Conference Room 333 Market Street
December 13, 2012	10 a.m.	14th Floor Conference Room 333 Market Street

Individuals planning on attending or speaking at a public meeting should notify the Commission no later than 72 hours prior to the date of the meeting. For any changes to the meeting schedule, refer to the Commission web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us). If an executive session is deemed necessary, it shall be held immediately following the close of the public meeting in the 14th Floor Conference Room, 333 Market Street, Harrisburg. Persons in need of special accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Cheryl Yohn at (717) 783-5419.

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 11-2155. Filed for public inspection December 16, 2011, 9:00 a.m.]

**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 regulation. The agencies 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>
125-156	Pennsylvania Gaming Control Board Practice and Procedure; Server Supported Slot Systems; Compulsive and Problem Gambling 41 Pa.B. 5373 (October 8, 2011)	11/7/11	12/7/11

**Pennsylvania Gaming Control Board  
Regulation #125-156 (IRRC #2914)**

**Practice and Procedure; Server Supported Slot  
Systems; Compulsive and Problem Gambling**

**December 7, 2011**

We submit for your consideration the following comments on the proposed rulemaking published in the October 8, 2011 *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 Pennsylvania Gaming Control Board (Board) to respond to all comments received from us or any other source.

**1. Section 403a.7. Temporary emergency orders.—  
Clarity.**

*Subsection (h)*

This subsection states an informational hearing will be held at “a location determined by the Executive Director or a designee.” How will the notice of the location be conveyed to the person affected? Is this notice required to be in writing?

*Existing Subsection (l)*

Existing Subsection (l) discusses required procedures relating to the disposition of a temporary emergency order, and included in Paragraphs (2) and (3) is the role of the Office of Enforcement Counsel. In the Preamble, the Board explains it is proposing to delete Subsection (l) because it is duplicative of hearing procedures in Chapter 494a. We did not find any direct reference to the Office of Enforcement Counsel in Chapter 494a. The Board should explain how the role of the Office of Enforcement Counsel is adequately addressed in Chapter 494a.

*Existing Subsection (o)*

This existing subsection states that “any resolution adopted is a final order of the Board for purposes of appeal.” In the Preamble, the Board states this provision is being deleted since the forms of service are addressed in Section 491a.5. While Section 491a.5 addresses service, it does not appear to contain an equivalent provision stating “any resolution adopted is a final order of the Board for purposes of appeal.” The Board should review the deletion of existing Subsection (o) and further explain why this provision is not needed.



**2. Section 437a.2. Gaming service provider registration applications.—Clarity.**

Subsection (e) requires reimbursement for “additional” costs. It is not clear what costs are involved and what specific “additional” costs must be reimbursed. The same concern applies to Subsection 437a.3(c). The Board should clarify these provisions.

**3. Section 461a.1. Definitions.—Clarity.**

Section 1.7(e) of the *Pennsylvania Code and Bulletin Style Manual* states, “The term being defined may not be included as part of the definition.” The definitions of “server supported slot machine,” “server supported slot system” and “slot machine server” use the terms being defined. We recognize that these definitions are being moved from existing Subsection 461a.20(a) and are similar to the existing definitions. However, for clarity, we ask the Board to review these definitions and amend them to conform to the *Pennsylvania Code and Bulletin Style Manual*.

**4. Section 461a.20. Server supported slot systems.—Clarity and Ambiguity.**

*Clarity of approvals*

Throughout this proposed section, licensed facilities that hold table game operation certificates (certificate holders) are required to obtain certain approvals from the Board or the Bureau of Gaming Laboratory Operations. For example, Section 461a.20(g) states, in part, the following: “. . . terminals in secure, restricted locations within the licensed facility as approved by the Bureau of Gaming Laboratory Operations.” We are concerned that the proposed rulemaking does not include the procedures for obtaining the necessary approvals. To assist the regulated community in understanding how to submit the requests for certain approvals, we suggest that the final-form regulation include the procedures or appropriate cross-references to where the procedures can be found. We have identified the following sections that contain references to approvals:

- § 461a.20(b)(1)
- § 461a.20(e)
- § 461a.20(f)
- § 461a.20(g)
- § 461a.20(k)(1)
- § 461a.20(m)
- § 461a.20(n)

*General requirements in this chapter*

Subsection (a) states a licensee may use a server supported slot system that complies with Section 461a.7 “and the general requirements of this chapter.” The phrase “and the general requirements of this chapter” is vague. The Board should either delete this phrase or replace it with specific cross-references to the provisions a server supported slot system must meet.

*As directed by the Board*

Paragraph (a)(2) requires a server supported slot system to automatically verify the authenticity of copies every 24 hours “and as directed by the Board.” It is not clear what the phrase “and as directed by the Board” means. As written, this phrase could supersede the requirements of the regulation. We recommend deleting this phrase.

**5. Section 491a.2. Definitions.—Clarity.**

The Board should review the definition of “consent agreement.” It is not clear what is intended by the phrase “a voluntary agreement or proposal to an act . . .”

**6. Section 493a.9. Preliminary motions.—Need; Clarity.**

Existing Subsection (f) states it “supplements” 1 Pa. Code §§ 35.177—35.180. The Board is amending Subsection (f) to state it now “supersedes” 1 Pa. Code §§ 35.177—35.180. Similar amendments are shown in Subsections 493a.10(e) and 494a.4(e). We did not see an explanation of these amendments in the Preamble. Why is the Board making these amendments?

**7. Section 494a.7. Exceptions.—Reasonableness.**

We question whether this section allows enough time for the presiding officer to issue a supplemental report and recommendation. A response can be filed under Subsection (d) on day 15 after the date of service of the exceptions. Under Subsection (f), the presiding officer must issue a supplemental report and recommendation “within 20 days of receipt of exceptions unless exigent circumstances require a longer period of time.” Under these timeframes, the presiding officer may only have five days after receiving a response to exceptions to issue a supplemental report and recommendation. We are concerned that in practice it may be more common to extend the 20-day time period than to meet it. We recommend that the Board review the timeframes in Section 494a.7 and explain why they are reasonable.

**8. Section 495a.2. Form of documents.—Reasonableness.**

Subsection (a), as amended, states the Board may establish requirements for pleadings filed with the Clerk and Subsection (b) states that Subsection (a) supersedes 1 Pa. Code § 33.2. As amended, Section 495a.2 would allow the Board to amend the requirements without notice and no longer state how a person can find the most current requirements. We recommend that the Board either not amend Section 495a.2 or, alternatively, amend it so that persons can readily receive notice of the Board’s requirements and comply with it.

**9. Section 495a.6. Number of copies.—Clarity.**

Subsection (b) provides for electronic filings, but does not specify what types of electronic filings the Board will accept, such as email. We recommend that this section specify or cross-reference what electronic filings will be accepted.

**10. Section 501a.4. Reports.—Clarity.**

Subparagraph (b)(4)(v) is vague by requiring “other information as requested by the Director of OCPG.” The Board should delete this subparagraph or amend it to require specific information related to the annual summary.

