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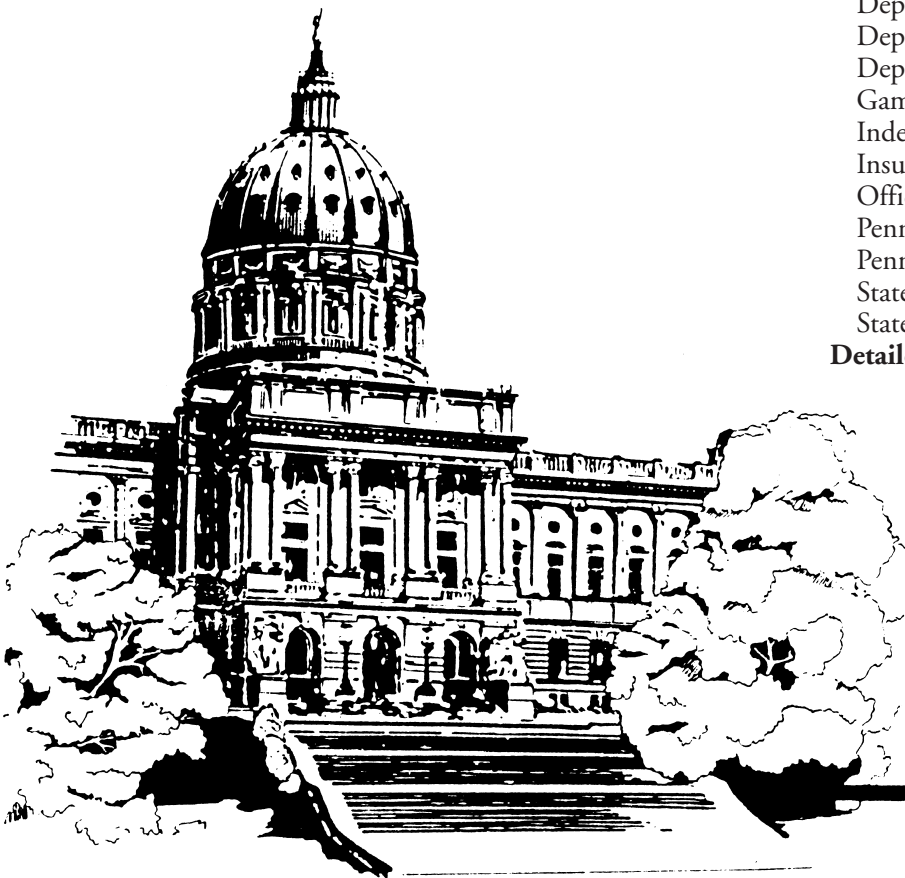
# PENNSYLVANIA BULLETIN

Volume 41 Number 52  
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**Latest Pennsylvania Code Reporters  
(Master Transmittal Sheets):**

**No. 445, December 2011**

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## *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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### Printing Format

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

### Fiscal Notes

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

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

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 4 ..... 2522  
 5 ..... 3528  
 6 ..... 3528  
 8 ..... 8  
 11 ..... 8  
 12 ..... 8  
 18 ..... 8

**249 Pa. Code (Philadelphia Rules)**

Unclassified ..... 1760, 3534, 3730, 5154

**255 Pa. Code (Local Court Rules)**

Unclassified .. 14, 218, 344, 346, 521, 588, 589, 590, 724,  
 837, 838, 839, 924, 1016, 1017, 1168, 1169, 1332,  
 1456, 1620, 1763, 1896, 2001, 2002, 2221, 2224,  
 2225, 2525, 2532, 2537, 2843, 3083, 3184, 3541,  
 3821, 3822, 3823, 3972, 3973, 3974, 4085, 4086,  
 4089, 4097, 4098, 4208, 4532, 4533, 4534, 4621,  
 4622, 4852, 4853, 4944, 4945, 4946, 5063, 5154,  
 5359, 5746, 5955, 5956, 6085, 6196, 6203,  
 6212, 6213, 6379, 6669, 6670, 6671, 6767, 6877

# THE GOVERNOR

## Title 4—ADMINISTRATION

### PART I. GOVERNOR'S OFFICE

[ 4 PA. CODE CH. 1 ]

[ EXECUTIVE ORDER NO. 2011-09 ]

### Small Business Procurement Initiative

November 21, 2011

*Whereas*, small businesses are the backbone and represent the fastest growing segment of the economy as a meaningful source of employment and a valuable training opportunity for entrepreneurs; and

*Whereas*, small businesses can play a significant role in revitalizing the economy by participating in state contracting; and

*Whereas*, Section 2101 of the Commonwealth Procurement Code, 62 Pa.C.S. § 2101, provides that it is commonwealth policy to assist small businesses in doing business with commonwealth agencies; and

*Whereas*, Section 2104 of the Commonwealth Procurement Code, 62 Pa.C.S. § 2104, assigns the Department of General Services certain duties to encourage procurement from small businesses; and

*Whereas*, Section 2105 of the Commonwealth Procurement Code, 62 Pa.C.S. § 2105, permits purchasing agencies to relax bonding requirements and to make special provisions for progress payments to encourage procurement from small businesses; and

*Whereas*, this administration is firmly committed to promoting the prosperity and economic growth of all small businesses to enable them to successfully compete for commonwealth contracts on a level playing field; and

*Whereas*, formulation of specific policy initiatives to implement these important goals is assigned to the Department of General Services as the agency responsible for the formulation of general procurement policy under Section 301 of the Commonwealth Procurement Code, 62 Pa.C.S. § 301.

*Now, Therefore*, I, Tom Corbett, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby designate the Department of General Services as the central agency to develop and implement policy initiatives to create greater opportunities for procurement from small businesses.



Governor

**Fiscal Note:** 2011-9. No fiscal impact; (8) recommends adoption.

#### Annex A

#### TITLE 4. ADMINISTRATION

#### PART I. GOVERNOR'S OFFICE

#### CHAPTER 1. AGENCY OPERATION AND ORGANIZATION

#### Subchapter VV. SMALL BUSINESS PROCUREMENT INITIATIVE

Sec.	
1.571.	Purpose.
1.572.	Duties.
1.573.	Commonwealth agencies.
1.574.	Implementation.

- 1.575. Effective date.  
 1.576. Termination date.

**§ 1.571. Purpose.**

The purpose of the Small Business Procurement Initiative is to direct the Department of General Services to develop and implement policy initiatives to increase opportunities for small businesses to compete for award of Commonwealth contracts as prime contractors.

**§ 1.572. Duties.**

The Department of General Services (Department) shall:

(1) Develop appropriate standards for qualification as a small business, including number of employees and dollar volume of business. The Department may develop tiers of participation for small businesses of varying size.

(2) Establish agency goals for contracting with small businesses.

(3) Develop specific guidelines for competition for Commonwealth procurement contracts identified for award to small businesses.

(4) Develop policy that will provide for alternative and reduced bonding requirements and make special provisions for progress payments.

(5) Develop and implement monitoring and reporting systems to measure the effectiveness of all small business procurement initiatives.

(6) Implement enforcement measures to verify the eligibility of competitors and to investigate allegations of noneligibility.

(7) Assist agencies in:

(i) Identifying procurement contracts suitable for competition by, and award to, small businesses.

(ii) Identifying qualified small businesses to solicit for procurement contracts.

(iii) Training agency personnel.

**§ 1.573. Commonwealth agencies.**

Commonwealth agencies under the Governor's jurisdiction shall identify contracts for award to small businesses under direction provided by the Department of General Services. Independent agencies are also encouraged to participate in the Small Business Procurement Initiative. For contracts identified for award to small businesses, agencies shall seek competition only from qualified small businesses and award contracts only to qualified small businesses.

**§ 1.574. Implementation.**

Agency heads shall:

(1) Ensure that the agency's small business participation goals are clearly understood and properly implemented by agency employees.

(2) Designate an appropriate employee to supervise the agency's role in implementing small business procurement initiatives and to ensure compliance with this subchapter.

(3) Prepare and submit reports to the Department of General Services, on forms and in the format requested by the Department of General Services, on the agency's progress in meeting goals for small business participation.

**§ 1.575. Effective date.**

This subchapter takes effect immediately.

**§ 1.576. Termination date.**

This subchapter remains in effect unless revised or rescinded by the Governor.

# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

[ 204 PA. CODE CH. 211 ]

#### Judicial Salaries

##### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

##### CHAPTER 211. CONSUMER PRICE INDEX AND JUDICIAL SALARIES

###### § 211.1a. Consumer Price Index—judicial salaries.

The Court Administrator of Pennsylvania reports that the percentage change in the Philadelphia-Wilmington-Atlantic City, PA-NJ-DE-MD, Consumer Price Index for All Urban Consumers (CPI-U) for the 12-month period ending October 2011, was 3.0 percent (3.0%). (See U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index, Wednesday, November 16, 2011).

###### § 211.2. Judicial salaries effective January 1, 2012.

The annual judicial salaries for calendar year beginning January 1, 2012 will be adjusted by a cost-of-living factor as follows:

###### (a) *Supreme Court.*

(1) The annual salary of a justice of the Supreme Court shall be \$195,309.

(2) The annual salary of the Chief Justice of the Supreme Court shall be \$200,993.

###### (b) *Superior Court.*

(1) The annual salary of a judge of the Superior Court shall be \$184,282.

(2) The annual salary of the President Judge of the Superior Court shall be \$189,965.

###### (c) *Commonwealth Court.*

(1) The annual salary of a judge of the Commonwealth Court shall be \$184,282.

(2) The annual salary of the President Judge of the Commonwealth Court shall be \$189,965.

###### (d) *Courts of common pleas.*

(1) The annual salary of a judge of the court of common pleas shall be \$169,541.

(2) The annual salary of the President Judges of the Court of Common Pleas shall be in accordance with the following schedule:

(i) Allegheny County, \$172,382.

(ii) Philadelphia County, \$172,951.

(iii) Judicial districts having six or more judges, \$171,018.

(iv) Judicial districts having one to five judges, \$170,279.

(v) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with divisions of six or more judges, \$171,018.

(vi) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with divisions of five or less judges, \$170,279.

(vii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with divisions of six or more judges, \$171,018.

(viii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with divisions of five or less judges, \$170,279.

###### (e) *Philadelphia Municipal Court.*

(1) The annual salary of a judge of the Philadelphia Municipal Court shall be \$165,617.

(2) The annual salary of the President Judge of the Philadelphia Municipal Court shall be \$168,176.

###### (f) *Philadelphia Traffic Court.*

(1) The annual salary of a judge of the Philadelphia Traffic Court shall be \$89,091.

(2) The annual salary of the President Judge of the Philadelphia Traffic Court shall be \$89,830.

(g) *Magisterial district judge.* The annual salary of a magisterial district judge shall be \$84,773.

(h) *Senior judges.* The compensation of the senior judges pursuant to 42 Pa.C.S. § 4121 (relating to assignment of judges) shall be \$522 per day. In any calendar year the amount of compensation which a senior judge shall be permitted to earn as a senior judge shall not when added to retirement income paid by the Commonwealth for such senior judge exceed the compensation payable by the Commonwealth to a judge then in regular active service on the court from which said senior judge retired. A senior judge who so elects may serve without being paid all or any portion of the compensation provided by this section.

[Pa.B. Doc. No. 11-2180. Filed for public inspection December 23, 2011, 9:00 a.m.]

## Title 207—JUDICIAL CONDUCT

### PART IV. COURT OF JUDICIAL DISCIPLINE

[ 207 PA. CODE CH. 8 ]

#### Amendment to the Rules of Procedure of the Court of Judicial Discipline; Doc. No. 1 JD 94

##### Order

*And Now*, this 7th day of December, 2011, the Court, pursuant to Article 5, Section 18(b)(4) of the Constitution of Pennsylvania, hereby eliminates Chapter 8. Emergency Relief; Rule of Procedure No. 801, said Rule follows. *It Is Hereby Ordered*:



That the elimination of Chapter 8, Emergency Relief; Rule of Procedure No. 801 shall become effective immediately.

JOHN W. MORRIS,  
*President Judge*

**Annex A**

**TITLE 207. JUDICIAL CONDUCT**

**PART IV. COURT OF JUDICIAL DISCIPLINE**

**ARTICLE III. OTHER PROCEEDINGS**

**CHAPTER 8. [ EMERGENCY RELIEF ] (Reserved)**

Rule 801. [ **Emergency Relief** ] (Reserved).

[ (A) The Court may issue an interim order granting suspension prior to notice or a hearing. In determining whether to issue an interim order granting suspension and whether notice or hearing should be required, the Court may act on the basis of averments of the pleadings and such other evidence as the Court may require.

(B) An interim order granting suspension issued without notice or hearing shall expire unless a hearing on the continuance of the order is held within 10 days after the granting of the order or within such other time as the parties may agree or as the Court upon cause shown shall direct.

(C) After a hearing, the Court may dissolve, continue or modify the interim order of suspension.

(D) Any party may move at any time to dissolve or modify an order granted under this Rule.

**Official Note:** This rule is derived from former interim Rule 31.

**Adopted May 31, 1994, effective May 31, 1994. ]**

[Pa.B. Doc. No. 11-2181. Filed for public inspection December 23, 2011, 9:00 a.m.]

**PART II. CONDUCT STANDARDS**

[ 207 PA. CODE CH. 33 ]

**Formal Opinion 2011-1**

Notice is hereby given that the Ethics Committee of the Pennsylvania Conference of State Trial Judges has adopted its Formal Opinion 2011-1 which is set forth as follows.

EDWARD D. REIBMAN,  
*Chairperson*  
*Ethics Committee*  
*Pennsylvania Conference of State Trial Judges*

**Annex A**

**TITLE 207. JUDICIAL CONDUCT**

**PART II. CONDUCT STANDARDS**

**CHAPTER 33. CODE OF JUDICIAL CONDUCT**

**Subchapter B. FORMAL OPINIONS**

**§ 11-1. Certain Fundraising Activities.**

The Ethics Committee of the Pennsylvania Conference of State Trial Judges regularly receives inquiries regarding the propriety of participation in civic and charitable activities by members of the judiciary. Because of the frequency of such inquiries, the Committee has decided to

issue a formal opinion addressing this issue in order to provide guidance to the Conference.

The footnote to Canon 5A of the Code of Judicial Conduct acknowledges that the complete separation of judges from extra judicial activities is neither possible nor wise since there is danger in judges becoming isolated from the society and communities in which they live. There are, however, many concerns regarding the circumstances in which judges may properly participate in civic and charitable activities and, more particularly, the nature and extent of fundraising activities held on behalf of civic and charitable organizations in which a judge's participation is permissible.

Canon 5B of the Code of Judicial Conduct provides:

*B. Civic and Charitable Activities.* Judges may participate in civic and charitable activities that do not reflect adversely upon their impartiality or interfere with the performance of their judicial duties. Judges may serve as an officer, director, trustee, or nonlegal advisor of an educational, religious, charitable, fraternal, or civic organization not conducted for the economic or political advantage of its members, subject to the following limitations:

(1) Judges should not serve if it is likely that the organization will be engaged in proceedings that would ordinarily come before them or will be regularly engaged in adversary proceedings in any court.

(2) Judges should not solicit funds for any educational, religious, charitable, fraternal, or civic organization, or use or permit the use of the prestige of their office for that purpose, but they may be listed as an officer, director, or trustee of such an organization. They should not be a speaker or the guest of honor at an organization's fund raising events, but they may attend such events.

(3) Judges should not give investment advice to such an organization, but they may serve on its board of directors or trustees even though it has the responsibility for approving investment decisions.

Thus, Canon 5B sets forth the general proposition that judges may participate in civic and charitable organizations and activities provided, however, such organizations and activities do not reflect adversely upon a judge's impartiality or interfere with the performance of his or her judicial duties. The Canon further provides that a judge may serve as an officer, director, trustee or nonlegal advisor of an educational, religious, charitable, fraternal or civic organization if the organization is not conducted for the economic or political advantage of its members and the organization is not likely to be engaged in proceedings that would ordinarily come before the judge and will not regularly be engaged in adversary proceedings in any court. See Canon 5B(1). As to other activities concerning civic and charitable organizations, Canon 5B(2) permits judges to be listed as an officer, director, or trustee of such organizations and Canon 5B(3) permits judges to serve on boards of directors or as trustees, even though the board has the responsibility for approving investment decisions. However, Canon 5B(3) prohibits judges from giving investment advice.

In respect to fundraising, Canon 5B(2) specifically prohibits judges from soliciting funds for any educational, charitable, fraternal, or civic organization, or using or permitting the use of the prestige of their office for that purpose regardless of how worthwhile the organization or its activities may be.



Canon 5(B)(2) clearly prohibits judges from being the guest speaker or guest of honor at fundraising dinners or events. However, faced with reduced budgets and shrinking charitable contributions, organizations have turned to novel and creative fundraising efforts to swell the crowd or otherwise raise money by involving judges.

The Ethics Committee has been presented with a wide variety of such efforts. Without attempting to offer an all-inclusive list of all of the potential activities that fall within the ambit of Canon 5B, they have included using a judge as an attraction or celebrity participant, such as Dancing with the Stars, Competing with the Stars in Sporting Events, Celebrity Auctioneer and Celebrity Contributor. While celebrities and other government officials may lend their personal, professional, or other forms of celebrity status to the fundraising efforts of an organization, such activity by a judge is prohibited. In sum, a judge may not permit an organization to capitalize on, or exploit, a judge's attendance at or participation in such events by advertising that fact or issuing invitations citing that attendance or participation in advance of the event. A judge who allows him- or herself to be used in this manner is engaged in a solicitation of funds in violation of Canon 5(B)(2).

This does not mean a judge is precluded from receiving a well-earned award from an organization or even being recognized at an event. It means the judge cannot allow his/her presence at the event or the fact he/she will receive an award at it be used to promote a fundraising event. The critical harm to be avoided is the exploitation of the judge.

Therefore, while judges may attend fundraising events, assuming the event or activity does not violate the broader prohibition of reflecting adversely upon the judge's impartiality or interfere with the performance of the judge's judicial duties, a judge should not be featured as a highlight of any such event. Accordingly, advertising the judge's presence, placing the judge in a strategic position to influence potential customers or contributors, having a judge endorse a fundraising event or product, or having a judge sell tickets may each lead to effects the Code is designed to prevent. These include making people feel obligated to curry favor with the judge, diminishing the office of judge by turning it into a marketing tool, and pressuring other judges into participating in similar causes. A judge who allows him- or herself to be used in this manner is engaged in the solicitation of funds in direct violation to Canon 5B(2). And because of the overall prophylactic purpose of the rule, the worthiness of the cause for which the funds are being raised is irrelevant.

If, after considering the foregoing principles, a judge decides to attend or participate in a fundraising event, additional consideration must be given to the mandate of Canon 5A that a judge's avocational activities "not detract from the dignity of the[] office." Accordingly, the indicia of the office of judge, including the judicial robe, gavel and courtroom should never be utilized or depicted in any manner which would compromise respect for the judiciary or the judicial process. Attendance at, or participation in, events that do so would, therefore, also be prohibited by Canon 5.

This opinion is obviously not intended as an exhaustive discussion of all of the potential activities permitted or prohibited under the Code. Instead, its primary focus is to address how a judge may participate in the fundraising

aspects of civic and charitable activities without running afoul of Canon 5B(2)'s prohibition against using or permitting the use of the prestige of the judicial office for the solicitation of funds on behalf of those organizations in which they are involved. By remaining sensitive to the potential exploitation of the judicial office—or more specifically, the "judge as judge"—the salutary purposes animating the Code of Judicial Conduct will be better served and the preservation of an independent judiciary can continue to be assured.

To reiterate, the purpose of this formal opinion is to provide guidance on a matter of general importance to the Conference. It is not a substitute for an advisory opinion by the Ethics Committee to an individual judicial officer on specific facts.

As adopted by the Supreme Court, the Code of Judicial Conduct provides:

The Ethics Committee of the Pennsylvania Conference of State Trial Judges is designated as the approved body to render advisory opinions regarding ethical concerns involving judges, justices and other judicial officers subject to the Code of Judicial Conduct, and, although such opinions are not per se binding upon the Judicial Conduct Board, the Court of Judicial Discipline or the Supreme Court of Pennsylvania, action taken in reliance thereupon and pursuant thereto shall be taken into account in determining whether discipline should be recommended or imposed.

To obtain the "rule of reliance," an individual subject to the Code of Judicial Conduct shall present to a member of the Ethics Committee a particular factual scenario to which the inquirer seeks advice regarding his/her prospective conduct.

[Pa.B. Doc. No. 11-2182. Filed for public inspection December 23, 2011, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### BUCKS COUNTY

#### Imposition of Filing Fees for Applications to Modify Custody; Administrative Order No. 63

##### Order

*And Now*, this 12th day of December, 2011, it is hereby *Ordered and Directed* that the fee for the filing of a petition to modify a custody order shall be fifty dollars (\$50.00).

This Order shall become effective February 1, 2012.

*By the Court*

SUSAN D. SCOTT,  
*President Judge*

[Pa.B. Doc. No. 11-2183. Filed for public inspection December 23, 2011, 9:00 a.m.]

# DISCIPLINARY BOARD OF THE SUPREME COURT

## Notice of Disbarment

Notice is hereby given that Joseph P. Sindaco, having been disbarred by consent from the practice of law in the State of Florida by Order of the Supreme Court of Florida dated August 26, 2010, the Supreme Court of Pennsylvania issued an Order on December 8, 2011, disbarring Joseph P. Sindaco, from the Bar of this Commonwealth, effective January 7, 2012. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 11-2184. Filed for public inspection December 23, 2011, 9:00 a.m.]

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# RULES AND REGULATIONS

## Title 58—RECREATION

### GAME COMMISSION

[ 58 PA. CODE CH. 137 ]

#### Wildlife; Chronic Wasting Disease

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its October 4, 2011, meeting amended § 137.34 (relating to Chronic Wasting Disease and emergency authority of Director) to update its terminology and procedures to be consistent with the Commonwealth's Interagency Chronic Wasting Disease Response Plan.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 41 Pa.B. 4637 (August 27, 2011).

#### 1. Purpose and Authority

The recent discovery of Chronic Wasting Disease in a free-ranging deer in Allegany County, Maryland, just over 10 miles from the Pennsylvania border, prompted a review and updating of the Commonwealth's Interagency Chronic Wasting Disease Response Plan. This update necessitates amending § 137.34 to bring the terminology and procedures in the regulation in line with the response plan.

Section 322(c)(9) of the code (relating to powers and duties of commission) specifically empowers the Commission to "Prohibit the possession, importation, exportation or release of any species of birds or animals which may be considered dangerous or injurious to the general public or to the wildlife of this Commonwealth." Section 2102(a) of the code (relating to regulations) provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendments to § 137.34 are adopted under this authority.

#### 2. Regulatory Requirements

The final-form rulemaking amends § 137.34 by adding language to update its terminology and procedures to be consistent with the Commonwealth's Interagency Chronic Wasting Disease Response Plan.

#### 3. Persons Affected

Persons wishing to import, hunt, feed, possess or rehabilitate deer within this Commonwealth will be affected by the final-form rulemaking.

#### 4. Comment and Response Summary

There were no official comments received regarding the final-form rulemaking.

#### 5. Cost and Paperwork Requirements

The final-form rulemaking should not result in additional cost or paperwork.

#### 6. Effective Date

The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

#### 7. Contact Person

For further information regarding the final-form rulemaking, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

#### Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

#### Order

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 137, are amended by amending § 137.34 to read as set forth in Annex A.

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

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

CARL G. ROE,  
Executive Director

**Fiscal Note:** Fiscal Note 48-330 remains valid for the final adoption of the subject regulation.

#### Annex A

### TITLE 58. RECREATION

### PART III. GAME COMMISSION

### CHAPTER 137. WILDLIFE

#### § 137.34. Chronic Wasting Disease and emergency authority of Director.

(a) The Director has emergency authority to take actions to mitigate risk factors and to determine the prevalence and geographic distribution of Chronic Wasting Disease (CWD), if the Director concludes that the spread of CWD poses a threat to human safety, farm animals, pets or other cervids within or adjacent to this Commonwealth.

(1) The Director has emergency authority to:

(i) Prohibit the importation of high risk cervid parts from areas that are known to harbor CWD.

(ii) Define and designate Disease Management Areas (DMAs) in this Commonwealth.

(2) The Director has emergency authority within designated DMAs to:

- (i) Allow the taking of cervids without regard to established seasons and bag limits and methods of take.
- (ii) Require mandatory checking of hunter-killed cervids.
- (iii) Prohibit the removal of high risk cervid parts.
- (iv) Prohibit the rehabilitation of cervids.
- (v) Prohibit the use and possession of cervid urine-based attractants.
- (vi) Prohibit the feeding of cervids.
- (vii) Prohibit any new permits to possess or transport live cervids.

(3) Notwithstanding paragraphs (1) and (2), the emergency authority of the Director will not be construed to extend to the regulation of captive cervids held under 3 Pa.C.S. Chapter 27 (relating to Domestic Animal Law) or the requirements of a lawful quarantine order issued by the Department of Agriculture.

(b) It is unlawful for a person to violate a provision of an Executive Order issued by the Director under the authority of this section. A person violating this section will, upon conviction, be sentenced to pay the fine prescribed in the act.

[Pa.B. Doc. No. 11-2185. Filed for public inspection December 23, 2011, 9:00 a.m.]

## GAME COMMISSION

### [ 58 PA. CODE CH. 147 ]

#### Special Permits; Furbearer Hunting-Trapping Permits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its October 4, 2011, meeting amended § 147.701 (relating to general) to reduce the applicability of the Convention on International Trade in Endangered Species (CITES) tag to bobcats and international exports only.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 41 Pa.B. 4420 (August 13, 2011).

##### 1. Purpose and Authority

CITES is a comprehensive conservation treaty signed by 175 countries, including the United States. This international agreement regulates the commercial trade of wildlife species and works to ensure that international trade of species is sustainable and does not threaten their survival. In relevant part, CITES requires permanent tags to be affixed to carcasses or parts of species being exported internationally. The bobcat, while not threatened with extinction, is listed in CITES and trade is controlled to protect endangered cats that have fur and parts similar in appearance; therefore, CITES applies to international exportation of this species. CITES does not currently apply to fishers.

Current Commission regulations take this requirement a step further by requiring permittees to obtain and the

Commission to issue CITES tags for every bobcat and fisher harvested that will be exported beyond this Commonwealth. The Commission has determined that this requirement is unnecessarily restrictive on permittees, over burdensome on the Commission and simply not applicable to fishers. The amendments to § 147.701 will reduce the applicability of the CITES tag to bobcats and international exports only.

Section 2102(a) of the code (relating to regulations) provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendments to § 147.701 are adopted under this authority.

##### 2. Regulatory Requirements

The final-form rulemaking amends § 147.701 by reducing the applicability of the CITES tag to bobcats and international exports only.

##### 3. Persons Affected

Persons wishing to export bobcats harvested within this Commonwealth internationally will be affected by the final-form rulemaking.

##### 4. Comment and Response Summary

There were no official comments received regarding the final-form rulemaking.

##### 5. Cost and Paperwork Requirements

The final-form rulemaking should not result in additional cost or paperwork.

##### 6. Effective Date

The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

##### 7. Contact Person

For further information regarding the final-form rulemaking, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

##### Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

##### Order

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 147, are amended by amending § 147.701 to read as set forth at 41 Pa.B. 4420.



(b) The Executive Director of the Commission shall certify this order and 41 Pa.B. 4420 and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

CARL G. ROE,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-331 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 11-2186. Filed for public inspection December 23, 2011, 9:00 a.m.]

**PENNSYLVANIA GAMING CONTROL BOARD**

**[ 58 PA. CODE CH. 401a ]**

**Corrective Amendment to 58 Pa. Code § 401a.3**

The Pennsylvania Gaming Control Board has discovered a discrepancy between the agency text of 58 Pa. Code § 401a.3 (relating to definitions) as deposited with the Legislative Reference Bureau and published at 37 Pa.B. 2808 (June 23, 2007) and the official text as codified in the *Pennsylvania Code Reporter* (Master Transmittal Sheet No. 412, March 2009) and as currently appearing in the *Pennsylvania Code*. The definition of “licensed entity representative” was printed incorrectly. A codification error resulted in subparagraphs (i) and (ii) from the definition of “licensed facility” duplicated in the definition of “licensed entity representative.”

Therefore, under 45 Pa.C.S. § 901: The Pennsylvania Gaming Control Board has deposited with the Legislative Reference Bureau a corrective amendment to 58 Pa. Code § 401a.3. The corrective amendment to § 401a.3 is effective as of March 7, 2009, the date the defective official text was announced in the *Pennsylvania Bulletin*.

The correct version of the definition of “licensed entity representative” in 58 Pa. Code § 401a.3 appears in Annex A, with ellipses referring to the existing text of the regulation.

**Annex A**

**TITLE. 58. RECREATION**

**PART VII. GAMING CONTROL BOARD**

**Subpart A. GENERAL PROVISIONS**

**CHAPTER 401a. PRELIMINARY PROVISIONS**

**§ 401a.3. Definitions.**

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

\* \* \* \* \*

*Licensed entity representative*—A person acting on behalf of or representing the interest of an applicant, licensee, permittee or registrant, including an attorney, agent or lobbyist regarding any matter which may reasonably be expected to come before the Board.

*Licensed facility*—

(i) The physical land-based location at which a licensed gaming entity is authorized to place and operate slot machines including the gaming floor, all restricted areas servicing slot operations, and food, beverage and retail outlets and other areas serving the gaming floor which are located either on or directly accessible from and adjacent to the gaming floor or the restricted areas servicing slot operations.

(ii) The term does not encompass areas or amenities exclusive to pari-mutuel activities, hotel activities including hotel rooms, catering or room service operations serving a hotel, convention, meeting and multipurpose facilities, retail facilities, food and beverage outlets and other amenities and activities not located on or adjacent to the gaming floor, or related to slot machine gaming operations.

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[Pa.B. Doc. No. 11-2187. Filed for public inspection December 23, 2011, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Action Plan for the Distribution and Use of Community Development Block Grant—Recovery Funds

The Department of Community and Economic Development (Department) is proposing a minor amendment to the Commonwealth's Action Plan for Federal Fiscal Year 2008 (FFY) and the Program year that began on January 1, 2008. The 2008 Action Plan is an update of the Commonwealth's Consolidated Plan for FFY 2004-2008. Due to revised activities for a small number of grantees, this minor amendment contains a revised Action Plan for the distribution and use of Community Development Block Grant—Recovery (CDBG-R) funds.

The United States Department of Housing and Urban Development (HUD) awarded the Commonwealth an allocation of \$12,434,921 in CDBG-R funds, as authorized by the American Recovery and Reinvestment Act of 2009 (42 U.S.C.A. § 5301).

The purpose of CDBG-R funds is to provide expedited funding for community development projects that will stimulate the economy and provide job creation and job retention benefits. The Department awarded CDBG-R funds on a formula basis to local governments, which includes 13% of the funds for competitive/discretionary projects. The eligible activities include many of the regular activities eligible under the CDBG Program with several exceptions.

The Action Plan also includes the list of projects that grantees are undertaking using CDBG-R funds and local government contact information about those projects. This minor amendment to the Action Plan will be submitted to HUD on or before December 30, 2011. Copies of the Action Plan and a list of projects can be obtained at <http://www.newpa.com/strengthen-your-community/technical-assistance/index.aspx>.

Persons who would like additional information about this amendment should contact Jody Michael, Department of Community and Economic Development, Center for Community Development, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225.

C. ALAN WALKER,  
*Secretary*

[Pa.B. Doc. No. 11-2188. Filed for public inspection December 23, 2011, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Proposed Grant Application by the Department of Education under Part B of the Individuals with Disabilities Education Act for Federal Fiscal Year 2012

Public comment is invited regarding the Department of Education's (Department) proposed grant application un-

der Part B of the Individuals with Disabilities Education Act (IDEA-B). The annual grant application provides assurances that the Commonwealth's policies and procedures in effect are consistent with the Federal requirements, to ensure that a free appropriate public education is made available to all children with a disability from 3 to 21 years of age, including children who have been suspended or expelled from school. The current policies and procedures are available on the Department's web site at [www.education.state.pa.us](http://www.education.state.pa.us) (click on the "Programs" tab, select "Programs S-Z," select "Special Education," click on "Funding Sources," select the 2009 link under IDEA-B Policies and Procedures).

The Education Department General Administrative Regulations, 34 CFR 300.165 (relating to public participation), requires that states conduct public hearings, ensure adequate notice of those hearings and provide an opportunity for public comment, including comment from individuals with disabilities and parents of children with disabilities, before adopting policies and procedures. The Commonwealth must publish the proposed IDEA-B application, and current policies and procedures related to IDEA-B, which can be found by accessing the Pennsylvania Training and Technical Assistance Network's (PaTTAN) web site at [www.pattan.net](http://www.pattan.net) and clicking on the "Legal" tab at the top of the page to find the link to the "Federal Law and Regulations."

Alternative formats of the documents (such as Braille, large print and cassette tape) will be made available upon request. Moreover, public comment is welcomed in alternative formats such as Braille, taped comments and telephone comments. Persons who wish to submit comments by telephone should contact Beth Runkle at (717) 783-2311.

Written and verbal comments must be received by April 1, 2012. The written comments should be directed to Jean B. Inskip or Dr. Ronald Wells, Bureau of Special Education, Department of Education, 333 Market Street, 7th Floor, Harrisburg, PA 17126-0333.

Additionally, the Department will provide individuals an opportunity to testify on the proposed IDEA-B application and the current policies and procedures. Testifiers are encouraged to bring a written copy of their testimony at the time of presentation. Presentations should be limited to 15 minutes.

Dates, locations and times allotted for verbal testimony regarding the proposed grant application and current policies and procedures are as follows:

- |                |   |
|----------------|---|
| March 12, 2012 | PaTTAN—Pittsburgh<br>3190 William Pitt Way<br>Pittsburgh, PA<br>(4 p.m.—6 p.m.)       |
| March 13, 2012 | PaTTAN—Harrisburg<br>6340 Flank Drive<br>Harrisburg, PA<br>(4 p.m.—6 p.m.)            |
| March 14, 2012 | PaTTAN—King of Prussia<br>200 Anderson Road<br>King of Prussia, PA<br>(4 p.m.—6 p.m.) |

To schedule an opportunity to present verbal testimony, or individuals who require accommodation to participate in the proceedings, contact Beth Runkle at (717) 783-2311 no later than February 17, 2012.

Following receipt of all written and verbal comments, the Department must review and consider all public comments and make any necessary modifications to the application, or policies and procedures, as appropriate, before submission of the grant application to the Secretary of the United States Department of Education.

RONALD J. TOMALIS,  
*Secretary*

[Pa.B. Doc. No. 11-2189. Filed for public inspection December 23, 2011, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, actions and special notices

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### APPLICATIONS

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#### THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

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

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

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

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

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

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

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

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



**I. NPDES Renewal Applications**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0029483 (Sewage)	Buck Hill Falls Company P. O. Box 426 Buck Hill Falls, PA 18323-0426	Monroe County Barrett Township	Buck Hill Creek (01E)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0248037 (Sew)	Bethel Township Municipal Authority PO Box 274 Bethel, PA 19507	Berks County Bethel Township	Little Swatara Creek / 7-D	Y
PA0088781 (IW)	Calpine Mid Merit LLC 500 Delaware Avenue, Suite 600 Wilmington, DE 19801	York County Delta Borough Lancaster County Drumore Township	UNT to Susquehanna River / 7-K	Y
PA0085430 (Sew)	MHC Robin Hill, LLC 2 North Riverside Plaza, Ste 800 Chicago, IL 60606-2682	Berks County Greenwich Township	UNT to Maiden Creek / 3-B	Y
PA0259845 (CAFO)	Hillandale Gettysburg, LP 370 Spicer Road Gettysburg, PA 17325	Adams County Tyrone Township	UNT Conewago Creek / 7-F	Y
PA0085006 (Sew)	Conoy Township 211 Falmouth Road Bainbridge, PA 17502-9801	Lancaster County Conoy Township	Conoy Creek / 7-G	Y
PA0085022 (Sew)	Conoy Township 211 Falmouth Road Bainbridge, PA 17502	Lancaster County Conoy Township	UNT to Susquehanna River / 7-G	Y
PA0248495 (CAFO)	Hillandale-Bailey Farms 2820 Daron Road Spring Grove, PA 17362	York County Codorus Township	Codorus Creek / 7-H	Y
PA0246409 (CAFO)	Chickies Creek Farm, LLC 2538 Risser Mill Road Mount Joy, PA 17552	Lancaster County Mount Joy Township	Little Chickies Creek / 7-G	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0104167 (Industrial Waste)	Erie City Water Authority 240 West 12th Street Erie, PA 16501	Erie County City of Erie	Presque Isle Bay 15	Y

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

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

**PA0056545**, Sewage, SIC 2671 and 2673, **Huhtamaki Films, Inc.**, 2400 Continental Boulevard, Malvern, PA 19355-2326.

This facility is located in Tredyffrin Township, **Chester County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge stormwater run-off from the manufacturing facility's asphalt loading area, roof drains and parking lot to Little Valley Creek, and an unnamed tributary to Little Valley Creek. This is an existing discharge.

The receiving stream, Little Valley Creek, is in the State Water Plan watershed 3F and is classified for: exceptional value, aquatic life, water supply and recreation. The nearest downstream public water supply intake for PA American-Norristown is located on the Schuylkill River and is approximately 9 miles below the point of discharge.

The proposed effluent limits for Outfalls 001, 002, and 003 are the same and are based on a design flow of an average storm event.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>			Report	
COD			Report	
Oil and Grease			Report	
pH (Std. Units)			Report	
Total Suspended Solids			Report	
Total Kjeldahl Nitrogen			Report	
Total Phosphorus			Report	
Total Iron			Report	

In addition to the effluent limits, the permit contains the following major special conditions:

1. Change of Ownership
2. Stormwater Requirements

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

**PA0081311**, Sewage, SIC Code 4952, **South Londonderry Township**, PO Box 3, Campbelltown, PA 17010-0003. Facility Name: South Londonderry Colebrook STP. This existing facility is located in South Londonderry Township, **Lebanon 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), Conewago Creek, is located in State Water Plan watershed 7-G and is classified for Trout Stocking, Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.044 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>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	9.2	14.7	XXX	25	40	50
Total Suspended Solids	11	Wkly Avg 16.5	XXX	30	45	60
Total Suspended Solids		Wkly Avg				
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Ammonia-Nitrogen				Geo Mean		
May 1 - Oct 31	6.2	XXX	XXX	17	XXX	34
Total Phosphorus	0.73	XXX	XXX	2.0	XXX	4.0
Total Phosphorus	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Total Mo XXX	268	XXX	XXX	XXX	XXX
		Total Annual				

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

The EPA Waiver is not in effect.

**PA0044261**, Sewage, SIC Code 4952, **PA DCNR Facility Design & Const Bureau**, 205 Canoe Creek Road, Hollidaysburg, PA 16648. Facility Name: Canoe Creek State Park. This existing facility is located in Frankstown Township, **Blair 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), New Creek, is located in State Water Plan watershed 11-A and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.12 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	XXX	XXX	XXX	15	XXX	30
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	15	XXX	30
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Ammonia-Nitrogen	XXX	XXX	XXX	3.0	XXX	6.0

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

The EPA Waiver is in effect.