**11. Section 511a.3. Criteria for exclusion.—Clarity.**

Subparagraph (a)(4)(iv) uses the vague phrase “in close proximity” to the licensed facility. It is not clear what would constitute a violation of this provision. The Board should replace the phrase “in close proximity” with a clear standard so that the regulated community can comply and the Board can enforce this standard.

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 11-2156. Filed for public inspection December 16, 2011, 9:00 a.m.]

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained from the Commission's web site, [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

#### Final-Form

Reg. No.	Agency/Title	Received	Public Meeting
16A-4931	State Board of Medicine Perfusionist	12/6/11	1/12/12

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 11-2157. Filed for public inspection December 16, 2011, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Aetna Health, Inc. (HMO); Premium Rate Filing for Pennsylvania Individual Advantage Plans

On November 22, 2011, Aetna Health, Inc. submitted a filing for the Individual Advantage Plans, requesting an overall aggregate rate increase of 2.3% with additional rate increases to be implemented on a quarterly basis on policy anniversaries over the subsequent three calendar quarters. The filing will affect approximately 19,169 policyholders. An effective date of April 1, 2012, is requested.

In addition, the filing proposes certain benefit enhancements.

Unless formal administrative action is taken prior to February 29, 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](http://www.insurance.pa.gov). To access the filing, under "How to Find . . ." click on "View Current Rate Filings."

Copies of the filing are also available for public inspection during normal working hours, by appointment, at the Department's Harrisburg Regional Office.

Interested parties are invited to submit written comments, suggestions or objections to James Sabater, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, [jsabater@pa.gov](mailto:jsabater@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 11-2158. Filed for public inspection December 16, 2011, 9:00 a.m.]

### Coal Mine Compensation Rating Bureau; Workers' Compensation Loss Cost Filing

On December 1, 2011, the Insurance Department received from the Coal Mine Compensation Rating Bureau (CMCRB) a filing for a loss cost level change for Workers' Compensation insurance. This filing is made in accordance with section 705 of the act of July 2, 1993 (P. L. 190, No. 44). The CMCRB requests an overall 17% decrease in collectible loss costs, effective April 1, 2012, on a new and renewal basis. Also, the CMCRB has calculated the

Employer Assessment Factor effective April 1, 2012, to be 2.24%, as compared to the currently approved provision of 1.88%.

The entire April 1, 2012, loss cost filing is available for review on the CMCRB's web site at [www.cmcrbpa.com](http://www.cmcrbpa.com) under "Filings."

Interested parties are invited to submit written comments, suggestions or objections to Eric Zhou, Insurance Department, Office of Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [gzhou@pa.gov](mailto:gzhou@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 11-2159. Filed for public inspection December 16, 2011, 9:00 a.m.]

### Geisinger Health Plan; Employer Group HMO (with Fewer than 51 Employees) Rate Filing

Geisinger Health Plan requests approval to increase the Employer Group (with fewer than 51 employees). The average requested rate increase is 9.7%. The proposed rate increase would affect approximately 11,307 members and would produce additional revenue of about \$3.7 million annually. The requested effective date of the change is April 1, 2012.

Unless formal administrative action is taken prior to March 1, 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](http://www.insurance.pa.gov). To access the filing, under "How to Find . . ." click on "View Current Rate Filings."

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, 1311 Strawberry Square, Harrisburg, PA 17120, [rmathur@state.pa.us](mailto:rmathur@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 11-2160. Filed for public inspection December 16, 2011, 9:00 a.m.]

### Geisinger Health Plan; Employer Group HMO (with 51 or More Employees) Rate Filing

Geisinger Health Plan requests approval to increase the Employer Group (with 51 or more employees). The average requested rate increase is 7.2%. The proposed rate increase would affect approximately 23,559 members and would produce additional revenue of about \$6.7 million annually. The requested effective date of the change is April 1, 2012.

Unless formal administrative action is taken prior to March 1, 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](http://www.insurance.pa.gov). To access the filing, under "How to Find . . ." click on "View Current Rate Filings."

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, 1311 Strawberry Square, Harrisburg, PA 17120, [rmathur@state.pa.us](mailto:rmathur@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 11-2161. Filed for public inspection Decemner 16, 2011, 9:00 a.m.]

### Geisinger Health Plan HMO; Individual, Grange and Association Base Rates; Rate Filing

On November 30, 2011, Geisinger Health Plan submitted a rate filing to increase the premium rates for the Individual HMO Product. The plan proposes to increase the rates by 9.60%.

This filing will affect approximately 4,131 members and produce additional premium income of about \$1.2 million annually. The requested effective date of the change is April 1, 2012.

Unless formal administrative action is taken prior to February 22, 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](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "Current Rate Filings."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [csandersjo@pa.gov](mailto:csandersjo@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 11-2162. Filed for public inspection December 16, 2011, 9:00 a.m.]

### Geisinger Health Plan HMO; Individual, Grange and Association Pharmacy Rider; Rate Filing

On December 6, 2011, Geisinger Health Plan submitted a rate filing to increase the premium rates for the Individual HMO Pharmacy Rider. The plan proposes to increase the rates by 8%.

This filing will affect approximately 2,717 members and produce additional premium income of about \$60,000 annually. The requested effective date of the change is April 1, 2012.

Unless formal administrative action is taken prior to February 22, 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](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "Current Rate Filings."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [csandersjo@pa.gov](mailto:csandersjo@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 11-2163. Filed for public inspection December 16, 2011, 9:00 a.m.]

### Insurance Services Office, Inc.; Private Passenger Automobile; Alternative Rating Plan; Rate Filing

On November 29, 2011, the Insurance Department (Department) received from Insurance Services Office, Inc. (ISO) a filing for an alternative rating plan to the standard ISO Personal Vehicle Manual rating system.

The model underlying the proposed Risk Analyzer Personal Auto Rating Plan Manual is based on a wide variety of characteristics affecting the risk of loss, such as traffic density, driving patterns, topography and weather. This alternate rating plan is not being filed on behalf of insurers and will not be incorporated into ISO's Personal Vehicle Manual or Personal Auto Program. ISO participating insurers that would elect to adopt this alternative rating plan would need to file with the Department to do so and establish their own effective date for their introduction of the plan. The filing provides information to enable the adoption of the plan on a revenue neutral basis with, at most, a +/- 15% deviation from the current territorial rates for an individual consumer.

Unless formal administrative action is taken prior to January 28, 2012, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under "How to Find . . ." click on "View Current Rate Filings."

Interested parties are invited to submit written comments, suggestions or objections to Michael McKenney, Insurance Department, Insurance Product Regulation and

Administration, 1311 Strawberry Square, Harrisburg, PA 17120, mmckenney@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 11-2164. Filed for public inspection December 16, 2011, 9:00 a.m.]