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

**PA0111759**, Industrial Waste, SIC Code 2011, **Cargill Meat Solutions, Inc.**, P. O. Box 188, Wyalusing, PA 18853-0188. Facility Name: Cargill Meat Solutions Corp. This existing facility is located in Wyalusing Township, **Bradford County**.

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

The receiving stream(s), Wyalusing Creek, is located in State Water Plan watershed 4-D and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.528 MGD.

<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	1.6
BOD <sub>5</sub>	368	737	XXX	Report	Report	XXX
Total Suspended Solids	439	877	XXX	Report	Report	XXX
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Oil and Grease	74	148	XXX	15	30	30
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	XXX	XXX	400
Ammonia-Nitrogen	XXX	XXX	XXX	4.0	8.0	XXX
Total Nitrogen (Interim)	XXX	XXX	XXX	Monitor	Monitor	XXX
Total Nitrogen (Final)	XXX	XXX	XXX	134	194	XXX

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

<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			

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Concentration (mg/l)</i>		
	<i>Monthly Report</i>	<i>Annual Report</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Net Total Nitrogen (Final)	Report	19483			
Net Total Phosphorus (Interim)	Report	Report			
Net Total Phosphorus (Final)	Report	1218			

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

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

\*\* Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2014.

In addition, the permit contains the following major special condition(s):

- Nutrient 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.

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

**PA0027626**, Sewage, SIC Code 4952, **Kiski Valley Water Pollution Control Authority**, 1361 School Road, Leechburg, PA 15656-4904. Facility Name: Kiski Valley STP. This existing facility is located in Allegheny Township, **Westmoreland County**.

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

The receiving stream(s), Kiskiminetas River, is located in State Water Plan watershed 18-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 7 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>Weekly Average</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	1.6
CBOD <sub>5</sub>	1,460.0	2,189.0	XXX	25	37.5	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	1,751.0	2,627.0	XXX	30	45	60
		Wkly Avg				
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		

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

The EPA Waiver is not in effect.

**PA0094536**, Sewage, SIC Code 8211, **Forest Hills School District**, 549 Locust Street, Sidman, PA 15955. Facility Name: Forest Hills Middle School STP. This existing facility is located in Croyle Township, **Cambria County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.019 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)	0.019	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	1.2	XXX	2.7
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
Ammonia-Nitrogen				Geo Mean		
May 1 - Oct 31	XXX	XXX	XXX	7.0	XXX	14.0
Nov 1 - Apr 30	XXX	XXX	XXX	14.0	XXX	28.0

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.

**PA0042561**, Sewage, **Upper Stonycreek Joint Municipal Authority**, PO Box 24, Hooversville, PA 15936. Facility Name: Upper Stonycreek Joint Municipal Authority STP. This existing facility is located in Quemahoning Township, **Somerset County**.

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

The receiving stream(s), Stony Creek, is located in State Water Plan Watershed 18-E, and is classified for Trout Stocked Fisheries, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.656 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	136.9	208.0	XXX	25	38	50
Total Suspended Solids	164.2	246.3	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
Ammonia-Nitrogen				Geo Mean		
May 1 - Oct 31	54.7	82.1	XXX	10.0	15.0	20.0
Nov 1 - Apr 30	136.9	208.0	XXX	25.0	38.0	50.0

The EPA Waiver is in effect.

**PA0095851**, Sewage, **Delm Developers LLC**, PO Box 1010, Chambersburg, PA 17021. Facility Name: Roof Garden Acres MHP STP. This existing facility is located in Somerset Township, **Somerset County**.

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

The receiving stream(s), Unnamed Tributary to East Branch Coxes Creek, is located in State Water Plan watershed 19-F and is classified for warm water fishery, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.



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

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly		Minimum	Average Monthly		
Flow (MGD)	0.013	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	1.4	XXX	3.3
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
Geo Mean						
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	15	XXX	30
Nov 1 - Apr 30	XXX	XXX	XXX	25	XXX	50

The EPA Waiver is in effect.

**PA0096512**, Sewage, **Mount Morris Water & Sewer Authority**, P O Box 340, Mt Morris, PA 15349-0304. Facility Name: Mt Morris Waste Water Treatment Plant. This existing facility is located in Perry Township, **Greene 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), Dunkard Creek, is located in State Water Plan watershed 19-G and is classified for, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.1 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	0.10	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	1.4	XXX	3.3
CBOD <sub>5</sub>	20.9	31.7	XXX	25	38	50
Total Suspended Solids	25.0	37.6	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
Geo Mean						
Ammonia-Nitrogen						
May 1 - Oct 31	5.8	8.8	XXX	7.0	10.5	14.0
Nov 1 - Apr 30	17.5	26.3	XXX	21.0	31.5	42.0

The EPA Waiver is in effect.

**PA0203734**, Sewage, **Russell A. Weaver**, 2499 Campmeeting Road, Sewickley, PA 15143. Facility Name: Weaver & Simkovich SFTF. This existing facility is located in Franklin Park Borough, **Allegheny County**.

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

The receiving stream(s), Unnamed Tributary of Rippling Run, is located in State Water Plan watershed 20-G and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0008 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	0.0008	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	3.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	1.4	XXX	3.3
CBOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20

<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>
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	2000 Geo Mean	XXX	10000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18.0

The EPA Waiver is in effect.

**PA0218812**, Sewage, **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701. Facility Name: Hillsdale STP. This existing facility is located in Montgomery Township, **Indiana 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, Cush Creek, is located in State Water Plan watershed 8-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.055 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>		<i>Instant. Maximum</i>
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
CBOD <sub>5</sub>						
May 1 - Oct 31	9.2	XXX	XXX	20	XXX	40
Nov 1 - Apr 30	11.5	XXX	XXX	25	XXX	50
Total Suspended Solids	13.8	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	2000 Geo Mean	XXX	10000
Ammonia-Nitrogen						
May 1 - Oct 31	0.9	XXX	XXX	1.9	XXX	3.8
Nov 1 - Apr 30	1.3	XXX	XXX	2.8	XXX	5.6

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>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report			Report	
Kheldal-N	Report			Report	
Nitrite-N	Report			Report	
Nitrate-N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	

This facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until expiration date.

The EPA Waiver is not in effect.

**PA0217514**, Sewage, **Honeywell Electronic Materials Inc.**, 195 Hartzell School Road, Fombell, PA 16123. Facility Name: Honeywell Electric Materials STP. This existing facility is located in Marion Township, **Beaver County**.

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

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



The proposed effluent limits for Outfall 001 are based on a design flow of 0.015 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly		Minimum	Average Monthly		
Flow (MGD)	0.015	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	1.4	XXX	3.3
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
Total Phosphorus	XXX	XXX	XXX	Geo Mean 2.0	XXX	4.0

The EPA Waiver is in effect.

**PA0093955, DeCarlo Mark P**, 2800 Washington Boulevard, McKeesport, PA 15037. Facility Name: DeCarlo SRSTP. This existing facility is located in Middlecreek Township, **Somerset County**.

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

The receiving stream, Unnamed Tributary of Laurel Hill Creek, is located in State Water Plan Watershed 19-E and is classified for HQ-CWF Waters, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly		Minimum	Average Monthly		
Flow (MGD)	0.0004	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
				Geo Mean		

The EPA Waiver is in effect.

**PA0217115, Sewage, SIC Code 4952, Indiana County Municipal Service Authority**, 602 Kolter Drive, Indiana, PA 15701. Facility Name: Jacksonville STP. This existing facility is located in Black Lick Township, **Indiana County**.

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

The receiving stream(s), Reeds Run, is located in State Water Plan watershed 18-D and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.077 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Average Weekly	
Flow (MGD)	0.077	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
CBOD <sub>5</sub>	16	XXX	XXX	25	XXX	50
Total Suspended Solids	19.2	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
				Geo Mean		

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	
Ammonia-Nitrogen						
May 1 - Oct 31	2.8	XXX	XXX	4.4	XXX	8.8
Nov 1 - Apr 30	5.5	XXX	XXX	8.5	XXX	17.0

The EPA Waiver is in effect.

**PA0096695**, Sewage, **Frazier School District**, 142 Constitution Street, Perryopolis, PA 15473-1390. Facility Name: Central Elementary School STP. This existing facility is located in Jefferson Township, **Fayette County**.

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

The receiving stream(s), unnamed tributary of Little Redstone Creek, is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.015 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	0.015	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	1.4	XXX	3.3
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	9.0	XXX	18.0
Nov 1 - Apr 30	XXX	XXX	XXX	25	XXX	50

The EPA Waiver is in effect.

**PA0093718**, Sewage, SIC Code 8211, **Karns City Area School District**, 1146 Kittanning Pike, Karns City, PA 16041-1818. Facility Name: Sugarcreek Elementary School. This existing facility is located in Sugarcreek Township, **Armstrong County**.

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

The receiving stream(s), Unnamed Tributary to Huling Run, is located in State Water Plan watershed 17-C and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0075 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Minimum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Instant. Maximum</i>	
Flow (MGD)	0.0075	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	3.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	1.4	XXX	3.3
CBOD <sub>5</sub>	XXX	XXX	XXX	15	XXX	30
Total Suspended Solids	XXX	XXX	XXX	25	XXX	50
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Nov 1 - Apr 30	XXX	XXX	XXX	25	XXX	50

The EPA Waiver is in effect.

**PA0091201**, Sewage, **Indiana Medical Condominiums**, 1177 South 6th Street, Indiana, PA 15701. Facility Name: Indiana Medical Condominiums STP. This existing facility is located in White Township, **Indiana County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0036 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	0.0036	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	3.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.8	XXX	1.8
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	5.5	XXX	11.0
Nov 1 - Apr 30	XXX	XXX	XXX	16.5	XXX	33.0

The EPA Waiver is in effect.

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

**PA0027120**, Sewage, SIC Code 4952, **City of Warren**, 318 West 3rd Avenue, Warren, PA 16365-2388. Facility Name: Warren City WWTP. This existing facility is located in Warren City, **Warren 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), Allegheny River and Unnamed Tributary to Allegheny River, is located in State Water Plan watershed 16-B and is classified for Cold Water Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed interim effluent limits for Outfall 001 are based on a design flow of 4.25 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.69	XXX	2.2
CBOD <sub>5</sub>	886	1,417	XXX	25	40	50
Total Suspended Solids	1,063	1,595	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000

The proposed final effluent limits for Outfall 001 are based on a design flow of 6.5 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	1,355	2,165	XXX	25	40	50
Total Suspended Solids	1,625	2,435	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Copper, Total	Report	XXX	XXX	Report	XXX	Report

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

- Combined Sewer Overflows
- Requirement to Use eDMR System
- POTW Pretreatment Program Implementation
- Solids Management

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

The EPA Waiver is not in effect.

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

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

**WQM Permit No. 5411406**, Sewerage, **Porter-Tower Joint Municipal Authority**, 860 West Grand Avenue, Tower City, PA 17980

This proposed facility is located in Borough of Porter Twp., **Schuylkill County**, PA.

Description of Proposed Action/Activity: This Project involves expansion and upgrade of Porter-Tower Joint Municipal Authority's existing wastewater treatment plant. The expanded and upgraded treatment facility will have an annual average design capacity of 0.722 MGD and will include the following unit processes and operations: influent pumping, screening and grit removal; chemical feed systems for phosphorus removal, supplemental alkalinity and supplemental carbon; sequencing batch reactors; effluent filtration; ultraviolet disinfection; sludge conditioning and sludge dewatering.

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

**WQM Permit No. 0795401, Amendment 11-1**, Sewerage, **GSP Management Company**, Frank Perano, PO Box 677, Morgantown, PA 19543.

This proposed facility is located in Juniata Township, **Blair County**.

Description of Proposed Action/Activity: Installation/Operation of one (1) two feed tube tablet dispenser system to feed dechlorination tablets between the chlorine contact zone and outfall sewer to facilitate compliance with permit limitations for Trace Residual Chlorine (TRC). The dispenser shall be a Sanuril Model 100 Tablet feeder, or approved equal; used in conjunction with sodium sulfate dechlorination tablets. This will be used to serve the Shamrock Mobile Home Park.

**WQM Permit No. 2105402 Amendment 11-1**, Sewerage, **Shippensburg Borough Authority**, 111 North Fayette Street, PO Box 129, Shippensburg, PA 17257-0129.

This proposed facility is located in Southampton Township, **Franklin County**.

Description of Proposed Action/Activity: Plant-wide expansion to increase capacity and provide a level of treatment consistent with enhanced nutrient removal standards.

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

**WQM Permit No. 0407201-A1**, Industrial Waste, **PA Biodiesel, Inc.**, 759 N. Gate Circle, New Castle, PA 16105

This existing facility is located in Potter Twp., **Beaver County**.

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

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI01 151002	Comprehensive Addiction Program, Inc. 1375 Newark Road PO Box 787 Kennett Square, PA 19348	Chester	New Garden Township	East Branch White Clay Creek (EV-MF)
PAI01 231104	KR Industries, LLC 11 South Middletown Road Media, PA 19063	Delaware	Edgmont Township	Rocky Run (HQ-CWF); Chester Creek (MF-TSF)

## NOTICES

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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>
PAI01231105	Castleway Properties, LLC 10 Industrial Highway, Mail Stop 1, E Building, Suite 101 Lester, PA 19113	Delaware	Tinicum Township	Tributary Delaware River (WWF-MF)

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

*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>
PAI024806011R	James Carty 454 St. James Ct. Nazareth, PA 18064	Northampton	Bushkill Twp. and Upper Nazareth Twp.	Bushkill Creek, HQ-CWF, MF

*Monroe County Conservation District: 8050 Running Valley Road, Stroudsburg, PA 18360, 570-629-3060.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI024511017	Arrowhead Sewer Co., Inc. H.C. 88 Pocono Lake, PA 18347	Monroe	Coolbaugh Twp. and Tobyhanna Twp.	Trout Creek, HQ-CWF, MF and UNT to Trout Creek, HQ-CWF, 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>
PAI024811008	Moravian Academy John F. Weber 7 East Market St. Bethlehem, PA 18018	Northampton	Bethlehem Twp.	Bushkill Creek HQ-CWF, MF and Monocacy Creek, HQ-CWF, MF

*Susquehanna County Conservation District: County Office Building, 31 Public Avenue, Montrose, PA 18801, 570-278-4600.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI025811002	New Milford Senior Housing, L.P. 33 Public Ave. Montrose, PA 18801	Susquehanna	New Milford Borough	Salt Lick Creek, HQ-CWF, MF

*Luzerne County Conservation District: 325 Smiths Pond Road, Shavertown, PA 18708, 570-674-7991.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI024011002	Presidential Land Company, LTD. Frank Pedriani 435 W. Centre St. Mahanoy City, PA 17948	Luzerne	Rice Twp.	Big Wapwallopen 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>
PAI032111013	Lewis Martin 489 Big Spring Road Newville, PA 17241	Cumberland	West Pennsboro Township	Big Spring Creek HQ-CWF



Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701  
 Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAS10F093R	K.C. Lezzer Grandview Development 332 Scholfield St Curwensville PA 16833	Centre	Spring Township	Logan Branch HQ-CWF

Tioga County Conservation District: 50 Plaza Lane, Wellsboro, PA 16901, (570) 724-1801, X 3

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI045911001	Keith A. Brubacher 539 Lambert Rd Narvon PA 17555	Tioga	Liberty Township	UNT to Zimmerman Creek HQ-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
Frey Dairy Farms J. Thomas Frey 2746 River Rd Conestoga, PA 17516	Lancaster	748.5	1865.03	Dairy	HQ	Renewal
Sloat/Crane Farm Rose Crane 170 Daugherty Road York, PA 17404	York Co.	110	548.43	Turkey	None	Renewal
Leroy Zimmerman 327 Stackstown Rd Marietta, PA 17547	Lancaster	166.3	340.1	Swine/ Steers Heifers	NA	R
Chick Valley Farm Joel Frey 1170 Breneman Rd Conestoga, PA 17516	Lancaster	74	204.66	Pullets	NA	R

<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>
Hillandale Gettysburg, LP Hillandale 94 Farm 6108 Carlisle Pike East Berlin, PA 17316	Adams	34.5	1562.4	Layer	na	new
Stoner's Hijos Hill, Inc. 7678 Oellig Rd. Mercersburg, PA 17236	Franklin	1459	1202.65	Dairy	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**

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

**Permit No. 0411505**, Public Water Supply.

Applicant **Borough of Monaca**  
928 Pennsylvania Avenue  
Monaca, PA 15061

[Township or Borough] Monaca Borough

Responsible Official Mario N. Leone, Jr.,  
Borough Manager  
Borough of Monaca  
928 Pennsylvania Avenue  
Monaca, PA 15061

Type of Facility Water storage tank

Consulting Engineer Widmer Engineering, Inc.  
806 Lincoln Place  
Beaver Falls, PA 15010

Application Received Date December 12, 2012

Description of Action Installation of a Tideflex mixing system in the Blaine water storage tank.

**Permit No. 1111512**, Public Water Supply.

Applicant **Glendale Valley Municipal Authority**  
1800 Beaver Valley Road  
Flinton, PA 16640

[Township or Borough] White Township

Responsible Official James E. Krause, Chairman  
Glendale Valley Municipal Authority  
1800 Beaver Valley Road  
Flinton, PA 16640

Type of Facility Water system

Consulting Engineer Keller Engineers, Inc.  
420 Allegheny Street  
Hollidaysburg, PA 16648

Application Received Date December 13, 2012

Description of Action Construction of a pump station, interconnection and waterline.

**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. 6411501MA**

Applicant **Sunrise Terrace Management, LLC**

[Township or Borough] Honesdale Borough  
**Wayne County**



Responsible Official Leanne Heller, Operations Manager  
Sunrise Terrace Management, LLC  
Box 677  
Morgantown, PA 19543

Type of Facility Community Water System

Consulting Engineer James A. Cieri, PE  
ACT ONE Consultants, Inc.  
200 South 41st Street, Suite A  
Harrisburg, PA 17111  
717-236-3314

Application Received Date September 30, 2011

Description of Action Application for modifications of the community water system serving Sunrise Terrace to provide additional chlorine contact volume at both Well Stations 1 & 2 to meet requirements of the Groundwater Rule.

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

**Application No. 5611524MA, Minor Amendment.**

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

[Township or Borough] Indian Lake Borough

Responsible Official Dean Snyder, Operator  
Indian Lake Borough  
1301 Causeway Drive  
Central City, PA 15926

Type of Facility Water system

Consulting Engineer CME Engineering, LP  
165 East Union Street  
Somerset, PA 15501

Application Received Date December 9, 2011

Description of Action Installation of 16-inch waterline.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995**

**PREAMBLE 1**

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

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

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

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

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

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

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

**John Wanamaker Jr. High School**, City of Philadelphia, **Philadelphia County**. Darryl Borrelli, Manko, Gold, Katcher & Fox, LLP. 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of pah and Chlorinated solvents. The proposed future use of the site will be both residential and non-residential for stunned housing and retail uses. A summary of the Notice of Intent to Remediate was reported to have been reported in *The Philadelphia Daily News* on October 7, 2011.

**310 South 48th Street**, City of Philadelphia, **Philadelphia County**. Richard S. Werner, Environmental Consulting, Inc. 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406, Samuel W. Galenty, Environmental Consulting, Inc. 2002 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 Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil.

The intended future use of the subject property is a culinary school and associated parking lots. A summary of the Notice of Intent to Remediate was reported to have been reported in the *South Philly Review* on November 07, 2011.