## **Pennsylvania Medical Society and the Hospital & Healthsystem Association of Pennsylvania; Appeal**

### **Appeal of the Pennsylvania Medical Society and The Hospital & Healthsystem Association of Pennsylvania Under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Consolidated Doc. No. MM11-11-012**

*And Now*, this 30th day of November, 2011, considering the petitions of appeal from the 2012 MCARE assessment filed by the Pennsylvania Medical Society and the Hospital & Healthsystem Association of Pennsylvania, Medical Care Availability and Reduction of Error Fund shall answer each of the petitions of appeal on or before December 21, 2011.

Petitions to intervene or notices of intervention, if any, must be filed on or before January 6, 2012, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before January 16, 2012.

Other than the filings referenced in this order, these proceedings are stayed until further order. The Hearings Administrator shall cause notice of this order to be published in the *Pennsylvania Bulletin*. This order is effective immediately.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 11-2165. Filed for public inspection December 16, 2011, 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.

#### *Executive Board*

Resolution No. CB-11-003, Dated October 19, 2011. 2009-2012 Collective Bargaining between the Commonwealth and the PA Doctors Alliance.

Resolution No. CB-11-004, Dated October 19, 2011. Authorizing the 2009-2012 Memorandum of Understanding between the Commonwealth and the PA Doctors Alliance.

#### *Governor's Office*

Manual 230.1—Commonwealth Travel Procedures Manual (Effective January 1, 2012), Amended November 1, 2011.

Manual 615.3—Commonwealth Fleet Procedures Manual, Dated November 10, 2011.

Management Directive No. 205.14—Prohibition of Activities Not Specifically or Directly Connected with the Official Business of the Commonwealth on Commonwealth Property, Amended November 21, 2011.

Management Directive No. 205.34—Commonwealth of Pennsylvania Information Technology Acceptable Use Policy, Amended November 17, 2011.

Management Directive No. 230.6—Travel Expenses of Job Applicants, Amended November 1, 2011.

Management Directive No. 230.10—Commonwealth Travel Policy (Effective January 1, 2012), Amended November 1, 2011.

Management Directive No. 305.22—Commonwealth License Tax Responsibility Program, Amended November 14, 2011.

Management Directive No. 310.10—Collection, Referral, and Compromise or Write-Off of Delinquent Claims, Amended November 18, 2011.

Management Directive No. 315.25—Pennsylvania Personal Income Tax, Amended November 22, 2011.

Management Directive No. 520.4—Position Classification Post-Audits, Dated November 21, 2011.

Management Directive No. 615.1—Assignment of Commonwealth Temporary Fleet Vehicles, Amended November 10, 2011.

Management Directive No. 615.16—Commonwealth Fleet Policy, Dated November 10, 2011.

Administrative Circular No. 11-15—Holiday Trees and Decorations in Commonwealth-Owned or Leased Buildings, Dated November 8, 2011.

MARY JANE PHELPS,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 11-2166. Filed for public inspection December 16, 2011, 9:00 a.m.]

## **PENNSYLVANIA PUBLIC UTILITY COMMISSION**

### **Gas Service**

**A-2011-2276780. Columbia Gas of Pennsylvania, Inc.** Application of Columbia Gas of Pennsylvania, Inc. for approval to abandon gas service to one natural gas service customer located in Greene County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265,

Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before January 3, 2012. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us), and at the applicant's business address.

*Applicant:* Columbia Gas of Pennsylvania, Inc.

*Through and By Counsel:* Kimberly S. Cuccia, Esquire, Theodore J. Gallagher, Esquire, NiSource Corporate Services Company, Southpointe Industrial Park, 121 Champion Way, Suite 100, Canonsburg, PA 15317

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 11-2167. Filed for public inspection December 16, 2011, 9:00 a.m.]

## Relief Plan for the 717 NPA

Public Meeting held  
December 1, 2011

*Commissioners Present:* Robert F. Powelson, Chairperson; John F. Coleman, Jr., Vice Chairperson; Wayne E. Gardner; James H. Cawley; Pamela A. Witmer

*Relief Plan for the 717 NPA; P-2009-2136951*

### Final Order

*By the Commission:*

Before the Commission is a petition that was filed on behalf of the Pennsylvania telecommunications industry on October 20, 2009 for approval of a relief plan to implement an all services distributed overlay in the 717 area code. In October 2011, the Federal Communications Commission (FCC) released the updated projected forecasts prepared by the North American Numbering Plan Administrator (NANPA) for Pennsylvania's ten area codes. Given that the projected forecast for the exhaustion of the 717 area code has been extended from the previously reported date of the third quarter of 2012 to the fourth quarter of 2016, we are dismissing the 717 area code relief petition filed on October 20, 2009.

#### Background

##### *History of Area Code Relief for the 717 NPA*

##### *A. The Geographic Split of the 717 Area Code*

The 717 NPA is one of Pennsylvania's original four area codes. On June 28, 1996, the telecommunications industry asked the Commission to decide how to relieve the shortage of numbering resources or NXX codes in the 717 NPA as the industry could not reach a consensus.<sup>1</sup> The unavailability of NXX codes<sup>2</sup> for assignment to telecommunications carriers in a given area code leads to the exhaust of that area code. Accordingly, the Commission opened a docket at P-00961071 that ultimately led to the geographic split of the 717 NPA in 1999.<sup>3</sup> Accordingly, the 717 NPA presently includes all or part of the following

<sup>1</sup> A consensus is established when substantial agreement has been reached. Substantial agreement means more than a simple majority, but not necessarily unanimity. CLC Principles and Procedures, May 1998, at § 6.8.8.

<sup>2</sup> An NXX code comprises 10,000 telephone numbers in a specific area code and is identified by the second set of three digits in a ten-digit telephone number, NPA-NXX-XXXX.

<sup>3</sup> The geographic split of the 717 NPA resulted in the creation of the 570 NPA. See Petition of NPA Relief Coordinator Re: 717 Area Code Relief Plan, Docket No. P-00961071 (Order entered May 21, 1998).

counties: Mifflin, Juniata, Perry, Dauphin, Lebanon, Berks, Fulton, Franklin, Cumberland, Adams, York and Lancaster.

##### *B. The May 29, 2001 Industry Relief Plan*

Despite the area code relief that had just been implemented for the 717 NPA in the prior year, in May of 2000, the telecommunications industry was advised by the NANPA,<sup>4</sup> Neustar, Inc., in its role as the neutral third party NPA Relief Planner for Pennsylvania, that relief planning for the 717 NPA was again necessary in light of the fact that the area code was expected to exhaust by the second quarter of 2001. Relief planning was necessary under the INC Guidelines,<sup>5</sup> which provide that when the projected exhaust date of an area code is to occur within 36 months, the NANPA is required to prepare relief options and to conduct an industry meeting with the goal of reaching industry consensus regarding the form of relief for the NPA.

On February 20, 2001, Neustar notified the industry that a meeting was necessary to discuss relief alternatives for the 717 NPA. The meeting was convened on April 18, 2001. After discussion of several alternatives, the industry reached a consensus to adopt an all services distributed overlay<sup>6</sup> as the form of relief for the 717 NPA. However, by that time, the projected exhaust date for the 717 NPA had been pushed forward to the fourth quarter of 2003, which was still within the 3-year time-period required by the INC Guidelines. Accordingly, On May 29, 2001, Neustar, acting on behalf of the Pennsylvania telecommunications industry, filed a petition with the Commission requesting approval of its relief plan to implement an overlay for the geographic area covered by 717 NPA.