**Llanarch Quarry**, Haverford Township, **Delaware County**. Darryl Borrelli, Manko, Gold, Katcher & Fox, LLP. 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004, Bella Bakrania, IES Engineers, 1720 Walton Road, Blue Bell, PA 19422 on behalf of David F. Crockett, Jr. Quarry Center, LP, 940 Haverford Road, Suite 102, Bryn Mawr, PA 19010 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of inorganics and other organics. The property will be redeveloped for use as a commercial shopping center. A summary of the Notice of Intent to Remediate was to have published in the *Delaware County Daily Times* on October 8, 2011.

**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 Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The future use of the site will remain the same.

**901 West Berks Street**, City of Philadelphia, **Philadelphia County**. William F. Schmidt, Pennoni Associates, Inc. 3001 Market Street, Philadelphia, PA 19104, Paul Martino, Pennoni Associates, Inc. 3001 Market Street, PA 19104 on behalf of Rose V. Gray, Asociacion Puertorriquennos en Marcha, 600 West Diamond Street, Philadelphia, PA 19122 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of unleaded gasoline. The future use of the site will remain the same.

**Albert Einstein Medical Center**, City of Philadelphia, **Philadelphia County**. Thomas R. Marks, Marks Environmental, Inc. 140 Bollinger Road, Elverson, PA 19520 on behalf of Craig Sieving, Alert Einstein Medical Center, 5501 Old York Road, Philadelphia, PA 19141 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted with the release of unleaded gasoline. The future use of the site will remain the same.

**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 Merick, NY 11566 on behalf of Matthew and Andrea Wilson, 12 Shawnee Road, Ardmore, PA 19003 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the no. 2 fuel oil. The future use of the site will remain the same. A summary of the Notice of Intent to Remediate was to have been published in the *Delaware County Daily Time* on August 26, 2011.

**Moore Residence**, Pennsburg Township, **Chester County**. Jim Maddox, J&M Industries, 11 Millside Drive, Wilmington, DE 19801 on behalf of Ann E. Moore, 11 Red Oak Road, Wilmington, DE 19086 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The future use of the site will remain the same. A summary of the Notice of Intent to Remediate was to have been published in the *Daily Local News* on September 23, 2011.

**Briens RV Center & Trailer Sales**, Falls Township, **Bucks County**. Jan Peter Lives, JPI Associates, Inc. 725

Market Street, Gloucester City, NJ 08030 on behalf of Shayne Gall, Fulton Bank, NA, 1 Pen Square, Lancaster, PA 17602 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of no. 2 fuel oil. The future use of the site will remain the same.

**Conshohocken Rail LLC**, Plymouth Township, **Montgomery County**. Craig Herr, RT Environmental Services, Inc. 215 West Church Road, King of Prussia, PA 19406 on behalf of Andrew Cahill, TWL Lending, LLC, 4537 South Valentia Way, Suite 340, Greenwood Village, CO 80111 has submitted a Notice of Intent to Remediate. Soil and ground water at the site has been impacted with the release of inorganics. The future use of the site will remain the same. A summary of the Notice of Intent to Remediate was published on September 11, 2011.

**Corsaro Residence**, Upper Darby Township, **Delaware County**. Richard D. Trimpi, Associates, Inc. 1635 Old Plains, Pennsburg, PA 18973, Bill Neef, Service MASTER by ARtec, 150 East Baltimore Avenue, PO Box 271, Joe Martia, Farmers Insurance Group, 140, 309 International Circle, Cockeysville MD 21030 on behalf of Marie Corsaro, 202 Huntley Road, Upper Darby, PA 19082 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The Future use of the site will remain the same. A summary of the Notice of Intent to Remediate was to have been published in the *Delaware County Daily Times* on September 9, 2011.

**Printworks/Nash Printing**, Montgomery Township, **Montgomery County**. Alexander Ulmer, Barry Isett & Associates, Inc. PO Box 147, Trexlertown, PA 18087, Bill Kunsch, J&J Environmental Inc. PO Box 370, Blue Bell, PA 19422 on behalf of Martin Wolfe, Marlyn Properties, LP, 1617 North Line Street, Lansdale, PA 19446 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with release of leaded/unleaded gasoline. The facility will continue to remain a commercial printing shop, and the house will continue to be rented a residential home.

**Novak Property**, Middletown Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18973, Ty Gawlick, State Farm Insurance Company, PO Box 8061, Ballston, Spa, NY 12020-8061 on behalf of Ed Novak, 142 Red Rose Drive, Levittown, PA 19056 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of no. 2 fuel oil. The future use of the site will remain the same. A summary of the Notice of Intent to Remediate was to have been published in the *Bucks County Courier Times* on September 21, 2011.

**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 Service, -Philadelphia, 2100 Arch Street, 5th floor, Philadelphia, PA 19103 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The future use of the site will remain the same. A Summary of the Notice of Intent to Remediate was to have been published in the *Northeast Times* on September 22, 2011.

**Rite Aid Store 3495-03**, Borough of Royersford, **Montgomery County**. Jeffery T. Bauer, Whitestone Associates, Inc., 1600 Manor Drive, Suite 220, Chalfont, PA 18914 on behalf of Richard Bradley, Rite Aid of Pennsyl-

vania, 11750 Bustleton Avenue, Philadelphia, PA 19116-2516 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The future use of the site will remain the same.

**St. Joseph University aka St. Mary Hall**, Lower Merion Township, **Montgomery County**. David B. Farrington, Brickhouse Environmental, 15 South Franklin Street, West Chester, PA 19382, Victoria M. Ryan, Brickhouse Environmental, 15 South Franklin Street, West Chester, PA 19382 on behalf of Howard R. Heim, Saint Joseph's University, 5600 City Avenue, Merion, PA 19066 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of petroleum. The proposal future use of the site will remain as part of the larger university campus.

**Delmont Utilities**, Newtown Square, **Montgomery County**. Joseph Diamadi, Marshall Geosciene, Inc. 170 East First Avenue, Collegeville, PA 19428 on behalf of Al Conan, Delmont Utilities, Inc., 3565 Winding Way, Newtown, PA 19073 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The future use of the site will remain the same. A summary of the Notice of Intent to Remediate was to have been published in the *Delaware County Daily Times* on November 7, 2011.

#### **HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES**

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

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

**PAD085690592. Republic Environmental System of Pennsylvania, LLC**, 2869 Sandstone Drive, Hatfield PA 19440. This application is for the 10-year renewal of the existing RCRA Part B Permit for a Hazardous Waste Treatment, Storage and Disposal facility located in Hatfield Township **Montgomery County**. Application was received by the Southeast Regional Office on November 22, 2011.

#### **MUNICIPAL WASTE GENERAL PERMITS**

**Amendment(s) Proposed Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.**

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

**General Permit Number WMGM037.** General Permit Number WMGM037 authorizes processing and conversion of municipal waste into a fuel product. General Permit Number WMGM037 was issued by the Department on October 3, 2009.

General Permit Number WMGM037 limits the amount of municipal waste that a facility may accept to process into a fuel product to 750 tons per day. The DEP is proposing to modify this general permit to allow an increase in the amount accepted for facilities operating at an existing municipal waste processing or disposal facility that is authorized under an individual permit. The modi-

fication would allow the facility to accept up to the daily volume of waste allowed under the individual permit.

Written comments concerning the application should be directed to 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. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on General Permit Number WMGM037" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

## **AIR QUALITY**

### **PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS NEW SOURCES AND MODIFICATIONS**

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

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

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

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

**30-00212: CNX Gas Co., LLC** (200 Evergreen Drive, Waynesburg, PA 15370) to install a natural gas compressor station, adding 3 Caterpillar G3608 compressor engines with SCR oxidation catalysts and 9 storage tanks to the NV 15 Compressor Station in Morris Township, **Greene County**.

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

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

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

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

**09-0218: Green Resource Energy, LLC.** (One Ben Fairless Drive, Fairless Hills, PA 19030) for installation of a dust collector to control particulate matter emissions generated from the processing of non-recyclable waste materials located in Falls Township, **Bucks County**. The facility would be categorized as a Natural Minor source since the proposed operation will not cause the facility to exceed any major thresholds. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

### OPERATING PERMITS

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

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

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

**23-00040: Laurel Pipe Line Co., L.P.** (3398 Garnet Mine Road, Boothwyn, PA 19061-0917) for a renewal of

the Title V Operating Permit in Bethel Township, **Delaware County**. The initial permit was issued on 12-19-2001. The facility is a refined petroleum breakout station consisting of in-coming and out-going pipeline systems and aboveground breakout tanks. As a result of potential emissions of VOCs, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa Code Chapter 127, Subchapter G. The proposed Title V Operating Renewal does not reflect any change in air emissions from the facility. The facility is not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

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

**35-00002: PEI Power Corp.** (170 Power Boulevard, P. O. Box 157, Archbald, PA 18403) for renewal of a Title V Operating Permit and Title IV Phase II Acid Rain Permit to the Archbald Power Station for operation of a 300 mmBtu/hr utility boiler, 62.5 mmBtu/hr auxiliary boiler, two 43.4 mmBtu/hr landfill gas fired turbines, a 356 mmBtu/hr gas turbine and a gas treatment/enclosed flare facility in **Lackawanna County**. The proposed Title V/ TIV Operating Permits contain all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

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

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

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

**67-05063: York Building Products Co., Inc.** (P. O. Box 1708, York, PA 17405) for their Roosevelt Stone and Blacktop Plant in West Manchester Township, **York County**.

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

The subject facility has the following actual emissions: 40 TPY of CO; 3 TPY of NO<sub>x</sub>; 3 TPY of PM<sub>10</sub>; and 1 TPY of VOC. The Operating Permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations. Portions of the aggregate processing plant are subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. The batch asphalt plant is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

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.

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

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

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

**26-00002: Henwil Corporation** (899 Third Street, Newell, PA 15466) for manufacturing brick and structural clay tile at their Newell Works Plant in Newell Borough, **Fayette County**. This is a State Only Operating Permit Application submittal.

**56-00160: Keystone Lime Co.** (PO Box 278, Springs, PA 15562) for mining crushed and broken limestone at their Eichorn Quarry in Elk Lick Township, **Somerset County**. This is a State Only Operating Permit Application submittal.

**32-00330: AMFIRE Mining Co., LLC** (One Energy Place, Latrobe, PA 15650) for a bituminous coal cleaning plant at the Ondo Extension Mine in Brush Valley Township, **Indiana County**. This is a State Only Operating Permit Application submittal.

**65-00946: People's Natural Gas Co., LLC** (1201 Pitt Street, Pittsburgh, PA 15221) for a Natural gas Compressor Station at the West Fairfield Compressor Station in Fairfield Township, **Westmoreland County**. This is a State Only Operating Permit Application submittal.

**26-00473: Bullskin Tipple Co., LLP** (2927 Pittsburgh Street, Perryopolis, PA 15473) for bituminous coal and lignite surface mining at the Bullskin Tipple Yard in Connellsville Township, **Fayette County**. This is a State Only Operating Permit Application submittal.

**OP-26-00002: Henwil Corporation** (899 Third Street, Newell, PA 15466) for manufacturing plastics materials and resins at Newell Works in Newell Borough, **Fayette County**. This is a State Only Operating Permit Application submittal.

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

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

**25-00987: Hanes Erie, Inc.** (7601 Klier Dr South, Fairview, PA 16415-2449) to renew a State Only Operating Permit for the facility in Fairview Township, **Erie**

**County**. The facility is a Synthetic Minor. The primary sources at the facility are 8 paint spray booths. The renewal permit contains emission restrictions, reporting, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

**S11-028: Pont Breeze Terminal Management Corp, Point Breeze Terminal** (6310 West Passyunk Ave Street Philadelphia, PA 19153) for the operation of a gasoline loading terminal in the City of Philadelphia, **Philadelphia County**. The facility's air emissions sources include a gasoline and distillate truck loading rack, 6 gasoline storage tanks, 1 distillate storage tanks, 1 biodiesel storage tank, 2 additive tanks, and fugitive emissions from piping components. The gasoline and distillate loading racks vents to a vapor recovery unit.

The operating permit will be reissued 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.

**N11-033: South Eastern Pennsylvania Transportation Authority—Callowhill Bus Facility** (at 52 and Callowhill Street, Philadelphia, PA 19132), for the operation of a bus maintenance and repair facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes two 4.72 MMBTU/hr and one 1.36 MMBTU/hr boilers firing natural gas and nine 0.83 MMBTU/hr space heaters firing natural gas, one pressure washer and two soil remediation system, two degreasers and a 200KW 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.



**N11-032: South Eastern Pennsylvania Transportation Authority Overbrook Maintenance Facility** (at 5320 West Jefferson Street, Philadelphia, PA 19131), for the operation of a Trolley maintenance and repair facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes ten 0.300 MMBTU/hr and five 0.800 MMBTU/hr and one 0.400 MMBTU/hr space heaters firing natural gas, and one pressure washer and two parts washers.

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.

**S11-022: Tasty Baking Co.** (4300 South 26th Street, Philadelphia, PA 19112) for operation of a bakery in the City of Philadelphia, **Philadelphia County**. The facility's air emissions sources include the following sources: two (2) 10.02 MMBtu/hr boilers, each firing natural gas; one (1) 150-kW emergency generator firing No. #2 oil; Eighteen (18) warm air furnaces each firing natural gas; seven (7) product oven lines each firing natural gas; One (1) Parts Washer; Twenty-two (22) Dust Collectors. The operating permit will be reissued 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*

**48-399-070: Pan-Glo—Division of RT Bundy Associates, Inc.** (417 East Water Street, Urbana, Ohio 43078)

for operation of a new silicone release coating on their existing glaze spray machine t their facility in Bethlehem, **Northampton County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Pan-Glo, A Division of RT Bundy Associates Inc. (417 East Water Street, Urbana, Ohio 43078) for their facility located in Bethlehem, Northampton County. This Plan Approval No. 48-399-070 will be incorporated into their State Only Permit through an administrative amendment at a later date.

Plan Approval No. 48-399-070 is for the operation of a new silicone release coating on their existing glaze spray machine. The application is also for the installation of three new tanks for deglazing and cleaning. VOC emissions from the plant will remain under 50 TPY threshold limit, 12-month rolling sum. Particulate emissions will not exceed 0.04 grains/dscf. The company shall be subject to and comply with 25 Pa. Code § 129.52 for VOC emission limits. Total HAP emissions from the facility will be under 25 TPY, 12-month rolling sum. Single HAP emissions will be under 10 TPY, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code § 123.41 for Visible emissions. 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 18711.

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

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

Identification of the proposed permit No.: 48-399-070.

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 18711, Phone # 570-826-2511 within 30 days after publication date.

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

#### COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35

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

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

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, state or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

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

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

#### *Coal Applications Received*

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

**03871303, Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201), to revise the permit for the Darmac No. 2 Deep Mine in Armstrong Township, **Indiana County** to add underground permit and subsidence control plan area acres. Underground Acres Proposed 366.6, Subsidence Control Plan Acres Proposed 366.6. The application was considered administratively complete on December 6, 2011. Application received: November 1, 2011.

**32841319 and NPDES No. PA 0004588, The Florence Mining Company**, (P. O. Box 51, New Florence, PA 15944), to renew the permit for the Florence No. 1 (Robinson) Mine in East Wheatfield and West Wheatfield Townships, **Indiana County** and related NPDES permit for water treatment only. No additional discharges. The

application was considered administratively complete on December 7, 2011. Application received: July 28, 2011.

**30743704, Duquesne Light Company** (1800 Seymour Street, S-Loft, Pittsburgh, PA 15233), to renew the permit for the Warwick No. 2 Coal Refuse Disposal Area in Monongahela Township, **Greene County** for reclamation only. The application was considered administratively complete on December 12, 2011. Application received: April 26, 2011.

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

**56960110 and NPDES No. PA0234281. PBS Coals, Inc.**, P. O. Box 260, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 312.2 acres. Receiving stream(s): UTS to/and Blue Lick Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: November 28, 2011.

**11010102 and NPDES No. PA0249009. E. P. Bender Coal Company, Inc.**, P. O. Box 594, Carrolltown, PA 15722, permit renewal for reclamation only of a bituminous surface mine in Reade Township, **Cambria County**, affecting 102.0 acres. Receiving stream(s): Fallentimber Run and Powell Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 1, 2011.

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

**General Permit GP12-65090101. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Operation of an existing coal processing facility is authorized under General Permit BAG-GPA/GP12 and is required to meet all applicable limitations, terms and conditions of authorization GP12-65090101. Application received: December 7, 2011.

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

**54060104R and NPDES Permit No. PA0224570. Post Mining Company**, (698 Fairview Street, Tamaqua, PA 18252), renewal for reclamation activities only of an existing anthracite surface mine operation in Reilly Township, **Schuylkill County** affecting 165.0 acres, receiving stream: unnamed tributary to Swatara Creek, classified for the following use: cold water fishes. Application received: November 28, 2011.

**40990101R2 and NPDES Permit No. PA0225193. Hazleton Shaft Corp.**, (P. O. Box 435, Hazleton, PA 18201), the addition of an NPDES Permit for discharge of treated mine drainage from an anthracite surface mine operation in Hazle Township and the City of Hazleton, **Luzerne County** affecting 481.0 acres, receiving stream: Hazle Creek, classified for the following uses: HQ—cold water fishes and migratory fishes. Application received: December 6, 2011.

**54901302R5 and NPDES Permit No. PA0594792. Carline Coal Co., Inc.**, (P. O. Box 188, Sacramento, PA 17968), renewal of an existing anthracite underground mine operation and NPDES Permit for discharge of treated mine drainage in Hegins Township, **Schuylkill County** affecting 5.0 acres, receiving stream: West Branch of Rausch Creek, classified for the following use: cold water fished. Application received: December 7, 2011.

*Noncoal Applications Received*

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

**40100801. Piacenti Trucking & Excavating, Inc.**, (Rear 538 Putnam Street, West Hazleton, PA 18202), Stage I & II bond release of an existing quarry operation in Butler Township, **Luzerne County** affecting 1.5 acres on property owned by Mary Catherine Cook. Application received: November 14, 2011.

**58112804 and NPDES Permit No. PA0225185. Robert Schneider**, (RR 2, Box 2390, Factoryville, PA 18419), commencement, operation and restoration of a quarry operation and NPDES Permit for discharge of treated mine drainage in New Milford Township, **Susquehanna County** affecting 5.0 acres, receiving stream: Meylert Creek, classified for the following use: HQ—cold water fishery. Application received: December 1, 2011.

**45900303C3 and NPDES Permit No. PA0595276. Middle Smithfield Materials, Inc.**, (P. O. Box 674, Bushkill, PA 18324), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Middle Smithfield Township, **Monroe County**, receiving stream: Suise Creek, classified for the following use: HQ—cold water fishery. Application received: December 1, 2011.