On September 5, 2001, the Commission entered an Order at the above-captioned docket seeking comments from interested parties regarding what type of relief should be implemented in the 717 NPA and when this relief should be implemented.

While the May 29, 2001 industry relief plan was pending before the Commission, the 717 NPA experienced an unprecedented and efficient use of numbering resources due to the implementation of 1,000-block number pooling<sup>7</sup> and other number conservation measures such as NXX code reclamation.<sup>8</sup> Furthermore, the FCC mandated that all wireless carriers participate in pooling as of

<sup>4</sup> The NANPA is the entity that allocates numbering resources and monitors the viability of area codes to determine when all of the telephone numbers (or NXX codes) available in the area code are nearing exhaust.

<sup>5</sup> The Industry Numbering Committee Guidelines provide that when an area code is nearing exhaust, the NANPA, which then becomes the NPA Relief Planner, convenes a meeting of the industry to discuss relief alternatives. NPA Code Relief Planning & Notification Guidelines, INC97-0404-016, reissued Nov. 8, 1999, at § 5.5. If the industry reaches a consensus, then its consensus plan is filed with the Commission and the Commission has an opportunity to take action at that point. NPA Code Relief Planning & Notification Guidelines, INC97-0404-016, reissued Nov. 8, 1999, at § 5.6.

<sup>6</sup> An overlay is when a new area code is introduced to serve the same geographic area as the existing area code. NPA Code Relief Planning & Notification Guidelines, INC97-0404-026, June 21, 2002 at § 6.3. With the overlay method, 10-digit local dialing is required by federal rules. 47 CFR § 52.19(c)(3)(ii).

<sup>7</sup> Thousand-block number pooling is the process by which a 10,000 block of numbers is separated into ten sequential blocks of 1,000 numbers and allocated separately to providers within a rate center. See Petition of Representative Keith R. McCall and Members of the Northeast Delegation of the Pennsylvania House of Representatives Requesting that Additional Authority be Delegated to the Pennsylvania Public Utility Commission to Implement Additional Number Conservation Measures, CC Docket No. 99-200 and NSD-L-01-113 (Order released December 28, 2001) (McCall Order). By order entered on August 9, 2001 at Docket No. M-00001427, the Commission, with the consensus of the industry, ordered the implementation of a voluntary pool in 717, which subsequently became mandatory at the direction of the FCC in the McCall Order. Accordingly, the Commission implemented mandatory 1,000-block pooling in the 717 NPA in March of 2002.

<sup>8</sup> NXX code reclamation involves the return of unused NXX codes to the NANPA. Within six months of receiving an NXX code, a carrier must assign at least one number to an end user or the entire NXX code must be returned to the NANPA. 47 C.F.R. § 52.15(g)(iii). The Commission implemented NXX code reclamation in the 717 NPA in August of 2000.

November 24, 2002.<sup>9</sup> Presently, wireless carriers implemented pooling and were participating in Pennsylvania's mandatory pools, including the numbering pool in 717.

As a result of these number conservation measures, in May of 2003, the NANPA again revised the projected exhaust date for the 717 NPA to the fourth quarter of 2007, which was now more than four years away. Consequently, by Order entered April 1, 2003, the Commission dismissed the May 29, 2001 industry relief plan.

### C. 2009 Relief Planning for the 717 NPA

The April NRUF (Number Resource Utilization Forecast) and NPA Exhaust Analysis April 24, 2009 Update ("April 2009 NRUF Report") indicated that the 717 NPA would exhaust during the third quarter of 2012. Based upon the projected exhaust date, NANPA notified the Commission and the Industry on July 1, 2009, that NPA relief needed to be addressed. The Industry met via conference call on September 10, 2009, to discuss various relief alternatives.

At the September 10th meeting, the participants discussed the attributes of the relief alternatives presented by Neustar in the IPD and reached consensus to recommend to the all services distributed overlay plan as the preferred method of relief for the 717 NPA. All existing customers would retain the 717 area code and would not have to change their telephone numbers. Consistent with FCC regulations, the relief plan would require ten-digit dialing for all calls within and between the 717 NPA and the new NPA. The industry recommends that all local and toll calls between the 717 NPA and the new NPA be dialed as 10-digits, or permissively as 1+10 digits at each service provider's discretion. All local and toll calls originating in the 717 NPA or the new NPA and terminating in other NPAs (NPAs other than the 717 or new NPA) must be dialed as 1 +10 digits. Operator services calls would require customers to dial 0+10 digits.

Industry participants also had reached consensus to recommend to the Commission a thirteen-month schedule for implementation of the overlay. The recommended schedule was as follows:

#### Recommended Implementation Schedule for All Services Distributed Overlay

<i>Event</i>	<i>Timeframe</i>
Network Preparation Period	6 months
Permissive 10-Digit Dialing and Customer Education Period <i>(Calls within 717 NPA can be dialed using 7 or 10 digits)</i>	6 months
Mandatory dialing begins at the end of the Permissive Dialing Period	
First Code Activation after end of Permissive dialing period <i>(Effective date for codes from the new NPA)</i>	1 month (after Mandatory Dialing Date)
Total Implementation Interval	13 months

The Industry stated that adhering to the proposed timeframe would avoid the denial or delay of service to telecommunications providers' customers due to the unavailability of CO codes.

On October 24, 2009, Neustar, acting on behalf of the Pennsylvania telecommunications industry, filed a peti-

tion with the Commission requesting approval of its recommendation to implement an all services distributed overlay for the geographic area covered by the 717 NPA which would create a new area code to service the area. By Order entered December 24, 2009, the Commission requested the submission of any written comments on the relief plan and scheduled public input hearings throughout the entire 717 geographic region<sup>10</sup> so that oral testimony related to the form of relief for the 717 NPA can be received from interested parties as well. The Commission denied the industry consensus recommendation for an all services distributed overlay relief plan for the 717 NPA, pending receipt of the comments. The Commission has taken no further action on the petition.

Since those public input hearings were held, Neustar has updated its projected forecasts for the exhaustion of the Pennsylvania area codes, including 717. In October 2011, the Federal Communications Commission (FCC) released those updated projections. Based on the new data, the forecasted exhaust dates for the 717 area code has been extended from the previously reported date of the third quarter of 2012 to the fourth quarter of 2016.

### Discussion

Pursuant to the INC Guidelines, the NANPA is charged with the responsibility of predicting the expected exhaust period for an NPA by analyzing the historical growth data available for the NPA as well as any expected changes to the NXX demands in the future.<sup>11</sup> As previously stated, once the NANPA projects the exhaust date for the an NPA to occur within 36 months, the INC Guidelines require it to prepare relief options and to conduct industry meetings with the goal of reaching industry consensus regarding the form of relief for the NPA.

However, since the filing of the October 24, 2009 area code relief petition, the 717 NPA has experienced efficient use of numbering resources due in large part to the diligent efforts of the Commission and others to conserve our numbering resources. Currently, there are approximately 96 NXX codes available for assignment to carriers in the 717 area code. Furthermore, from October 2009, when the 717 area code relief petition was filed, through October 2011, or approximately 25 months, an average of 0.760 codes per month were assigned to carriers. We believe that the decrease in code demands and subsequent code assignments will continue in the 717 area code.

Section 5.11 of the NPA Code Relief Planning and Notification Guidelines provides that if during the period after the NANPA has filed an industry relief plan but prior to regulatory approval of that plan it is determined that the NPA will not exhaust in the next 5 years, a relief plan may be withdrawn. Since the new projected exhaust date of the 717 area code is approximately five years out, which is the requisite period of time specified in INC Guidelines for withdrawing a filed relief plan, we believe there is good cause to dismiss the NANPA's petition for approval of its relief plan in the 717 NPA pursuant to our delegated authority over NPA relief. 47 CFR 52.19(c)(3)(ii).

Additionally, based on our analysis of the current numbering resources available in the 717 area code, adequate resources exist for carriers to receive numbers in a timely fashion. Nevertheless, we encourage the industry and the NANPA to work together with the

<sup>9</sup> In the Matter of Verizon Wireless' Petition For Partial Forbearance From the Commercial Mobile Radio Services Number Portability Obligation and Telephone Number Portability, WT Docket 01-84, CC Docket No. 95-116 (Order adopted July 16, 2002).

<sup>10</sup> Public input hearings were held in Harrisburg, York, Lancaster, Gettysburg and Chambersburg.

<sup>11</sup> INC Guidelines at § 5.1.

Commission to ensure the efficient use of our finite numbering resources in the 717 area code so that new area codes are not unnecessarily opened in the Commonwealth. Based on the foregoing reasons, we dismiss the October 24, 2009 relief plan for the 717 NPA; *Therefore,*

*It Is Ordered That:*

1. Neustar's petition filed with the Commission on behalf of the Pennsylvania telecommunications industry at the above docket for approval of its relief plan for the 717 area code is dismissed.

2. A copy of this order shall be published in the *Pennsylvania Bulletin* and on the Commission website.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 11-2168. Filed for public inspection December 16, 2011, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by January 3, 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-2011-2257843. World Class Ride, LLC, t/a World Class Ride** (4900 Carlisle Pike, Mechanicsburg, PA 17050-7709)—for the right to begin, as a common carrier, persons in limousine service, from points in Adams, Cumberland, Dauphin, Lancaster, Lebanon and York Counties, to points in Pennsylvania and return, excluding areas under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* Paul Stewart, Esq., 333 East Lancaster Avenue, Suite 140, Wynnewood, PA 19096.

**A-2011-2265188. Mohammed Abous and Emad Ibrahim, Co-Partners, t/a Sweet Ride** (2108 Cedar Run Road, Apt. 207, Camp Hill, Cumberland County, PA 17011)—in paratransit service, from points in Dauphin and Cumberland Counties, to points in Pennsylvania, and return.

**A-2011-2266264. Freeport Emergency Medical Services, Inc., t/a Freeport Ems, Inc.** (400 Market Street, Freeport, PA 16229), for the right to begin to transport as a common carrier, by motor vehicle, persons in paratransit service, for the purpose of medical appointments, and transport from hospitals between points in Allegheny, Armstrong, Butler and Westmoreland Counties, excluding service which is between points in Allegheny County.

**A-2011-2273252. Gerson Santos, t/a Precious Transport Enterprises** (504 Poplar Street, Philadelphia,

Philadelphia County, PA 19123)—persons, in paratransit service, in the City and County of Philadelphia, bounded by a line beginning at North 2nd Street, thence southwestwardly to Spring Garden Street, thence westwardly to North 17th Street, thence northeastwardly to West Erie Avenue to the place of beginning.

#### Application of the following for *amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons by transfer of rights as described under the application.*

**A-2011-2267856. B. M. Enterprises, Inc., t/a A. G. Taxi** (1167 Newport Mews Drive, Bensalem, PA 19010)—amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, Persons in Call or Demand Service between points in Pennsylvania: *So As To Permit* to transport persons upon Call or Demand in the Borough of New Hope, Bucks County and within an airline distance of 15 statute miles of the limits of the said borough, which is to be a transfer of all rights authorized under the certificate issued at A-00123428 issued to Star Voyager Transporter Systems, LLC subject to the same rights and conditions. *Attorney:* Michael Henry, 2336 South Broad Street, Philadelphia, PA 19145 (215) 218-9800.

*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Chhabra Transport, Inc.;*  
*Doc. No. C-2011-2256910; A-00121215*

### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings, which are prosecutory in nature to the Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Chhabra Transport, Inc., Respondent, maintains a principal place of business at 6710 A Chestnut Street, Upper Darby, PA 19082.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on January 12, 2005, at A-00121215.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC. Respondent was also told that, if it chose to retain the authority under the jurisdiction of this Commission, an acceptable tariff must be filed showing the rates for the transportation service. Respondent failed to file an acceptable tariff.

4. That Respondent was advised by letter dated August 31, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11(a). Respondent was given an additional 60 days to file an acceptable tariff. Again, Respondent failed to file an acceptable tariff.

5. That, on April 16, 2010, a Complaint was instituted against Respondent at C-2010-2129893 for failure to file

an acceptable tariff. Respondent was given 30 days to file an answer to the complaint or to file a tariff and pay a \$250 penalty. No response was received; therefore, the Complaint was adjudicated by Secretarial Letter dated July 8, 2011.

6. That, to date, Respondent has failed to file an acceptable tariff showing the rates for the transportation service provided. This is a violation of 52 Pa. Code § 23.11(a) and § 29.314(b)(6). The Bureau of Investigation and Enforcement's penalty for this violation is cancellation of the Certificate of Public Convenience.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission cancel Chhabra Transport, Inc.'s Certificate of Public Convenience at A-00121215 for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA. 17105-3265

#### VERIFICATION

I, Michael E. Hoffman, Manager, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/21/11 Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the cancellation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint, which may include the cancellation of your

Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth in the Complaint.

E. If you would like an alternative format to this Complaint (for persons with disabilities) or if you have questions regarding this Complaint, please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of  
Investigation and Enforcement v. D N T Cab Co.;*  
*Doc. No. C-2011-2256912; A-00116040*

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings, which are prosecutory in nature to the Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That D N T Cab Co., Respondent, maintains a principal place of business at 616 N. 66th Street, Philadelphia, PA 19151.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on November 16, 1999, at A-00116040.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC. Respondent was also told that, if it chose to retain the authority under the jurisdiction of this Commission, an acceptable tariff must be filed showing the rates for the transportation service. Respondent failed to file an acceptable tariff.

4. That Respondent was advised by letter dated August 31, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11(a). Respondent was given an additional 60 days to file an acceptable tariff. Again, Respondent failed to file an acceptable tariff.