**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 associ-



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

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

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

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

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department

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

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

*Coal NPDES Draft Permits*

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

**NPDES No. PA0120944 (Mining permit no. 56663069), Rosebud Mining Company**, 1117 Shaw Mines Road, Meyersdale, PA 15552-7228, revision of an NPDES permit for surface mining, auger mining and limestone removal in Elk Lick and Summit Townships, **Somerset County**, affecting 3,040 acres. Receiving stream(s): Unnamed Tributaries to/and Elk Lick Creek (CWF) and Unnamed Tributaries (CWF) to/and Casselman River (WWF), classified for the following use(s): Cold Water Fisheries (CWF) and Warm Water Fisheries (WWF) as noted. These receiving streams are included in the Casselman River TMDL. Application received: September 22, 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 the Casselman River.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
005, 007, 008, 009, 023, 025, 026 & 027	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)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The outfall(s) listed below discharge to Unnamed Tributaries to/and the Casselman River and Unnamed Tributaries to/and Elk Lick Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
011, 015, 016, 017, 018, 019, 020, 021, 022, 024, 028 & 029	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)			7.0
Total Settleable Solids (ml/l)			0.5
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The outfall(s) listed below discharge to Unnamed Tributaries to/and the Casselman River and Unnamed Tributaries to/and Elk Lick Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
030, 031, 032, 033, 034, 035, 036	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)			7.0
Total Settleable Solids (m/l)			0.5
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. PA0263311 (Mining permit no. 32110105), Amerikohl Mining, Inc.**, 1384 State Route 711, Stahlstown, PA 15687-3103, new NPDES permit for surface coal mining in Brush Valley Township, **Indiana County**, affecting 32.1 acres. Receiving stream(s): Unnamed Tributaries to/and Brush Creek, classified for the following use(s): cold water fishery. This receiving stream is included in the Kiski-Conemaugh Watershed TMDL. Application received: July 20, 2011.

No NPDES Outfalls are proposed. The operator has chosen to implement non-discharge alternatives.

**NPDES No. PA0263354 (Mining permit no. 56110108), Sherpa Mining Contractors, Inc.**, 337 Benny Road, Hooversville, PA 15936, new NPDES permit for surface coal mining, auger mining and coal refuse reprocessing in Shade Township, **Somerset County**, affecting 176.9 acres. Receiving stream(s): Unnamed Tributary to the Stonycreek River and Unnamed Tributary to Oven Run, all classified for the following use(s): Cold Water Fishery. These receiving streams are included in the Kiski-Conemaugh River Watershed TMDL. Application received: September 29, 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 Stonycreek River and Unnamed Tributary to Oven Run.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001, 002 & 003	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
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 outfall(s) listed below discharge to Unnamed Tributary to Stonycreek River and Unnamed Tributary to Oven Run.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
004, 005, 006, & 007	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			

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

**NPDES No. PA0259195 (Permit No. 33110105), Strishock, LLC** (220 Hillcrest Drive, DuBois, PA 15801) New NPDES permit for a bituminous surface mine in Pine Creek Township, **Jefferson County**, affecting 85.0 acres. Receiving streams: Unnamed tributary No. 1 to Mill Creek, classified for the following uses: CWF. TMDL: None. Application received: October 13, 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 will be using a non-discharge alternative:

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



The outfall(s) listed below discharge to unnamed tributary No. 1 to Mill Creek:

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

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

**NPDES No. PA-0257516 (Mining permit no. 17110101), A. W. Long Coal Company**, 1203 Presqueisle Street, Philipsburg, PA 16866, new NPDES permit for coal surface mine in Morris Township, **Clearfield County**, affecting 302.8 acres. Receiving stream(s): Hawk Run and Emigh Run, classified for the following use(s): CWF. [Moshannon Creek TMDL] Application received: January 5, 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: Hawk Run.

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
SPC	Yes
SPD	Yes
SPF	Yes
SPG	Yes
SPE	Yes
SPF	Yes
SPG	Yes
SPH	Yes
TB2	Yes
TB3	Yes
TB4	Yes
TB5	Yes

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		XXX	XXX	XXX
Manganese (mg/l)		XXX	XXX	XXX
Aluminum (mg/l)		0.75	1.5	1.9
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		XXX	XXX	XXX
Osmotic Pressure (milliosmoles/kg)				XXX

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

The outfall(s) listed below require a non-discharge alternative:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
SPA	Yes
SPB	Yes
SPI	Yes
SPJ	Yes
TB1	Yes
TB6	Yes

There is no proposed surface discharge from the above listed facilities to the receiving stream due to the implementation of Best Management Practices.

## 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, draw-

ings 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**

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

Project Description

**[Permit # E32-07-001]. EQT Production Company**, 455 Racetrack Road, Washington, PA 15301. To improve an existing access road to provide access the proposed gas wells, encroaching T46555 To North Branch Plum Creek (CWF) in South Mahoning Township, **Indiana County**, Pittsburgh ACOE District, State Water Plan Basin 17-E, (Plumville, PA Quadrangle; Latitude: N 40° 47' 12.3"; Longitude: W 79° 12' 42.5"), Cowanshannock—Crooked Creeks Watershed. The applicant proposes to improve an existing access road to serve as permanent access to a gas well pad. The proposed access road encroaches upon the floodway of T46555 to North Branch Plum Creek (CWF). In stream work is not proposed for this project. Impacts to the floodway of T46555 to North Branch Plum Creek (CWF) are approximately 225 linear feet within the project area. The upstream watershed drainage at the access road crossing is approximately 99.5 acres.

<i>Stream Name</i>	<i>Coordinates</i>	<i>Proposed Linear Impact</i>
T46555 To North Branch Plum Creek	40° 47' 12.3" -79° 12' 42.5"	225 (ft.)

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

**E46-1070- MSRP, Inc**, 545 Germantown Avenue, Plymouth Meeting, East Norriton, Township, **Montgomery County**. ACOE Philadelphia District

To perform the following water obstruction and encroachment activities associated with the proposed residential subdivision's access road:

1. To remove the existing culvert at Dekalb Pike (S.R. 0202) over an unmade tributary to Stony Creek (TSF) and to construct and maintain, in its place, a new 190-foot long, 10-foot wide, and 6-foot rise box culvert and associated wingwalls.

2. To modify and maintain two existing stormwater pipes.

The project permanently impacts approximately 200 linear feet of stream. The site is located at the intersection of Lawnton Road and Dekalb Pike (S.R. 0202) in East Norriton Township, Montgomery County (Lansdale, PA USGS Quadrangle N: 1.86; W: 9.11).

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

**E39-511. Pennsylvania Department of Transportation, Engineering District 5-0**, 1002 Hamilton Street, Allentown, PA 18103-1013, in Upper Macungie Township, **Lehigh County**, U.S. Army Corps of Engineers, Philadelphia District.

1. To remove the existing structure and to realign approximately 200 l.f. of Breinig Run (HQ-CWF) with the construction and maintenance of a road crossing consisting of a 59 foot long concrete box culvert having a 9-foot span and a 4.5 foot under-clearance along with the construction and maintenance of approximately 50 foot of new stream channel having a 6.0 foot bottom width and a 10.0 foot wide top width tapering to 8.0 foot wide to match existing downstream channel.

2. To construct a spring box and 26 l.f. of 8-inch pipe in a tributary Breinig Run (HQ-CWF).

3. The project will also permanently impact 0.15 acre of EV wetlands (PEM/PSS) for the purpose of construction of the realigned SR 3012 (Schantz Road).

The project also includes 0.04 acre of temporary EV wetland impacts (PEM/PSS) and 60 linear feet of temporary stream impacts. The project is associated with the S.R. 3012, Section 01B Schantz Road Improvement Project which includes the proposed realignment of 1,100-feet of S.R. 3012 (Topton, PA Quadrangle, Latitude: 40° 33' 21" N; Longitude: 75° 38' 53" W) in Upper Macungie Township, Lehigh County.

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

**E05-361: Kathryn Kunkel, Pennsylvania Electric Company**, 2800 Pottsville Pike, Reading, Pennsylvania 19612-6001, in Bedford Borough and Bedford Township, **Bedford County**, ACOE Baltimore District.

To install nine single poles in wetlands, a temporary crossing of wetland approximately 760.0-foot long by 15.0-foot wide (0.26 acre) (Latitude: 40°02'54.96"N, Longitude: -78°30'59.68"W), a temporary road crossing of a wetland approximately 26.0-foot long by 14.8-foot wide (0.008 acre) (Latitude: 40°01'26.86"N, Longitude: -78°30'36.87"W), and a Chapter 105 General Permit GP-5 (Utility line Stream crossing) for each of the four aerial crossing of the Raystown Branch of the Juniata River (TSF), for the purpose of a new electrical distribution line in the Bedford, Pennsylvania area to improve electrical reliability and to support the electrical load growth. The project is located between Bedford area and Bedford North Substations (Bedford and Everett West, PA Quadrangle; N: 9.30 inches, W: 0.68 inch; Latitude: 40°03'4.36", Longitude: -78°30'17.40") in Bedford Borough and Bedford Township, Bedford County.

**E06-672: Sunesys, LLC**, 202 Titus Avenue, Warrington, Pennsylvania 18976, in Reading City and Wyomissing Borough, **Berks County**, ACOE Philadelphia District

To: 1) install and maintain one fiber optic cable supported on exiting single poles with a normal span of 145.0 feet and an underclearance of 35.0 feet beginning at the west bank of the Schuylkill River (WWF, MF) (Latitude: 40°21'2.80", Longitude: -75°56'36.37") and terminating at the east bank of the Schuylkill River (WWF, MF) (Latitude: 40°21'1.63", Longitude: -75°56'35.19"). The project is located on the north side of the Schuylkill Avenue Bridge (Reading, PA Quadrangle; Latitude: 40°21'1.71", Longitude: -75°56'36.82") in the City of Reading, Berks County; 2) install and maintain one fiber optic cable supported on

exiting single poles with a normal span of 158.0 feet and an underclearance of 19.0 feet beginning at the west bank of the Tulpehocken Creek (WWF, MF) (Latitude: 40°21'11.59", Longitude: -75°57'33.76") and terminating at the east bank of the Tulpehocken Creek (WWF, MF) (Latitude: 40°21'12.66", Longitude: -75°57'32.26"), all for the purpose of allowing greater access to the fiber optic network. The project is located 826.0 feet north of the Warren Street Bypass (Wyomissing, PA Quadrangle; Latitude: 40°21'12.66", Longitude: -75°57'32.26") in Reading City and Wyomissing Borough.

*Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636*

**E41-618. Tiadaghton Valley Municipal Authority**, 232 Smith Street, Jersey Shore, PA 17740-1830. Small Projects Water Obstruction and Encroachment Joint Permit Application, in Jersey Shore Borough and Nippenose Township, **Lycoming County**, ACOE Susquehanna River Basin District (Linden, PA Quadrangle N: 41° 12' 8"; W: 77° 13' 44").

To construct and maintain 7,800 linear feet of force main, 4,000 linear feet of discharge line and 1,400 cubic feet of fill associated with a stormwater detention facility and a subsurface pump station all located in the floodplain of the West Branch of Susquehanna River. The encroachments are located along north of SR 0044, in Jersey Shore Borough and Nippenose Township, Lycoming County.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA67-019: Sussex Place Joint Venture**, 18147 Amanda Drive, New Freedom, Pennsylvania 17349, in Shrewsbury Township, **York County**, ACOE Baltimore District

To place fill in a 0.19-acre on-line pond and to restore 150.0-linear feet of stream channel for the purpose of restoring a stream channel back to its original condition, all within an unnamed tributary to Deer Creek (CWF). The project is located approximately 750.0 feet north of the intersection of Windy Hill Road and Mount Airy Road in Shrewsbury Township, York County (Glen Rock, PA Quadrangle; N: 0.01 inch, W: 5.52 inches; Latitude: 39°45'0.2", Longitude: -76°39'51.38").

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

#### Project Description

**[Permit # E32-07-001]. EQT Production Company**, 455 Racetrack Road, Washington, PA 15301. To improve an existing access road to provide access the proposed gas wells, encroaching T46555 To North Branch Plum Creek (CWF) in South Mahoning Township, **Indiana County**, Pittsburgh ACOE District, State Water Plan Basin 17-E, (Plumville, PA Quadrangle; Latitude: N 40° 47' 12.3"; Longitude: W 79° 12' 42.5"), Cowanshannock—Crooked Creeks Watershed. The applicant proposes to improve an existing access road to serve as permanent access to a gas well pad. The proposed access road encroaches upon the floodway of T46555 to North Branch Plum Creek (CWF). In stream work is not proposed for this project. Impacts to the floodway of T46555 to North Branch Plum Creek (CWF) are approximately 225 linear feet within the project area. The upstream watershed drainage at the access road crossing is approximately 99.5 acres.

<i>Stream Name</i>	<i>Coordinates</i>	<i>Proposed Linear Impact</i>
T46555 To North Branch Plum Creek	40° 47' 12.3" -79° 12' 42.5"	225 (ft.)

## 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>
PA0009911 (Industrial Waste)	Michael Foods Egg Products 68 Spain Road Klingerstown, PA 17941	Schuylkill County Upper Mahantongo Township	Mahantango Creek, Pine Creek and Unnamed Tributary to Pine Creek (6-C)	N

*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>
PA0083691 (Industrial Waste)	West Earl Township Water Authority 157 West Meltzer Road, PO Box 787 Brownstown, PA 17508	Lancaster County / West Earl Township	UNT Conestoga River / 7-J	Y
PA0011371 (Industrial Waste)	Baldwin Hardware Corporation 841 East Wyomissing Blvd Reading, PA 19611-4601	Berks County / Reading City	Schuylkill River / 3-C	Y
PA0084221 (Sewage)	Reed Clingerman Hidden Springs Campground PO Box 190 Flintstone, MD 21530	Bedford County / Southampton Township	Rocky Gap Run / 13-A	Y
PA0084603 (Sewage)	Jerry Lyle Fairmount Homes 333 Wheat Ridge Drive Ephrata, PA 17522	Lancaster County / West Earl Township	Conestoga River / 7-J	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0209287 (Sewage)	Bucktail Camping Resort Mann's Creek Road Mansfield, PA 16933	Tioga County	Richmond Township Manns Creek (4-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>
PA0024171 Sew	Colver WWTP Colver, PA 15927	Cambria Cnty Cambria Twp	Elk Creek	Y
PA0098337 Sew	Springfield Twp Elem Sch Rte 711 Normalville, PA 15469	Fayette Cnty Springfield Twp	Swale to a Trib of Indian Crk	Y

<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>
PA0218928 Sew	Cadogan Twp 260 Spruce Ave Cadogan, PA 16212-0309	Armstrong Cnty Cadogan Twp	Glade Run	Y
PA0253219 Sew	Cowansville STP 106 Cherry Orchard Ave Cowansville, PA 16201	Armstrong Cnty E Franklin Twp	Glade Run	Y
PA0252816 Sew	Madison Deep Mine Swigle Mtn Rd Jackson Twp, PA 15909	Cambria Cnty Jackson Twp	Saltlick Run	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. PA0058378**, SEW, **Upper Uwchlan Township Municipal Authority**, 140 Pottstown Pike, Chester Springs, PA 19425-9516.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge 0.0036 mgd of treated sewage from a facility known as St. Andrews Brae STP to Black Horse Creek in Watershed 3-H.

**NPDES Permit No. PA0025976**, SEW, **Upper Moreland—Hatboro Joint Sewer Authority**, 2875 Terwood Road, P. O. Box 535, Willow Grove, PA 19090-0535.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage and storm water from a facility known as UMHJSA WWTP to Pennypack Creek in Watershed 3-J.

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

**NPDES Permit No. PAS802227**, Storm Water, SIC Code 4225, **Dayton Superior Corporation**, 1125 Byers Road, Miamisburg, OH 45342.

This facility is located in Upper Macungie Township, **Lehigh County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated stormwater.

**NPDES Permit No. PA0070386**, Sewage, SIC Code 4952, **Shenandoah Municipal Sewer Authority**, 15 W Washington Street, Shenandoah, PA 17976-1708.

This existing facility is located in Shenandoah Borough, **Schuylkill County**.

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

**NPDES Permit No. PA0061123**, Sewage, SIC Code 4952, **Moscow Sewer Authority**, P O Box 525, Moscow, PA 18444.

This existing facility is located in Moscow Borough, **Lackawanna 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. PA0021616, Amendment No. 1**, Sewage, **Fleetwood Borough**, 110 West Arch Street, Suite 104, Fleetwood, PA 19522.

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

Description of Proposed Action/Activity: Authorization to discharge to Willow Creek in Watershed 3-B.

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

**PA0007455**, SIC Code 3724, **Lycoming Engines**, 652 Oliver Street, Williamsport, PA 17701-4410. Facility Name: Lycoming Engines. This existing facility is located in Williamsport City, **Lycoming County**.

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

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

**NPDES Permit No. PA0263877**, Industrial Waste, **Jay Township Water Authority**, 49 Kennedy Street P. O. Box 69 Byrnedale, PA 15827.

This existing facility is located in Jay Township, **Elk County**.

Description of Proposed Action/Activity: Issuance of a new NPDES permit for a new discharge of treated industrial waste. This is a minor discharge.



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


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

**WQM Permit No. 4600404**, Sewage, **Amendment, Telford Borough Authority**, 122 Penn Avenue, Telford, PA 18969-1912.

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

Description of Action/Activity: An increase in the organic loading rate from 1,585 lbs/day to 2,000 lbs/day. No plant modifications are proposed as part of this rerate.

**WQM Permit No. 1599417**, Sewage, **Renewal, Kendal-Crosslands Communities**, P. O. Box 100, Kennett Square, PA 19348.

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

Description of Action/Activity: Renewal of existing sewage treatment plant is a 0.125 mgd lagoon and spray irrigation system.

**WQM Permit No. 0911201**, Sewage, **Waste Management Disposal, Services of Pennsylvania Inc.**, 1000 New Ford Mill Road, Morrisville, PA 19067.

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

Description of Action/Activity: Construction and operation of a new leachate treatment system with surface water discharge.

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

**WQM Permit No. 6711402**, Sewerage, **York Township Water & Sewer Authority**, 190 Oak Road, Dallastown, PA 17313.

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

Description of Proposed Action/Activity: Permit approval for upgrades to the existing Honey Valley and Marlborough wastewater pumping stations.

**WQM Permit No. 2190401, Amendment 11-1**, Sewerage, **Upper Allen Township**, 100 Gettysburg Road, Mechanicsburg, PA 17055.

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

Description of Proposed Action/Activity: Permit approval for upgrades to the existing wastewater treatment plant including SBR, headworks, pump replacement and solids handling. There will be no change to existing flow.

**WQM Permit No. 0687409, Amendment 11-1**, Sewerage, **Fleetwood Borough**, 110 West Arch Street, Suite 104, Fleetwood, PA 19522.

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

Description of Proposed Action/Activity: Permit approval for construction/operation of two ultra violet disinfection units with controls, liquid sodium hypochlorite injection system including a metering pump, pole barn to be erected over existing chlorine contact tanks, piping and associated appurtenances.

**WQM Permit No. 3611202**, CAFO, **Clifford Sensenig**, 245 Spring Hill Road, Kirkwood, PA 17536.

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

Description of Proposed Action/Activity: Permit approval for the construction / operation of manure storage facilities consisting of a 50-foot diameter concrete holding / mixing tank divided into four quadrants with leak detection; a food waste processing building; an 80' diameter, 16' deep concrete digester with leak detection with a capacity of 563,692 gallons for anaerobic digestion / gas production; a manure separator facility; utility building; a power generator unit; and a final manure HDPE lined, clay based storage lagoon, including leak detection with a storage capacity of 3.2 MG at a one-foot freeboard.

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

**WQM Permit No. WQG016189**, Sewerage, **Buck Beilstein**, 209 Libson Road, Beaver, PA 15009

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

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a single residence sewage treatment facility.

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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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*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>
PAI021311001	Churchview Downs, LLC P. O. Box 191 Alburtis, PA 18011	Carbon	East Penn Twp.	Lizard Creek, EV, MF
PAI024007004	Villas at Waterwood, LLC 400 Third Avenue Suite 117 Kingston, PA 18704	Luzerne	Harveys Lake Borough	Harveys Creek, HQ-CWF, MF; Beaver Run, HQ-CWF, MF
PAI023910018	Upper Macungie Township 8330 Schantz Road Breinigsville, PA 18031	Lehigh	Upper Macungie Twp.	UNT to Schaefer Run, HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033611006	Cliff Sensenig	Lancaster	Little Britain Twp.	Tributary to West Branch Octoraro Creek/HQ-CWF

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

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

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

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

#### *General Permit Type—PAG-02*

##### *Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Bethlehem Twp., Northampton Co.	PAG02004806020R	Edward Nawrocki St. Luke's Hospital & Health Network 1872 Riverside Circle Easton, PA 18045	Unnamed Tributary to the Lehigh River, CWF, MF	Northampton Co. Cons. Dist. 610-746-1971

## 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>
Moosic Borough, Lackawanna Co.	PAG02003511017	D. J. Meagher Keystone Hotel Partners, LLP 7971 State Route 547 Susquehanna, PA 18847	Trib. to Spring Brook, CWF, MF	Lackawanna Co. Cons. Dist. 570-281-9495
West Brunswick Twp., Schuylkill Co.	PAG02005403016(3)	Auburn Business Park P. O. Box 472 Schuylkill Haven, PA 17972 - and - L&K Construction, Inc. 1 Field of Dreams Dr. Pottsville, PA 17901	UNT to Schuylkill River, CWF, MF	Schuylkill Co. Cons. Dist. 570-622-3742
Berwick, Conewago, and Oxford Twps., Adams County; Hanover Borough and Penn Twp., York County	PAG2000109009R	Steven A. Moore, P.E. PennDOT Eng. Dist. 8-0 2140 Herr Street Harrisburg, PA 17103-1699	UNT to South Branch of Conewago Creek/WWF	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636
Bern Township Berks County	PAG02000611056	Leonard E. Bilger Western Berks Water Auth. 91 Water Road Sinking Spring, PA 19608-9633	Tulpehocken and Plum Creeks/CWF, WWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Robeson Twp. Berks County	PAG02000611055	Fred Grande Grande Construction Co. 2213 Quarry Rd, Ste B-001 West Lawn, PA 19609	Tributaries—Schuylkill River/WWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Lower Paxton Township Dauphin County	PAG02002211040	PennDOT—Dist 8-0 2140 Herr Street Harrisburg, PA 17103	Paxton Creek/ WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Lower Paxton Township Dauphin County	PAG02002211026	Multi Properties, Inc. Pikesville Professional Center Seven Church Lane Baltimore, MD 21208	Paxton Creek/ WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Susquehanna Twp. Dauphin County	PAG02002209040R	Stan Custer 2901 Linglestown Rd LLC 2805 Old Post Rd Harrisburg, PA 17110	Paxton Creek/ WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Susquehanna Twp. Dauphin County	PAG02002210041(1)	PSECU One Credit Union Place Harrisburg, PA 17110	Paxton Creek/ WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Walker Township Juniata County	PAG02033411002	Chad Reinford 5272 Cedar Springs Road Mifflintown, PA 17059	Doe Run/TSF, MF	Juniata Co. Conservations District 146 Stoney Creek Drive, Suite 4 Mifflintown, PA 17059 717.436.8953

*Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Annville Twp. Lebanon County	PAG02003811008	Cliff Weaver Narrow Glen, Inc. 1737 West Main Street Ephrata, PA 17522	Quittapahilla Creek/TSF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Millcreek Twp. Lebanon County	PAG02003810018	Peter B. Shirk Ten Treeline Drive Newmanstown, PA 17073	UNT to Mill Creek/ CWF, MF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
West Cornwall Township Lebanon County	PAG02003811020	Philip D. Hess Philhaven 283 S Butler Road Mt. Gretna, PA 17064	Quittapahilla Creek via Bachman Run/ TSF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Brown Township Mifflin County	PAG02004411002	Coffee Run Trucking 6235 East Back Mountain Rd Reedsville, PA 17084	Coffee Run/ CWF	Mifflin Co. Conservation District 20 Windmill Hill #4 Burnham, PA 17009 717.248.4695
Dillsburg Borough York County	PAG02006711055	Lee E. Eichelberger Hershey Command Center Associates, LLC 4 Barlo Circle PO Box 432 Dillsburg, PA 17019	Fisher Run/ CWF	York Co. Conservation District 118 Pleasant Acres road York, PA 17402 717.840.7430
Dover Township York County	PAG2006711047	Chris Martin 1020 N. Hartley York, PA 17404	Hickory Run/ TSF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Monaghan Twp. York County	PAG2006711022	John Esser 124 S. Lewisberry Road Mechanicsburg, PA 17055	Yellow Breeches/CWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
York Township York County	PAG2006711050	Lloyd Midgett 415 Norway Street York, PA 17403	East Branch of Codorus Creek/ CWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430

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

*Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Ferguson Township Centre County	PAR10F154R	Dave Palmer S&A Homes Inc 2121 Old Gatesburg Rd State College PA 16801	Big Hollow CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte PA 16823 (814) 355-6817
Richmond Township Tioga County	PAG02005911015	George Koury 231 E Main St Mansfield PA 16933	Tioga River CWF, TSF	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:

Municipality & County	Permit No.	Applicant Name and Address	Receiving Water/Use	Contact Office and Phone No.
Cambria County Clearfield Township	PAG02001111017	Generations Skeet Club, LLC Mr. Matt Holtz 423 Marina Road Patton, PA 16668	Burgoon Run (CWF)	Cambria County CD 401 Candlelight Drive Suite 221 Ebensburg, PA 15931 (814) 472-2120
Fayette County North Union Township	PAG02002611011	Fay-Penn Economic Development Council Michael Krajovic P. O. Box 2101 2 W Main St. Uniontown, PA 15401	Cove Run- WWF	Fayette County CD 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
City of Farrell and Borough of Wheatland Mercer County	PAG02 0043 11 010	Wheatland Tube 700 South Dock Street Sharon Pa 16146	Shenango River WWF	Mercer Conservation District 724-662-2242

General Permit Type—PAG-3

Facility Location:

Municipality & County	Permit No.	Applicant Name & Address	Receiving Water/Use	Contact Office & Phone No.
Nazareth Boro. Northampton County	PAR142209	C.F. Martin & Co., Inc. 510 Sycamore St. Nazareth PA 18064	Schoeneck Creek (WWF, MF)	PA DEP Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511
Lebanon County / Jonestown Borough	PAR203597	V&S Lebanon Galvanizing, LLC 1000 Buckeye Park Road Columbus, OH 43207-2509	UNT to Forge Creek / WWF	Southcentral Region Office / DEP 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
York County / North Codorus Township	PAR123541	JBS Souderton, Inc. PO Box 64395 Souderton, PA 18964-0395	UNT to South Branch Codorus Creek / WWF	Southcentral Region Office / DEP 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lancaster County / Penn Township	PAR803728	Len C. Zvorsky Worley & Obetz, Inc. 85 White Oak Road Manheim, PA 17545	Chickies Creek / WWF	Southcentral Region Office / DEP 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

General Permit Type—PAG-4

Facility Location:

Municipality & County	Permit No.	Applicant Name & Address	Receiving Water/Use	Contact Office & Phone No.
Ohioville Borough Beaver County	PAG046430	Buck Beilstein 209 Libson Road Beaver, PA 15009	Brady Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

Permit Type—PAG-6

Facility Location:

Municipality & County	Permit No.	Applicant Name & Address	Receiving Water/Use	Contact Office & Phone No.
Dauphin County / Steelton Borough	PAG063501	Steelton Borough 123 North Front Street Steelton, PA 17113	Susquehanna River / WWF / 7 - C	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707



*General Permit Type—PAG-7**Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Mansfield Borough Tioga County	PAG07 4829 Borough of Mansfield 14 South Main Street Mansfield, PA 16933	Mansfield Waste Water Treatment Plant Mansfield Borough Tioga County	NCRO 570-327-0526

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

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Franklin Twp Greene Co	PAG106148 Caiman Penn Midstream, LLC 5949 Sherry Ln Ste 1300 Dallas, TX 75225-8008	Lippencott Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
Franklin Twp Greene Co	PAG106147 Caiman Penn Midstream, LLC 5949 Sherry Ln Ste 1300 Dallas, TX 75225-8008	Garrison Fork	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-12**Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Gibson Twp., Susquehanna County	PAG122204 Wayne A. Marcho Veal Farm 176 Orchard Lane Harleysville, PA 19438	Bell Creek/ CWF	PA DEP Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701 (570)826-2511
Fulton County Belfast Township	PAG123714 Mac Miller MJM Pig Farm, LLC 5292 Pleasant Ridge Road Needmore, PA 17238	UNT Foster Creek / WWF	Southcentral Region Office / DEP 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lancaster County Manor Township	PAG123617 Joel A. Frey Chick Valley Farm 1170 Breneman Road Conestoga, PA 17516	Indian Run / TSF	Southcentral Region Office / DEP 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

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

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

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

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

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

**CAFO PUBLIC NOTICE SPREADSHEET-ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Spring Maple Farm Randall Andrews 421 Penn Grant Rd Lancaster, PA 17602	Lancaster	290	453.95	Broilers	HQ	A

**PUBLIC WATER SUPPLY (PWS) 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*

**Permit No. 0610541**, Public Water Supply.  
 Applicant **Birdsboro Municipal Authority**  
 Municipality Birdsboro Borough  
 County **Berks**

Responsible Official	Theodore Morse, Chairman PO Box 340 Birdsboro, PA 19508
Type of Facility	Project includes construction of a new membrane treatment plant, clearwell and booster station.
Consulting Engineer	Christina Crawford MBA, P.E. Spotts, Stevens & McCoy, Inc. 1047 North Park Road Reading, PA 19610-0307
Permit to Construct Issued:	12/9/2011
<b>Permit No. 3411501 MA, Minor Amendment</b> , Public Water Supply.	
Applicant	<b>Brookline Manor</b>
Municipality	Fermanagh Township
County	<b>Juniata</b>
Responsible Official	Dennis E. Town, Project Manager 1228 Main Street Brockway, PA 15824
Type of Facility	Installation of 120’ of 12” contact pipe to increase chlorine contact time. Demonstration of 4-Log Treatment of Viruses for GWR.
Consulting Engineer	Dennis E. Town, P.E. VSI, Inc. 1228 Main Street Brockway, PA 15824
Permit to Construct Issued:	11/30/2011
<b>Permit No. 2111504</b> , Public Water Supply.	
Applicant	<b>South Middleton Township Authority</b>
Municipality	South Middleton Township
County	<b>Cumberland</b>
Responsible Official	Robert L Kissinger, Manager 345 Criswell Drive Boiling Springs, PA 17007-0008
Type of Facility	Construction of a new Booster Station 4 and construction of a new 2 MG storage tank No. 5 and new Booster Station 5.

Consulting Engineer Harry E Bingaman, P.E.  
Glace Assoc., Inc.  
3705 Trindle Rd.  
Camp Hill, PA 17011

Permit to Construct 11/30/2011  
Issued:

**Permit No. 3411502 MA, Minor Amendment, Public Water Supply.**

Applicant **Brookline Village**  
Municipality Fermanagh Township  
County **Juniata**  
Responsible Official Rick Varner, Environmental Service Manager  
2 Manor Blvd  
Mifflintown, PA 17059

Type of Facility Installation of 100' of 12" contact pipe to increase chlorine contact time. Demonstration of 4-Log Treatment of Viruses for GWR.

Consulting Engineer Dennis E. Town, P.E.  
VSI, Inc.  
1228 Main Street  
Brockway, PA 15824

Permit to Construct 11/30/2011  
Issued:

**Permit No. 3811513, Public Water Supply.**

Applicant **ROGC Golf Partners LP dba Royal Oaks Golf Club**  
Municipality North Cornwall Township  
County **Lebanon**  
Responsible Official Michael Caporaletti, General Manager  
3350 West Oak Street  
Lebanon, PA 17042

Type of Facility Installation of Nitrate Treatment and GWR 4-Log treatment of Viruses for EP 102.

Consulting Engineer Charles A Kehew II, P.E.  
James R. Holley & Assoc., Inc.  
18 South George St.  
York, PA 17401

Permit to Construct 12/7/2011  
Issued:

**Permit No. 0711501 MA, Minor Amendment, Public Water Supply.**

Applicant **Hillcrest Estates and Laurel Manor**  
Municipality Logan Township  
County **Blair**  
Responsible Official Roland Black, Office Manager  
201 Albright Drive Lot 4  
Altoona, PA 16602

Type of Facility Installation of two (2) 119 gallon storage tanks at EP 101 and approximately 48' of 24" contact pipe at EP 102 to increase chlorine contact time. Demonstration of 4-Log Treatment of Viruses for GWR.

Consulting Engineer David M. Cunningham, P.E.  
Keller Engineers, Inc. 420  
Allegheny Street Lot 4  
Hollidaysburg, PA 16648

Permit to Construct 12/7/2011  
Issued:

**Operations Permit** issued to: **Fishertown Water Association**, 4050029, East St. Clair Township, **Bedford County** on 12/7/2011 for the operation of facilities approved under Construction Permit No. 0511503 MA.

**Operations Permit** issued to: **Aqua Pennsylvania, Inc.**, 4340018, Delaware Township, **Juniata County** on 12/9/2011 for the operation of facilities submitted under Application No. 3411504 MA.

**Operations Permit** issued to: **Carson Long Military Institute**, 7500039, Bloomfield Borough, **Perry County** on 12/9/2011 for the operation of facilities submitted under Application No. 5011504 MA.

**Operations Permit** issued to: **Altoona Water Authority**, 4070023, Altoona City, **Blair County** on 12/1/2011 for the operation of facilities approved under Construction Permit No. 0711502 MA.

**Operations Permit** issued to: **Green Acres MHP**, 3060042, Greenwich Township, **Berks County** on 12/9/2011 for the operation of facilities approved under Construction Permit No. 0611517.

**Operations Permit** issued to: **Pine Run MHP**, 7010052, Hamilton Township, **Adams County** on 12/7/2011 for the operation of facilities submitted under Application No. 0111512 MA.

**Operations Permit** issued to: **Gretna Springs MHP**, 7380045, West Cornwall Township, **Lebanon County** on 12/7/2011 for the operation of facilities submitted under Application No. 3811507 MA.

**PWSID No. 4440015, Menn-O Water Company, Mifflin County, Public Water Supply.** The Menn-O Water Company community water system no longer serves at least 15 service connections or 25 people. As a result, the Menn-O Water Company no longer meets the definition of a public water supply as defined in the PA Safe Drinking Water Act, 35 P.S. § 721.1 et. seq. ("SDWA"), Section 1917-A of the Administrative Code, the Act of April 1929, P.L. 177 as amended, 71 P.S. § 510-17 ("Administrative Code"), and the Rules and Regulations promulgated thereunder. On December 5, 2011, the Department rescinded all Public Water Supply permits issued to the Menn-O Water Company, including but not limited to, the Water Works Permit of May 13, 1947, Permit No. 563W21, Permit No. 4480501 and Permit No. 4411503 MA. The authority of Menn-O Water Company to operate any public water system is rescinded.

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

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

Applicant **Aqua PA, Inc.—Roaring Creek Division**  
[Township or Borough] Jackson Township  
County **Snyder**

Responsible Official	Tate Hunsinger, Operations Manager Aqua PA, Inc.— Roaring Creek Division
Type of Facility	Public Water Supply
Consulting Engineer	William LaDieu, P.E. CET Engineering Services 1240 N. Mountain Road Harrisburg, PA 17112
Permit Issued	December 8, 2011
Description of Action	Installation of a SolarBee water mixer in the Kratzerville finished water storage tank.
<b>Permit No. MA (1984501)—Operation Public Water Supply.</b>	
Applicant	<b>PA American Water Company</b>
[Township or Borough]	Briar Creek Township
County	<b>Columbia</b>
Responsible Official	Mr. Scott Thomas PA American Water Company 800 West Hershey Park Drive Hershey, PA 17033
Type of Facility	Public Water Supply
Consulting Engineer	N/A
Permit Issued	December 12, 2011
Description of Action	Operation of Glenbrook Tank #2.
<b>Permit No. MA (5998501)—Operation Public Water Supply.</b>	
Applicant	<b>Wellsboro Municipal Authority</b>
[Township or Borough]	Duncan Township
County	<b>Tioga</b>
Responsible Official	Mr. Mark Dieffenbach Wellsboro Municipal Authority 28 Crafton Street Wellsboro, PA 16901
Type of Facility	Public Water Supply
Consulting Engineer	N/A
Permit Issued	December 13, 2011
Description of Action	Operation of the 2nd raw water intake line and flow metering equipment for Rock Run surface water source.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 2

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

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at

a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

**Dennis Crum Property**, 1581 Corley Road, Manns Choice, PA, 15550, Juniata Township, **Bedford County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf Lenora Crum, c/o Dennis Crum, 1548 Corley Road, Manns Choice, PA, 15550, submitted a Final Report concerning remediation of site soils contaminated with fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

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

**Former Pickelner Fuel Company Inc. Property**, Loyalsock Township, **Lycoming County**. Letterle & Associates, LLC, 626 East Rolling Ridge Drive, Bellefonte, PA 16823 has submitted a Final Report - Site-specific Standard concerning remediation of site soil and groundwater contaminated with leaded and unleaded gasoline for the property located at 2500 East Third Street, Williamsport, Pa 17701. The report is intended to document remediation of the site to meet the Site-specific Standard.

**Sunoco Logistics Barneys Drive**, Loyalsock Township, **Lycoming County**. Mr. Michael Sarcinello, Aquaterra Technologies, Inc. 122 South Church Street, West Chester, PA 19382 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with unleaded gas. The report is intended to document remediation of the site to meet a Site-specific Standard and Statewide Health Standard.

**M.V. Express Route 15 Northbound Truck Accident**, Richmond Township, **Tioga County**. Pennsylvania Tectonics, Inc. 826 Main Street, Peckville, PA 18452 on



behalf of MV Express has submitted a Final Report concerning the remediation of site soil contaminated with diesel fuel for Route 15 North Bound Lane between Canoe Camp Exit & Mansfield Exit (Route 6), Tioga, PA 16946. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Former BP Service Station No. 07038**, City of Erie, **Erie County**. Antea USA, Inc., 9810 Patuxent Woods Drive, Suite B, Columbia, MD 21046 on behalf of BP Products North America, Inc., 1 West Pennsylvania Avenue, Suite 440, Towson, MD 21204 has submitted a Final Report concerning the remediation of site soil & groundwater contaminated with Benzene, Toluene, Ethylbenzene, Total Xylenes, Methyl tert-butyl ether (MTBE), Cumene, 1,2,4-trimethylbenzene (TMB), and 1,3,5-TMB. The report is intended to document remediation of the site to meet the Statewide Health Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

**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 the remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on December 7, 2011.

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

**Spencer Trucking**, accident at Interstate 80 @ MM190E Greene Township, **Clinton County**. Northridge Group, Inc. 1172 Ridge Road, Northumberland, PA 17857 on behalf of Spencer Trucking, 12975 State Route 405, Watsontown, Pa 17857 has submitted a Final Report concerning the remediation of site soil contaminated with diesel fuel. The Final report was approved by the Department on November 21, 2001.

**G & B Specialties**, Berwick Plant, Berwick Borough, **Columbia County**, Penn Environmental & Remediations Inc., 2755 Bergey Road, Hatfield, Pa 19940 on behalf of Global Railway Industries Ltd., 155 Boul Montreal-Toronto, Lachine, Quebec H8S 1B4 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with VOCs, PAHs and metals. The Final report was on November 18, 2011.

**Schuylkill Distributors, Inc.**, Ralpho Township, **Northumberland County**. Northridge Group, Inc. 1172 Ridge Road, Northumberland, PA 17857 on behalf of Schuylkill Distributors, Inc. has submitted a Final Report concerning the remediation of site soil contaminated with unleaded gasoline. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 17, 2011.