5. That, on April 14, 2010, a Complaint was instituted against Respondent at C-2010-2129667 for failure to file an acceptable tariff. Respondent was given 30 days to file an answer to the complaint or to file a tariff and pay a \$250 penalty. No response was received; therefore, the Complaint was adjudicated by Secretarial Letter dated July 8, 2011.

6. That, to date, Respondent has failed to file an acceptable tariff showing the rates for the transportation service provided. This is a violation of 52 Pa. Code § 23.11(a) and § 29.314(b)(6). The Bureau of Investigation and Enforcement's penalty for this violation is cancellation of the Certificate of Public Convenience.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission cancel D N T Cab Co.'s Certificate of Public Convenience at A-00116040



for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted

Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA. 17105-3265

#### VERIFICATION

I, Michael E. Hoffman, Manager, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/22/11 Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the cancellation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth in the Complaint.

E. If you would like an alternative format to this Complaint (for persons with disabilities) or if you have questions regarding this Complaint, please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Chardi Kala Cab Co.,  
Doc. No. C-2011-2256909; A-00120102*

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings, which are prosecutory in nature to the Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Chardi Kala Cab Co., Respondent, maintains a principal place of business at 125 Wellington Road, Upper Darby, PA 19082.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on October 16, 2003, at A-00120102.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC. Respondent was also told that, if it chose to retain the authority under the jurisdiction of this Commission, an acceptable tariff must be filed showing the rates for the transportation service. Respondent failed to file an acceptable tariff.

4. That Respondent was advised by letter dated August 31, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11(a). Respondent was given an additional 60 days to file an acceptable tariff. Again, Respondent failed to file an acceptable tariff.

5. That, on April 12, 2010, a Complaint was instituted against Respondent at C-2010-2129773 for failure to file an acceptable tariff. Respondent was given 30 days to file an answer to the complaint or to file a tariff and pay a \$250 penalty. No response was received; therefore, the Complaint was adjudicated by Secretarial Letter dated July 8, 2011.

6. That, to date, Respondent has failed to file an acceptable tariff showing the rates for the transportation service provided. This is a violation of 52 Pa. Code § 23.11(a) and § 29.314(b)(6). The Bureau of Investigation and Enforcement's penalty for this violation is cancellation of the Certificate of Public Convenience.

*Wherefore*, the Bureau of Investigation and Enforcement hereby requests that the Commission cancel Chardi Kala Cab Co.'s Certificate of Public Convenience at A-00120102 for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA. 17105-3265

#### VERIFICATION

I, Michael E. Hoffman, Manager, Bureau of Investigation and Enforcement, hereby state that the facts above

set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/22/11 Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the cancellation of your Certificate of Public Convenience or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth in the Complaint.

E. If you would like an alternative format to this Complaint (for persons with disabilities) or if you have questions regarding this Complaint, please contact the Compliance Office at (717) 787-1227.

—————  
*Pennsylvania Public Utility Commission, Bureau of  
Investigation and Enforcement v. Ivy Taxi, Inc.;*  
*Doc. No. C-2011-2260486; A-00119639*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings, which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Sec-

tion 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Ivy Taxi, Inc., Respondent, maintains a principal place of business at 810 Pulinski Road, Ivyland, PA 18974.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on May 31, 2003, at A-00119639.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC. Respondent was also told that, if it chose to retain the authority under the jurisdiction of this Commission, an acceptable tariff must be filed showing the rates for the transportation service. Respondent failed to file an acceptable tariff.

4. That Respondent was advised by letter dated September 11, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11(a). Respondent was given an additional 60 days to file an acceptable tariff. Again, Respondent failed to file an acceptable tariff.

5. That, on May 20, 2010, a Complaint was instituted against Respondent at C-2010-2137674 for failure to file an acceptable tariff. Respondent was given 30 days to file an answer to the complaint or to file a tariff and pay a \$250 penalty. No response was received; therefore, the Complaint was adjudicated by Secretarial Letter dated July 13, 2011.

6. That, to date, Respondent has failed to file an acceptable tariff showing the rates for the transportation service provided. This is a violation of 52 Pa. Code § 23.11(a) and § 29.314(b)(6). The Bureau of Investigation and Enforcement's penalty for this violation is cancellation of the Certificate of Public Convenience.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission cancel Ivy Taxi, Inc.'s Certificate of Public Convenience at A-00119639 for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA. 17105-3265

VERIFICATION

I, Michael E. Hoffman, Manager of the Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/21/11 Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service

is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the cancellation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth in the Complaint.

E. If you would like an alternative format to this Complaint (for persons with disabilities) or if you have questions regarding this Complaint, please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Wanna Cab, Inc.;  
 Doc. No. C-2011-2264747; A-00107461*

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings, which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Wanna Cab, Inc., Respondent, maintains a principal place of business at 306 E. Baltimore Pike, Suite A, Media, PA 19063.
2. That Respondent was issued a Certificate of Public Convenience by this Commission on December 3, 1987, at A-00107461.
3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that

time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC. Respondent was also told that, if it chose to retain the authority under the jurisdiction of this Commission, an acceptable tariff must be filed showing the rates for the transportation service. Respondent failed to file an acceptable tariff.

4. That Respondent was advised by letter dated September 11, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11(a). Respondent was given an additional 60 days to file an acceptable tariff. Again, Respondent failed to file an acceptable tariff.

5. That, on May 27, 2010, a Complaint was instituted against Respondent at C-2010-2135153 for failure to file an acceptable tariff. Respondent was given 30 days to file an answer to the complaint or to file a tariff and pay a \$250 penalty. No response was received; therefore, the Complaint was adjudicated by Secretarial Letter dated July 11, 2011.

6. That, to date, Respondent has failed to file an acceptable tariff showing the rates for the transportation service provided. This is a violation of 52 Pa. Code § 23.11(a) and § 29.314(b)(6). The Bureau of Investigation and Enforcement's penalty for this violation is cancellation of the Certificate of Public Convenience.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission cancel Wanna Cab, Inc.'s Certificate of Public Convenience at A-00107461 for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager  
 Bureau of Investigation and Enforcement  
 P. O. Box 3265  
 Harrisburg, PA. 17105-3265

#### VERIFICATION

I, Michael E. Hoffman, Manager of the Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 10/19/11 Michael E. Hoffman, Manager  
 Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the cancellation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth in the Complaint.

E. If you would like an alternative format to this Complaint (for persons with disabilities) or if you have questions regarding this Complaint, please contact the Compliance Office at (717) 787-1227.

—————  
*Pennsylvania Public Utility Commission, Bureau of  
Investigation and Enforcement v. Flomar Cab Co.;*  
*Doc. No. C-2011-2258062; A-00121409*

### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings, which are prosecutory in nature to the Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Flomar Cab Co., Respondent, maintains a principal place of business at 44 Poplar Drive, Richboro, PA 18954.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on March 7, 2005, at A-00121409.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC. Respondent was also told that, if it chose to retain the authority under the jurisdiction of this Commission, an acceptable tariff must be filed showing the rates for the transportation service. Respondent failed to file an acceptable tariff.

4. That Respondent was advised by letter dated August 31, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11(a). Respondent was given an additional 60 days to file an acceptable tariff. Again, Respondent failed to file an acceptable tariff.

5. That, on March 10, 2010, a Complaint was instituted against Respondent at C-2010-2131176 for failure to file an acceptable tariff. Respondent was given 30 days to file an answer to the complaint or to file a tariff and pay a \$250 penalty. No response was received; therefore, the Complaint was adjudicated by Secretarial Letter dated July 8, 2011.

6. That, to date, Respondent has failed to file an acceptable tariff showing the rates for the transportation service provided. This is a violation of 52 Pa. Code § 23.11(a) and § 29.314(b)(6). The Bureau of Investigation and Enforcement's penalty for this violation is cancellation of the Certificate of Public Convenience.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission cancel Flomar Cab Co.'s Certificate of Public Convenience at A-00121409 for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA. 17105-3265

### VERIFICATION

I, Michael E. Hoffman, Manager, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/22/11      Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement

### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the cancellation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission

issue an Order imposing the penalty proposed in this Complaint, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth in the Complaint.

E. If you would like an alternative format to this Complaint (for persons with disabilities) or if you have questions regarding this Complaint, please contact the Compliance Office at (717) 787-1227.

—————  
*Pennsylvania Public Utility Commission, Bureau of  
Investigation and Enforcement v. Little Angels Cab Corp.;*  
*Doc. No. C-2011-2261553; A-00114885*

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings, which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Little Angels Cab Corp., Respondent, maintains a principal place of business at 345 Cupley Road, Upper Darby, PA 19082.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on June 5, 1998, at A-00114885.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC. Respondent was also told that, if it chose to retain the authority under the jurisdiction of this Commission, an acceptable tariff must be filed showing the rates for the transportation service. Respondent failed to file an acceptable tariff.

4. That Respondent was advised by letter dated September 4, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11(a). Respondent was given an additional 60 days to file an acceptable tariff. Again, Respondent failed to file an acceptable tariff.

5. That, on April 9, 2010, a Complaint was instituted against Respondent at C-2010-2131202 for failure to file an acceptable tariff. Respondent was given 30 days to file an answer to the complaint or to file a tariff and pay a \$250 penalty. No response was received; therefore, the Complaint was adjudicated by Secretarial Letter dated July 8, 2011.

6. That, to date, Respondent has failed to file an acceptable tariff showing the rates for the transportation service provided. This is a violation of 52 Pa. Code § 23.11(a) and § 29.314(b)(6). The Bureau of Investigation and Enforcement's penalty for this violation is cancellation of the Certificate of Public Convenience.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission cancel Little Angels Cab Corp.'s Certificate of Public Convenience at A-00114885 for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA. 17105-3265

#### VERIFICATION

I, Michael E. Hoffman, Manager of the Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/22/11                      Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the cancellation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth in the Complaint.

E. If you would like an alternative format to this Complaint (for persons with disabilities) or if you have questions regarding this Complaint, please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Jeiby & Vallery, Inc.;*  
Doc. No. C-2011-2258080; A-00117602

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings, which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Jeiby & Vallery, Inc., Respondent, maintains a principal place of business at 5160 Whitaker Avenue, Philadelphia, PA 19124.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on May 8, 2001, at A-00117602.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC. Respondent was also told that, if it chose to retain the authority under the jurisdiction of this Commission, an acceptable tariff must be filed showing the rates for the transportation service. Respondent failed to file an acceptable tariff.

4. That Respondent was advised by letter dated September 11, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11(a). Respondent was given an additional 60 days to file an acceptable tariff. Again, Respondent failed to file an acceptable tariff.

5. That, on May 13, 2010, a Complaint was instituted against Respondent at C-2010-2135172 for failure to file an acceptable tariff. Respondent was given 30 days to file an answer to the complaint or to file a tariff and pay a \$250 penalty. No response was received; therefore, the Complaint was adjudicated by Secretarial Letter dated July 11, 2011.

6. That, to date, Respondent has failed to file an acceptable tariff showing the rates for the transportation service provided. This is a violation of 52 Pa. Code § 23.11(a) and § 29.314(b). The Bureau of Investigation and Enforcement's penalty for this violation is cancellation of the Certificate of Public Convenience.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission cancel Jeiby & Vallery, Inc.'s Certificate of Public Convenience at A-00117602 for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA. 17105-3265

VERIFICATION

I, Michael E. Hoffman, Manager of the Bureau of Investigation and Enforcement, hereby state that the

facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/21/11 Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the cancellation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth in the Complaint.

E. If you would like an alternative format to this Complaint (for persons with disabilities) or if you have questions regarding this Complaint, please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Deep Cab, Inc.;*  
Doc. No. C-2011-2256913; A-00120709

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings, which are prosecutory in nature to the Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section

701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Deep Cab, Inc., Respondent, maintains a principal place of business at 41 Winfield Circle, Sewell, New Jersey 08080.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on June 29, 2004, at A-00120709.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC. Respondent was also told that, if it chose to retain the authority under the jurisdiction of this Commission, an acceptable tariff must be filed showing the rates for the transportation service. Respondent failed to file an acceptable tariff.

4. That Respondent was advised by letter dated September 11, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11(a). Respondent was given an additional 60 days to file an acceptable tariff. Again, Respondent failed to file an acceptable tariff.

5. That, on March 11, 2010, a Complaint was instituted against Respondent at C-2010-2129829 for failure to file an acceptable tariff. Respondent was given 30 days to file an answer to the complaint or to file a tariff and pay a \$250 penalty. No response was received; therefore, the Complaint was adjudicated by Secretarial Letter dated July 8, 2011.

6. That, to date, Respondent has failed to file an acceptable tariff showing the rates for the transportation service provided. This is a violation of 52 Pa. Code § 23.11(a) and § 29.314(b)(6). The Bureau of Investigation and Enforcement's penalty for this violation is cancellation of the Certificate of Public Convenience.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission cancel Deep Cab, Inc.'s Certificate of Public Convenience at A-00120709 for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA. 17105-3265

#### VERIFICATION

I, Michael E. Hoffman, Manager, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/22/11 Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the

Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the cancellation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth in the Complaint.

E. If you would like an alternative format to this Complaint (for persons with disabilities) or if you have questions regarding this Complaint, please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of  
Investigation and Enforcement v. Little Al Cab, Inc.;*  
*Doc. No. C-2011-2261552; A-00112764*

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings, which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Little Al Cab, Inc., Respondent, maintains a principal place of business at 945 East Ellet Street, Philadelphia, PA 19150.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on March 4, 1996, at A-00112764.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service

which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC. Respondent was also told that, if it chose to retain the authority under the jurisdiction of this Commission, an acceptable tariff must be filed showing the rates for the transportation service. Respondent failed to file an acceptable tariff.

4. That Respondent was advised by letter dated September 11, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11(a). Respondent was given an additional 60 days to file an acceptable tariff. Again, Respondent failed to file an acceptable tariff.