**M.V. Express** Route Northbound Truck accident, Richmond Township, **Tioga County**. Pennsylvania Tectonics, Inc. 826 Main Street, Peckville, PA 18452 on behalf of MV Express has submitted a Final Report concerning the remediation of site soil contaminated with diesel fuel for Route 15 North Bound Lane between Canoe Camp Exit & Mansfield Exit (Route 6), Tioga PA 16946. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 8, 2011.

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

**Former McInnes Steel Facility**, City of Corry, **Erie County**. Urban Engineers, Inc., 1319 Sassafras Street, Erie, PA 16501 on behalf of The Redevelopment Authority in the City of Corry, 1524 Enterprise Road, Corry, PA 16407 has submitted a Risk Assessment Report concern-

ing the remediation of site soils contaminated with Arsenic, Iron, and Lead. The Risk Assessment Report was disapproved by the Department on December 1, 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. WMGR097R017. 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 Central Office 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 Relay service, (800) 654-5984.

**General Permit No. WMGR131D001. Northampton Generating Company, L.P.,** 1 Horwith Drive, Northampton, PA 18067. This permit is for the beneficial use of carbonaceous wastes (i) petroleum coke (ii) uncontaminated and untreated wood chips generated during the pulp and/or paper making process, and (iii) other paper and wood industry wastes comprised of primarily wood fibers, and tire-derived fuel. The general permit is issued for use as (i) Alternative fuels to be mixed with waste coal/coal for circulating fluidized bed (CFB) boilers, (ii) structural fill, (iii) soil substitute or soil additive, (iv) at coal mining activity sites, (v) at abandoned surface mining sites, and (vi) other beneficial uses. The permit was issued by Central Office on November 30, 2011.

Persons interested in reviewing the general permit may contact Scott 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.

### 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*

**GP14-46-0276: King of Prussia Crematory** (805 DeKalb Street, Bridgeport, PA 19405) on December 8, 2011, to operate a human cremation unit in Bridgeport Borough, **Montgomery 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*

**58-399-031GP5: PVR Marcellus Gas Gathering LLC** (100 Penn Tower, 25 West Third Street, Williamsport, PA 17701) on December 2, 2011, for construction and operation of a Natural Gas Compressor Station at their site cated in Auburn Township, **Susquehanna County**.

**35-302-126GP1: Commonwealth of PA—Clarks Summit State Hospital** (1451 Hillside Drive, Clarks Summit, PA 18411) on December 2, 2011, for the operation of a 16.8 MMBTU boiler at their site in Newton 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*

**GP14-67-03089A: Keffer Funeral Home, Inc.** (902 Mt. Rose Avenue, York, PA 17403) on December 2, 2011, for their two existing human crematory units under GP14, at their facility in the City of York, **York County**. This action consolidates equipment previously permitted under GP14-67-03089 and the State-only permit No 67-03089.

**GP7-36-03118A: ITP of USA, Inc.** (200 South Chestnut Street, Elizabethtown, PA 17022-2201) on December 8, 2011, for four (4) sheet fed offset lithographic printing presses under GP7, in Elizabethtown Borough, **Lancaster County**. This includes 3 existing presses and one new press.

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

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

**GP3-18-340C: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on October 21, 2011, to construct and operate a portable non-metallic mineral horizontal feeder 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-PGPA/GP-3) at their Bradford County Quarry in Burlington Borough, **Bradford County**.

**GP9-08-340C: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on October 21, 2011, to construct and operate one Caterpillar model 3052 diesel-fired engine with a rating of 100 brake horsepower (bhp) pursuant to the General Plan Approval And/Or General Operating Permit for Diesel or #2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) at their Bradford County Quarry in Burlington Borough, **Bradford County**.

**GP3-18-205A: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on November 21, 2011, to construct and operate a portable non-metallic mineral jaw crusher 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-PGPA/GP-3) at their Dunkle Construction site in Lamar Township, **Clinton County**.

**GP11-18-205A: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on November 21, 2011, to construct and operate one Caterpillar model C-9 JSC 05460 diesel-fired engine with a rating of 300 brake horsepower (bhp) pursuant to the General Plan Approval And/Or General Operating Permit (BAQ-GPA/GP-11): Nonroad Engines at their Dunkle Construction site in Lamar Township, **Clinton County**.

**GP3-59-223A: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on November 28, 2011, to construct and operate a portable non-metallic mineral jaw crusher 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-PGPA/GP-3) at their Shell Impoundment site in Delmar Township, **Tioga County**.

**GP11-59-223A: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on November 28, 2011, to construct and operate one Caterpillar model JSC 05460 diesel-fired engine with a rating of 300 brake horsepower (bhp) pursuant to the General Plan Approval And/Or General Operating Permit (BAQ-GPA/GP-11): Nonroad Engines at their Shell Impoundment site in Delmar Township, **Tioga County**.

**GP3-18-207: New Dominion Construction, Inc.** (1554 Miller Run Road, McDonald, PA 15057) on December 1, 2011, to construct and operate a portable non-metallic mineral impact crusher and conveyor with associated water spray dust suppression systems pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their Enerplus 10 MG Freshwater Impoundments in West Keating Township, **Clinton County**.

**GP9-18-207: New Dominion Construction, Inc.** (1554 Miller Run Road, McDonald, PA 15057) on December 1, 2011, to construct and operate one Caterpillar model 3408 diesel-fired engine with a rating of 350 brake horsepower (bhp) pursuant to the General Plan Approval And/Or General Operating Permit for Diesel or #2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) at their Enerplus 10 MG Freshwater Impoundments in West Keating Township, **Clinton County**.

**GP3-08-359: Mobile Aggregate Recycling Services** (HC 1 Box 1374, Brodheads ville, PA 18322) on December 5, 2011, to construct and operate a portable non-metallic mineral crusher 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-PGPA/GP-3) at the Glenn O. Hawbaker Burlington Quarry in Burlington Borough, **Bradford County**.

**GP11-08-359: Mobile Aggregate Recycling Services** (HC 1 Box 1374, Brodheads ville, PA 18322) on December 5, 2011, to construct and operate one 366 bhp Deutz model BF6M1015C diesel engine pursuant to the General Plan Approval And/Or General Operating Permit (BAQ-GPA/GP-11): Nonroad Engines at their Glenn O. Hawbaker Burlington Quarry in Burlington Borough, **Bradford County**.

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

*Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers - Telephone: 412-442-4163/5226*

**GP5-30-00211: Energy Corporation of America** (1380 Route 286 Hwy E, Suite 221, Indiana, PA 15701) on December 6, 2011, for the installation and operation of a new natural gas production facility consisting of two lean burn natural gas-fired compressor engines rated at 1,340 bhp each and controlled by oxidation catalysts, one tri-ethylene glycol dehydrator controlled by a flare, and one 210 bbl produced water tank. The facility will be authorized under GP-5 for natural gas production, named Kuhl Compressor Station, and located in Jefferson Township, **Greene County**.

**GP5-63-00947B: MarkWest Liberty Midstream and Resources, LLC** (1515 Arapahoe St., Tower 2, Suite 700, Denver, CO 80202-2126) on December 2, 2011, received authorization for construction and operation of sources and controls associated with a natural gas production facility at the Lowry Compressor Station located in Hopewell Township, **Washington County**.

**GP9-63-00947B: MarkWest Liberty Midstream and Resources, LLC** (1515 Arapahoe St., Tower 2, Suite 700, Denver, CO 80202-2126) on December 2, 2011, received authorization for construction and operation of two (2) diesel-fired engines for emergency power generation at the Lowry Compressor Station located in Hopewell Township, **Washington County**.

**GP5-63-00966: Kriebel Minerals Inc.** 633 Mayfield Drive, P. O. Box 765, Clarion, PA 16255 on December 8, 2011, to allow the construction and operation of two (2) Caterpillar, natural gas fired 4-stroke rich burn compressed engines, one rated at 203 bhp & the other rated at 265 bhp 1,200 rpm. One (1) dehydrator 2.5 MMscfd with a reboiler, rated at 0.25 Mmbtu/hr. Three (3) storage tanks with a capacity of 100 bbl, 50bbl, and 12 bbl at their Weaver Centerville Station, located in Deemston Borough, **Washington County, PA**.

**GP5-63-00960B: MarkWest Liberty Midstream and Resources, LLC** (1515 Arapahoe Street Tower 2, Suite 700, Denver, CO 80202-2126) on December 12, 2011, to allow increased throughput up to 60 MMSCF/day for the existing tri ethylene glycol dehydrator and the installation of a larger reboiler rated at 2.0 MMBtu/hr in replacement of the existing reboiler at the Baker Compressor Station, located in Amwell Township, **Washington County**. A total of five compressor engines are authorized for operation at this site.

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

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

**GP3-10-363C: Quality Aggregates, Inc.—Hilliards Plant No. 2** (Nagy Road, Whiskerville, PA 16040) on December 6 2011, for a portable nonmetallic mineral processing plant (BAQ-GPA/GP-3) in Washington Township, **Butler County**.

**GP9-10-363D: Quality Aggregates, Inc., Hilliards Plant No. 2** (Nagy Road, Whiskerville, PA 16040) on December 6, 2011, for a diesel or #2 fuel-fired internal combustion engine (BAQ-GPA/GP-9) in Washington Township, **Butler County**.

**GP5-24-171B: Seneca Resources Corp.—Boone Mountain Station** (Off Fire Tower Road, Brookville, PA

15825) on August 31, 2010, to operate a natural gas fired compressor engine (Caterpillar engine rated at 1,340 bhp, glycol dehydrator/reboiler rated at 0.375 mmbtu/hr, two condensate or miscellaneous storage tanks, and four gas production units rated at 0.75 mmbtu/hr), (BAQ-GPA/GP-5) in Horton Township, **Elk County**. This permit replaces GP5-24-171A.

**GP1-25-058A: VA Medical Center Erie** (135 East 38th Street, Erie PA 16504) on November 30, 2011, for renewal to operate three (3) natural gas fired boilers (BAG-GPA/GP-1) in Erie, **Erie County**.

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

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*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*

**06-03117F: Custom Processing Services, Inc.** (2 Birchmont Drive, Reading, PA 17606-3266) on November 30, 2011, for construction and temporary operation of a micronizing mill controlled by a fabric collector and final filter, at the custom milling facility in Exeter Township, **Berks County**.

**06-05025C: Morgan Truck Body, LLC—DBA Morgan Corporation** (35 Thousand Oaks Boulevard, PO Box 588, Morgantown, PA 19543-8838) on December 7, 2011, for construction and temporary operation of a spray paint booth at their truck body manufacturing facility in Caernarvon Township, **Berks County**.

**06-03029C: Yuasa Battery, Inc.** (2901 Montrose Avenue, Laureldale, PA 19605) on December 2, 2011, for upgrading equipment at their lead-acid battery manufacturing facility in Laureldale Borough, **Berks County**. The changes include:

1.) Remove the existing Remelt Pot and Small Parts Caster now a part of Source 105 and controlled by Baghouse C15.

2.) Replace the existing Remelt Pot and Small Parts Caster with a new melt pot and a new lead cylinder casting operation identified as Source 105A to be controlled by Baghouse C15 followed by HEPA filter C15A.

3.) Install a new ball mill for making lead oxide. The new ball mill will be identified as Source 120.

4.) Install a new Baghouse C20 followed by a new HEPA filter C20A to control the ball mill exhaust.

5.) Install four new silos for storage of lead oxide. Each silo will be controlled by a bin vent filter followed by a HEPA filter. The four new silos will be identified as Source 121, their bin vent filters will be identified as C21 and their HEPA filters will be identified as C21A. The silos will exhaust inside and the exhausts will be identified as Z21.

6.) Install a new paste silo Source 102A. During filling, air leaving Source 102A will go through the same bin vent filter (C02) that controls existing silo Source 102.

7.) After control C02, Yuasa will install a new HEPA filter (C02A) that will exhaust to atmosphere through existing Stack S02.

*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*

**63-00936E: MarkWest Liberty Midstream and Resources, LLC** (1515 Arapahoe Street Tower 2, Suite 700, Denver, CO 80202-2126) on December 8, 2011, to install and begin initial temporary operation of a rail load-out terminal for the transfer of up to 402 million gallons of natural gas liquids produced at the Houston Gas Plant located in Chartiers Township, **Washington County**.

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

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

**37-331A: RWE Holding Co.—West Pittsburgh Plant** (535 Rundle Road, New Castle, PA 16101) on December 1, 2011, for post-construction of a slag handling, anti-skid mining, coke screening, bulk carbon loading and graphite drying operation in Taylor Township, **Lawrence 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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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401*

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

**15-0132B: Cephalon, Inc.** (145 Brandywine Parkway, West Chester, PA 19380) On December 5, 2011, to operate diesel generators in West Goshen Township, **Chester County**.

**09-0192: Waste Management of PA, Inc.** (1000 New Ford Mill Road, Morrisville, PA 19067) on December 8, 2011, to operate a bulk handling facility in Fall Township, **Bucks 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*

**06-05096C: The Reading Hospital and Medical Center** (PO Box 16052, Reading, PA 19612-6052) on December 7, 2011, for a cogeneration plant at the Reading Hospital in West Reading Borough, **Berks County**. The plan approval was extended.

**67-05083: Calpine Mid Merit LLC** (PO Box 6066 92 DC 72, Newark, DE 19714-6066) on December 9, 2011, for construction of an electric generating plant in Peach Bottom Township, **York County**. The plan approval was extended.

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

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

**14-00003D: Pennsylvania State University** (101P Physical Plant Building, University Park, PA 16802-1119) on November 8, 2011, to extend the temporary period of operation of the combustion turbine and heat recovery steam generation unit in order to accommodate stack test rescheduling in **Centre County**. The plan approval contains monitoring, recordkeeping and reporting require-



ments to demonstrate compliance with State and Federal regulatory requirements. The plan approval was extended.

**14-00002H: Graymont—PA, Inc.** (965 East College Avenue, Pleasant Gap, PA 16823) on December 6, 2011, to extend the temporary period of operation of the semi-wet scrubber (ID C412A) associated with Kiln 7 (Source ID P412) in **Centre County**. The plan approval contains monitoring, recordkeeping and reporting requirements to demonstrate compliance with State and Federal regulatory requirements.

**18-00011G: Croda, Inc.** (8 Croda Way, Mill Hall PA 17751) on December 6, 2011, to extend the expiration date of the plan approval to allow for the completion of construction of the process vessel and associated storage tanks in **Clinton County**. The plan approval contains monitoring, recordkeeping and reporting requirements to demonstrate compliance with State and Federal regulatory requirements.

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

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

**10-325A: Butler VA Medical Center** (325 New Castle Road, Butler, PA 16001) on November 30, 2011, for three (3) existing 25.4 MMBtu/hr capacity gas and #2 fuel oil fired boilers at their facility in Butler Township, **Butler 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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*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*

**31-05011: US Silica Co.** (12942 Oriskany Road, Mapleton Depot, PA 17052-9578) on December 7, 2011, for the Mapleton Depot stone quarry and silica sand manufacturing facility in Brady Township, **Huntingdon County**. The Title V permit was renewed.

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

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

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

**46-00040: National Label Co., Inc.** (2025 Joshua Road, Lafayette Hill, PA 19444) on December 8, 2011, to operate a printing facility in Whitmarsh Township, **Montgomery County**. The renewal permit is for a non-Title V (State only) facility. Sources of air emissions include twelve (12) printing presses, one thermal oxidizer and various support sources. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**40-00093: Fabri—Kal Corp.** (150 Lions Drive, Valmont Industrial Park, Hazle Township, PA 18202) on December 12, 2011, for a plastic product manufacturing facility in Hazle Township, **Luzerne County**. This is a renewal of the State-Only Natural Minor operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**28-03008: Edge Rubber** (811 Progress Road, Chambersburg, PA 17201-3257) on December 5, 2011, for their tire shredding facility located in Chambersburg Borough, **Franklin 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*

**18-00025: Moriarty Funeral Home & Crematory** (112 East Church Street, Lock Haven, PA 17745) on December 12, 2011, issued a state only operating permit for their facility in Lock Haven, **Clinton County**. The facility's sources include a human remains crematory. The potential emission of all air contaminants are below their respective major emission thresholds. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**19-00025: Keystone Starches, LLC** (920 Seventh Avenue, Berwick, PA 18603-1127) on December 12, 2011, issued a state only operating permit for their facility in Berwick Borough, **Columbia County**. The facility's sources include a combustion unit, a parts washer and a potato starch processing operation. The potential emission of all air contaminants are below their respective major emission thresholds. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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#### **Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

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

**46-00025: Johnson Matthey, Inc.** (900 River Road, Conshohocken, PA 19428) on December 9, 2011, for a Title V Operating Permit Minor Modification issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.462 and 127.542 in Upper Merion Township, **Montgomery County**. Modification to incorporate

operating parameters and alternative particulate matter emission limits derived from its comprehensive performance test. The permit includes testing, monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

*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*

**22-03002: Unilever Manufacturing—US, Inc.** (523 S. 17th Street, Harrisburg, PA 17104-2220) on December 2, 2011, for their pasta manufacturing facility in Harrisburg City, **Dauphin County**. This State Only Operating permit underwent a permit modification to make the following changes:

1.) add the periodic facility fumigation process as a source, 2.) add facility-wide caps for hazardous air pollutants, 3.) reflect an ownership change to Unilever from Conopco and 4.) add/update provisions regarding the applicability and requirements of 40 CFR Part 63 Subpart JJJJJ and 40 CFR Part 60 Subpart Dc.

**36-05014: Alumax Mill Products** (1480 Manheim Pike, Lancaster, PA 17601-3152) on December 6, 2011, for their secondary aluminum foundry in Manheim Township, **Lancaster County**. The Title V permit was administratively amended to correct the wording in a condition regarding rolling lubricants.

**36-05152: Kellogg USA, Inc.** (2050 State Road, Caller Box 3006, Lancaster, PA 17604) on December 6, 2011, for their breakfast cereal manufacturing facility in East Hempfield Township, **Lancaster County**. The State-only permit was administratively amended to incorporate the provisions of Plan Approval No 36-05152A.

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

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

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

**05-05006: Columbia Gas Transmission, LLC** (1700 MacCorkle Avenue SE, Charleston, WV 25314). Pursuant to 25 Pa. Code § 127.449(i), this *PA Bulletin* Notice is for the following de minimis emissions increases resulting from the construction of a 440 brake horsepower natural gas-fired auxiliary generator at the Artemas Compressor Station located in Mann Township, **Bedford County**. 0.484 TPY NO<sub>x</sub>; 0.315 TPY CO; 0.0630 TPY VOC; 0.0564 TPY aggregate HAPs; 0.00788 TPY PM<sub>10</sub>; and 0.000464 TPY SO<sub>x</sub>. This is the first de minimis emissions increase at the facility during the term of the current operating permit.

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

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

**10-00305: Harsco Minerals PA, LLC** (359 North Pike Road, Sarver, PA 16055) for their facility located in Winfield Township, **Butler County**. The De minimis emission increase is for the construction of an electric Induction Furnace. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 PA Code 127.449(i). This list includes the De minimis emission increases since the State Only Operating Permit issuance on February 13, 2007.

<i>Date</i>	<i>Source</i>	<i>PM10 (tons)</i>	<i>SOx (tons)</i>	<i>NOx (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
12-6-11	Electric Induction Furnace	0.06				
Total Reported Increases		0.06				
Allowable		0.6 ton/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

**25-00971: Erie Plating Company** (656 W. 12th Street, Erie, PA 16501) for their Plant 1 facility in the City of Erie, **Erie County**. The authorized De minimis emission increase is for the installation of a dip spin paint booth. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.449.

The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 PA Code 127.449(i). This list includes the De minimis emission increases since the State Only Operating Permit was issued on November 30, 2006.