5. That, on May 27, 2010, a Complaint was instituted against Respondent at C-2010-2137672 for failure to file an acceptable tariff. Respondent was given 30 days to file an answer to the complaint or to file a tariff and pay a \$250 penalty. No response was received; therefore, the Complaint was adjudicated by Secretarial Letter dated July 8, 2011.

6. That, to date, Respondent has failed to file an acceptable tariff showing the rates for the transportation service provided. This is a violation of 52 Pa. Code § 23.11(a) and § 29.314(b)(6). The Bureau of Investigation and Enforcement's penalty for this violation is cancellation of the Certificate of Public Convenience.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission cancel Little Al Cab, Inc.'s Certificate of Public Convenience at A-00112764 for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA. 17105-3265

#### VERIFICATION

I, Michael E. Hoffman, Manager of the Bureau of Investigation and Enforcement hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/21/11 Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the cancellation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth in the Complaint.

E. If you would like an alternative format to this Complaint (for persons with disabilities) or if you have questions regarding this Complaint, please contact the Compliance Office at (717) 787-1227.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 11-2169. Filed for public inspection December 16, 2011, 9:00 a.m.]

### **Transfer of Indirect Control**

**A-2011-2276786. Rubik Acquisition Company, LLC, West Corporation, HyperCube Telecom, LLC and HyperCube, LLC.** Joint application of Rubik Acquisition Company, LLC, West Corporation, HyperCube Telecom, LLC and HyperCube, LLC, for the transfer of indirect control of HyperCube Telecom, LLC to Rubik Acquisition Company, LLC.

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 January 3, 2012. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us), and at the applicant's business address.

*Applicant:* HyperCube Telecom, LLC

*Through and By Counsel:* Daniel P. Delaney, Esquire, K&L Gates, LLP, 17 North Second Street, 18th Floor, Harrisburg, PA 17101-1507

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 11-2170. Filed for public inspection December 16, 2011, 9:00 a.m.]



### Wastewater Service

**A-2011-2276856 and A-2011-2276857. Little Washington Wastewater Company, d/b/a Suburban Wastewater Company and Total Environmental Solutions, Inc.** Joint application of Little Washington Wastewater Company, d/b/a Suburban Wastewater Company and Total Environmental Solutions, Inc. for approval of: 1) the acquisition by Little Washington Wastewater of the wastewater system assets of Total Environmental Solutions situated in portions of Butler and Dennison Townships, Luzerne County; 2) the right of Little Washington Wastewater Company to begin to offer, render, furnish and supply wastewater service to the public in a portion of Butler Township and an additional portion of Dennison Township, Luzerne County; and 3) the abandonment by Total Environmental Solutions of public wastewater service and its franchise in portions of Butler, Dennison and Foster Townships, Luzerne County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before January 3, 2012. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us), and at the applicant's business address.

*Applicant:* Little Washington Wastewater Company d/b/a Suburban Wastewater Co. and Total Environmental Solutions, Inc.

*Through and By Counsel:* Thomas T. Niesen, Esquire, Thomas, Long, Niesen and Kennard, 212 Locust Street, Suite 500, P. O. Box 9500, Harrisburg, PA 17108

Thomas J. Sniscak, Esquire, Hawke, McKeon and Sniscak, LLP, 100 North Tenth Street, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 11-2171. Filed for public inspection December 16, 2011, 9:00 a.m.]

### Water Service

**A-2011-2276845 and A-2011-2276847. Aqua Pennsylvania, Inc. and Total Environmental Solutions, Inc.** Joint application of Aqua Pennsylvania, Inc. and Total Environmental Solutions, Inc. for approval of: 1) the acquisition by Aqua Pennsylvania, Inc. of the water system assets of Total Environmental Solutions, Inc. situated in portions of Butler and Dennison Townships, Luzerne County; 2) the right of Aqua Pennsylvania, Inc. to begin to offer, render, furnish and supply water service to the public in additional portions of Butler and Dennison Townships, Luzerne County; and 3) the abandonment by Total Environmental Solutions, Inc. of public water service and its franchise in portions of Butler, Dennison and Foster Townships, Luzerne County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265,

Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before January 3, 2012. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us), and at the Applicant's business address.

*Applicant:* Aqua Pennsylvania, Inc. and Total Environmental Solutions, Inc.

*Through and By Counsel:* Thomas T. Niesen, Esquire, Thomas, Long, Niesen and Kennard, 212 Locust Street, Suite 500, P. O. Box 9500, Harrisburg, PA 17108

Thomas J. Sniscak, Esquire, Hawke, McKeon and Sniscak, LLP, 100 North Tenth Street, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 11-2172. Filed for public inspection December 16, 2011, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 11-074.1, Packer Avenue Marine Terminal Infrastructure Building Repairs, until 2 p.m. on Thursday, January 12, 2012. Information concerning this project can be obtained from the PRPA web site [www.philaport.com](http://www.philaport.com) under Procurement, or call the Department at (215) 426-2600.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 11-2173. Filed for public inspection December 16, 2011, 9:00 a.m.]

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 11-084.4, Packer Avenue Marine Terminal Site Electrical/Mechanical Upgrade, until 2 p.m. on Thursday, January 12, 2012. Information concerning this project can be obtained from the PRPA web site [www.philaport.com](http://www.philaport.com) under Procurement, or call the Department at (215) 426-2600.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 11-2174. Filed for public inspection December 16, 2011, 9:00 a.m.]

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 11-091.3, On-Call Plumbing Investigation and Repairs—Various Piers, until 2 p.m. on Thursday, January 19, 2012. Information

concerning this project can be obtained from the PRPA web site [www.philaport.com](http://www.philaport.com) under Procurement, or call the Department at (215) 426-2600.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 11-2175. Filed for public inspection December 16, 2011, 9:00 a.m.]

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 11-092.1, Pier 78 Annex Concrete Floor Repairs, until 2 p.m. on Friday, January 13, 2012. Information concerning this project can be obtained from the PRPA web site [www.philaport.com](http://www.philaport.com) under Procurement, or call the Department at (215) 426-2600.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 11-2176. Filed for public inspection December 16, 2011, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of Claimant's request concerning the indicated account.

The hearing will be held before a hearing officer at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

February 22, 2012	Johnie Jordan (Premium Assistance Overpayment—Financial Hardship)	1 p.m.
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Persons with a disability, who wish to attend the previously-listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Barb Book, Assistant to the Executive Director, (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matter will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,  
*Executive Director*

[Pa.B. Doc. No. 11-2177. Filed for public inspection December 16, 2011, 9:00 a.m.]

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

The following hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to the State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing officer at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

January 11, 2012	Linda D. Templin Multiple Service Election	1 p.m.
February 8, 2012	John Paul Kravitz Service Connected Disability Supplement	1 p.m.

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

LEONARD KNEPP,  
*Secretary*

[Pa.B. Doc. No. 11-2178. Filed for public inspection December 16, 2011, 9:00 a.m.]