<i>Date</i>	<i>Source</i>	<i>PM10 (tons)</i>	<i>SOx (tons)</i>	<i>NOx (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
12-5-2011	Dip spin paint booth	-	-	-	0.196	-
Total Reported Increases		-	-	-	0.196	-
Allowable		0.6 tons/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 3 0.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).**

### Coal Permits Actions

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

**11060101 and NPDES No. PA0249882. CMT Energy, Inc.**, 108 South Twigg Street, Box 23, Smoke Run, PA 16681, permit renewal for reclamation only of a bituminous surface mine in Chest Township, **Cambria County**, affecting 33.1 acres. Receiving stream(s): unnamed tributaries 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: August 1, 2011. Permit issued: December 5, 2011.

**56060102 and NPDES No. PA0249912. Mountaineer Mining Corporation**, 1010 Garrett Shortcut Road, Berlin, PA 15530, revision of an existing bituminous surface mine to change land use from cropland to wildlife habitat in Stonycreek Township, **Somerset County**, affecting 83.7 acres. Receiving stream(s): UTs to/and Schrock Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: June 21, 2011. Permit issued: December 5, 2011.

**56090106 and NPDES Permit No. PA0262765, Hardrock Coal Company, Inc.**, 275 Saddle Ridge Road, Berlin, PA 15530, commencement, operation and restoration of a bituminous surface and auger mine in Brothersvalley Township, **Somerset County**, affecting 105.5 acres. Receiving stream(s): unnamed tributary to/and Buffalo Creek classified for the following use(s): cold water fishery. The mining permit includes a Chapter 105 authorization to construct and maintain a temporary stream crossing and construction of E & S controls within 60 feet of the unnamed tributary "A" to Buffalo Creek. The permit also includes a Chapter 105 permit to affect 0.76 acres of wetlands with replacement wetlands having similar value and functions. There are no potable water supply intakes within 10 miles downstream. Application received: March 16, 2009. Permit issued: December 5, 2011.

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

**26000201 and NPDES Permit No. PA0202801. Carbon Fuel Resources, Inc.** (2927 Pittsburgh Street,

Perryopolis, PA 15473). Renewal permit issued for continued operation and reclamation to an existing coal refuse reprocessing surface mine, located in German Township, **Fayette County**, affecting 65.8 acres. Receiving streams: Browns Run and Monongahela River. Renewal application received: March 24, 2011. Renewal permit issued: December 7, 2011.

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

**10110105 and NPDES Permit No. PA0259098. K & A Mining** (P. O. Box 288, Grove City, PA 16127) Commencement, operation and restoration of a bituminous surface mine in Cherry Township, **Butler County** affecting 34.3 acres. Receiving streams: Unnamed tributary to South Branch Slippery Rock Creek. Application received: May 6, 2011. Permit Issued: December 6, 2011.

**24010101 and NPDES Permit No. PA0241857. AMFIRE Mining Company, LLC** (One Energy Place, Suite 2800, Latrobe, PA 15650) Renewal of an existing bituminous surface and auger mine in Horton Township, **Elk County** affecting 264.3 acres. Receiving streams: Unnamed tributary G to Mead Run and unnamed tributaries 2 & 3 to Johnson Run. Application received: May 25, 2011. Permit Issued: December 9, 2011.

### Noncoal Permits Actions

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

**62860803. John V. Mortenson** (8336 Jackson Run Road, Sugar Grove, PA 16350). Final bond release for a small industrial minerals surface mine in Sugar Grove Township, **Warren County**. Restoration of 2.5 acres completed. Receiving streams: Jackson Run. Application Received: November 16, 2011. Final bond release approved: December 2, 2011.

**37070301. Terra Resources, LLC** (267 Gilmore Road, Enon Valley, PA 16120) Renewal of NPDES Permit No. PA0258407 in Slippery Rock Township, **Lawrence County**. Receiving streams: Unnamed tributary to Slippery Rock Creek. Application received: September 13, 2011. Permit Issued: December 6, 2011.

**10060306. Quality Aggregates, Inc.** (4955 Steubenville Pike, Suite 245, Pittsburgh, PA 15205) Renewal of NPDES Permit No. PA0258211 in Marion Township, **Butler County**. Receiving streams: Five unnamed tributaries to Blacks Creek and Blacks Creek; one unnamed tributary to North Branch Slippery Rock Creek. Application received: September 6, 2011. Permit Issued: December 6, 2011.

**24112802 and NPDES Permit No. PA0259179. North Star Aggregates, Inc.** (P. O. Box 51, Penfield, PA 15849) Commencement, operation and restoration of a small industrial mineral mine in Ridgway Township, **Elk County** affecting 10.6 acres. Receiving streams: Little Mill Creek. Application received: September 23, 2011. Permit Issued: December 6, 2011.

**42110802. Ron F. Onufry, Jr.** (34 Park Lane Drive, Port Allegany, PA 16743) Commencement, operation and restoration of a small industrial minerals mine in Annin Township, **McKean County** affecting 5.0 acres. Receiving streams: Two Mile Creek. Application received: October 31, 2011. Permit Issued: December 6, 2011.

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

**08111001 H. L. Robinson Sand & Gravel, Inc.** (535 Ithaca Road, P. O. Box 121, Candor, NY 13743), authori-



zation to extract sandstone in Wysox Township, **Bradford County** to construct gas well pads. Receiving stream(s): Unnamed Tributary to Johnson Creek. Authorization approved: November 22, 2011.

**08111001GP-104 H. L. Robinson Sand & Gravel, Inc.** (535 Ithaca Road, P. O. Box 121, Candor, NY 13743), hereby approves the Notice of Intent (NOI) submitted for coverage to discharge stormwater associated with mining activities on Permit 08111001 to the following surface water(s) in Wysox Township, **Bradford County**. Receiving stream(s): Unnamed Tributary to Johnson Creek. Application received: January 11, 2011. Authorization Approved: November 22, 2011.

**08102808 Arthur L. and Matthew L. Fenton Farm** (930 Fenton Road, Sugar Run, PA 18846). Commencement, operation and restoration of an existing small non coal Arthur L. Fenton 08970809, Bluestone operation in Wilmot Township, **Bradford County** affecting 7.0 acres. This is an upgrade from 2,000 tons per year to 10,000 tons per year. Receiving stream(s): Panther Lick Creek to Sugar Run. Application received: July 13, 2010. Permit issued November 23, 2011

**08111003 New Enterprise Stone & Lime Co Inc. DBA Eastern Industries Inc.** (4401 Camp Meeting Road, Center Valley, PA 18034), authorization to extract sandstone in Standing Stone Township, **Bradford County** to provide fill material to the Standing Stone Operation construction project. Receiving stream(s): Unnamed Tributary to King Creek. Authorization approved: November 23, 2011.

**08111003GP-104 New Enterprise Stone & Lime Co Inc. DBA Eastern Industries Inc.** (4401 Camp Meeting Road, Center Valley, PA 18034), hereby approves the Notice of Intent (NOI) submitted for coverage to discharge stormwater associated with mining activities on Permit 08111003 to the following surface water(s) in Standing Stone Township, **Bradford County**. Receiving stream(s): Unnamed Tributary to King Creek. Application received: July 6, 2011. Authorization Approved: November 23, 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*

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

**65114009. Westmoreland Waste, LLC** (111 Conner Lane, Belle Vernon, PA 15012). Blasting activity permit for the construction of a cell at Sanitary Landfill, located in Rostraver Township, **Westmoreland County**. The duration of blasting is expected to last one year. Blasting permit issued: December 9, 2011.

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

**42114006. Appalachian Geophysical Services, LLC** (2659 State Route 60, P. O. Box 426, Killbuck, OH 44637). Blasting activity permit for seismic exploration in Ser-

geant Township, **McKean County**. This blasting activity permit will expire on November 14, 2012. Permit issued: November 30, 2011.

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

**38114122. Maine Drilling & Blasting**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for 1102 West Main Street Sanitary Sewer in North Londonderry Township, **Lebanon County** with an expiration date of November 15, 2012. Permit issued: December 8, 2011.

**40114113. Dyno-Nobel, Inc.**, (1320 Galiffa Drive, Donora, PA 15033), construction blasting for Centerpoint East and West in Pittston and Jenkins Townships, **Luzerne County** with an expiration date of December 31, 2012. Permit issued: December 8, 2011.

**58114019. Tri-City Highway Products, Inc.**, (145 Podpadic Road, Richmondville, NY 12149-2205) and Orica USA, (971 Mountain Road, Bloomsburg, PA 17815), construction blasting for Onyon Mine GP103 No. 58111003 in New Milford Township, **Susquehanna County** with an expiration date of December 31, 2014. Permit issued: December 9, 2011.

**09114111. Eastern Blasting Co., Inc.**, (1292 Street Road, New Hope, PA 18938), construction blasting for Chapman's Corner in Warrington Township, **Bucks County** with an expiration date of December 10, 2011. Permit issued: December 9, 2011.

**36114173. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for David Fisher manure pit in Paradise Township, **Lancaster County** with an expiration date of December 31, 2011. Permit issued: December 9, 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.

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E39-510. David Coult**, 6553 Hoffman Lane, Coopersburg, PA 18036, Lower Milford Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To authorize the following activities associated with a pond enhancement and streambank stabilization project:

1. To modify and maintain an existing 0.85 acre, 4-foot deep off-stream pond within the Saucon Creek Watershed (CWF, MF) with work consisting of dredging the pond to a depth of approximately 15 feet.

2. To construct and maintain an approximately 192 square foot floating dock in the off-stream pond.

3. To construct and maintain a 25-foot wide sand beach extending into the off-stream pond approximately 11 feet from the pond water's edge.

4. To stabilize and maintain approximately 252 linear feet of streambank in a tributary to Saucon Creek (CWF, MF) with R-5 riprap, jute matting and topsoil with plantings which includes areas under an existing foot bridge and vehicular bridge.

5. To construct and maintain an intake structure in a tributary to Saucon Creek (CWF, MF) consisting of approximately 240 linear feet of 4-inch diameter schedule 40 PVC pipe, ball valve, and R-5 riprap.

The project is located at 6553 Hoffman Lane in Lower Milford Township, Lehigh County (Milford Square Quadrangle Latitude: 40°29'58"; Longitude: -75°26'50"). Subbasin: 2C

**E64-288. Sonia & John Batten, III**, 1349 Lexington Avenue, New York, NY 10128, Damascus Township, **Wayne County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a 32-foot by 40-foot single family house in the floodway of the Delaware River (CWF-MF), elevated on concrete piers above the 100-year water surface elevation. The project is located at the end of Tammany Flats Road approximately 0.4 miles southeast of its intersection with River Road (Callicoon, NY-PA Quadrangle Latitude: 41°45'01.0"; Longitude: -75°03'18.5"). Subbasin: 1A

**E40-716. Matthew DePrimo**, R. D. 2, Box 294, Harveys Lake, PA 18618-9760. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Philadelphia District.

To modify and maintain an existing 2,250 square-foot, pile supported boathouse/dock with the construction and maintenance of a 950 square-foot pile supported addition consisting of a boat slip and bathroom facilities. The project is located along Lakeside Drive at Pole #54 (Harveys Lake, PA Quadrangle Latitude: 41°22'11.4"; Longitude: -76°02'23.6"). Subbasin: 4B

**E52-227. Schmalzle Construction Co., Inc.**, 109 Alex Road, Hawley, PA 18428. Blooming Grove Township, **Pike County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a 20-foot wide road crossing of Buchards Creek (HQ-CWF, MF) consisting of two 48-inch diameter corrugated metal pipes, depressed 1-foot below streambed elevation, with fieldstone headwalls and riprap outlet protection for the purpose of providing access to a quarry. The project is located approximately 0.25 mile east of State Route 0739 approximately 0.90 mile south of its intersection with U.S. Route 0006 (Rowland, PA Quadrangle Latitude: 41°24'29.1"; Longitude: -75°03'52.4"). Subbasin: 1B

**E35-427. Francis Cunion**, 2808 Scranton/Carbondale Highway, Blakely, PA 18447-2403. Clarks Summit Borough, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To fill a deminimus area of PSS/FO wetland equal to 0.02 acre for the construction of a single family dwelling and to construct and maintain a water line and sanitary sewer line through approximately 85-feet of wetlands for the single family dwelling. The project is located approximately 0.20 miles south of the intersection of West Grove Street and State Route 307 (Scranton Quadrangle Latitude: 41° 29' 02"; Longitude: -75° 42' 58"). Subbasin: 4F

**E35-428. Lackawanna County**, 200 Adams Avenue, Administration Building, 6th Floor, Scranton, PA 18505. City of Scranton, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To construct and maintain a stream restoration project in 1,200 linear feet of Lucky Run (CWF) with work consisting of a PVC liner, a grouted riprap stilling basin, riprap bank stabilization, and approximately 32 in-stream boulder structures creating a step-pool channel. The project also includes various stormwater outfalls to Lucky Run. The project begins approximately 700 feet upstream from where Lucky Run (CWF) intersects with the McDade Park Road (Scranton PA Quadrangle Lat: 41°25'03"; Long: -75°42'52") and extends downstream from McDade Park Road for approximately 300 feet (Scranton PA Quadrangle Lat: 41°24'58"; Long: -75°42'42" in the City of Scranton, Lackawanna County") in the City of Scranton, Lackawanna County. Subbasin: 5A

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

**E21-420. David and Holly Wood**, Five Orange Street, Mount Holly Springs, Pennsylvania 17065-1722, in Mount Holly Springs Borough, **Cumberland County**, ACOE Baltimore District

To construct and maintain a 45.0-foot by 26.0-foot building addition to an existing home located in the floodway of Mountain Creek (TSF-MF). The project is located on the southeast quadrant of the intersection of Mill Street and Orange Street (Mount Holly Springs, PA

Quadrangle, N: 22.0 inches, W: 8.5 inches; Latitude: 40°07'18", Longitude: -77°11'13") in the Borough of Mount Holly Springs, Cumberland County. The purpose of the project is to construct additional living space and a garage for storage.

### ENVIRONMENTAL ASSESSMENTS

*Cambria District: Environmental Program Manager, 286 Industrial Pk Rd, Ebensburg, PA 15931-4119.*

**EA1009-017. Pennsylvania Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Rd., Ebensburg, PA 15931. Abandoned Mine Land Reclamation Project, in Cherry Township, **Butler County**, Pittsburgh ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 1,800 linear feet of dangerous highwall. The project will also include the backfilling of 0.21 acres of open water that has developed at the base of the highwall. (West Sunbury Quadrangle N: 7 inches, W: 13.5 inches).

### 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*

02/24/2011

ESCGP-1 No: ESX11-125-0014

Applicant Name: Range Resources Appalachia LLC

Contact Person Carla Suszkowski

Address: 380 South pointe Boulevard

City: Canonsburg State: PA Zip Code: 15317

County: Washington Township: Independence

Receiving Stream (s) And Classifications: UNT to Buffalo Creek WWF, HQ

11/09/11

ESCGP-1 No.: ESX11-003-0005

Applicant Name: Range Resources Appalachia LLC

Contact Person: Glenn Truzzi

Address: 380 Southpointe Boulevard Suite 300

City: Canonsburg State: PA Zip Code: 15317

County: Allegheny Township(s): Indiana/Frazier

Receiving Stream(s) and Classifications: UNT to Little Deer Creek/Lower Allegheny River Watershed, Other

10/27/2011

ESCGP-1 No.: ESX11-129-0012

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): Salem

Receiving Stream(s) and Classifications: UNT to Crabtree Creek, Crabtree Creek/Loyalhanna Creek Watershed, Other

10/27/11

ESCGP-1 No.: ESX11-059-0065

Applicant Name: Chesapeake Appalachia LLC

Contact Person: Eric Haskins

Address: 101 North Main Street

City: Athens State: PA Zip Code: 18810

County: Greene Township(s): Richhill

Receiving Stream(s) and Classifications: Polen Run TSF Wheeling Cree, Other

10/17/11

ESCGP-1 No.: ESX11-059-0010 Minor Revision

Applicant Name: Chesapeake Appalachia LLC

Contact Person: Eric Haskins

Address: 101 North Main Street

City: Athens State: PA Zip Code: 18810

COUNTY Greene Township(s): Aleppo

Receiving Stream(s) and Classifications: Mudlick Fork, Other

10/28/11

ESCGP-1 No.: ESX11-003-0006

Applicant Name: Range Resources—Appalachia LLC

Contact Person: Laurel Rusmisl

Address: 380 Southpointe Boulevard

City: Canonsburg State: PA Zip Code: 15317

County: Allegheny & Butler Township(s): Fawn & Clinton

Receiving Stream(s) and Classifications: UNT to Bull Creek and Lardintown Run/Lower Allegheny River Watershed

11/17/11

ESCGP-1 No.: ESX11-125-0108

Applicant Name: Range Resources—Appalachia LLC

Contact Person: Glenn Truzzi

Address: 380 Southpointe Boulevard

City: Canonsburg State: PA Zip Code 15317

County: Washington Township(s): Hopewell

Receiving Stream(s) and Classifications: UNT to Hanen Run & Hanen Run/Wheeling-Buffalo Creeks Watershed

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335*

ESCGP-1 #ESX11-019-0100—Quinn Freshwater Impoundment

Applicant XTO Energy Inc.

Contact Mr. Bernhardt Kissel

Address 395 Airport Road

City Indiana State PA Zip Code 15701

County Butler Township(s) Clinton(s)

Receiving Stream(s) and Classification(s) Rocky Run (TSF)

ESCGP-1 #ESX11-019-0109—Drake Unit 2053  
 Applicant SWEPI LP  
 Contact H. James Sewell  
 Address 190 Thorn Hill Road  
 City Warrendale State PA Zip Code 15086  
 County Butler Township(s) Worth(s)  
 Receiving Stream(s) and Classification(s) Black Run—  
 CWF, Slippery Rock Creek—CWF

ESCGP-1 #ESX11-065-0041—Big Run Pad 10  
 Applicant CNX Gas Company  
 Contact Jennifer C Sheesley  
 Address 280 Indian Springs Road Suite 333  
 City Indiana State PA Zip Code 15701  
 County Jefferson Township(s) Gaskill(s)  
 Receiving Stream(s) and Classification(s) Mahoning  
 Creek/East Branch Mahoning Creek—Mahoning Creek  
 Watershed

ESCGP-1 #ESX11-019-0091—Willams Unit 2062  
 Applicant Swepi LP  
 Contact William Roundtree  
 Address 190 Thornhill Drive  
 City Warrendale State PA Zip Code 15086  
 County Butler Township(s) Slippery Rock(s)  
 Receiving Stream(s) and Classification(s) UNT to Long  
 Run-Ohio River Basin in PA (List W). UNT to Wolf  
 Creek-Ohio River Basin in PA (List W), CWF

ESCGP-1 #ESX11-083-0057—Seneca-Tenn Pipeline  
 Phase 2  
 Applicant EOG Resources  
 Contact Joe Wilson  
 Address 2039 South Sixth Street  
 City Indiana State PA Zip Code 15701  
 County Mckean & Elk Township(s) Sergeant & Jones (s)  
 Receiving Stream(s) and Classification(s) Gum Boot Run,  
 Buck Run, Doe Run, County Line Run, Wellendorf  
 Branch, North Fork Straight Creek, and Straight Creek  
 (HQ)

ESCGP-1 #ESX11-031-0027  
 Applicant Chevron Appalachia LLC  
 Contact Timothy Botsford  
 Address 800 Mountain View Drive  
 City Smithfield State PA Zip Code 15748  
 County Clarion Township(s) Washington(s)  
 Receiving Stream(s) and Classification(s) Licking Creek  
 CWF, Clarion River Watershed

ESCGP-1 #ESX11-019-0106—Jefferson Township  
 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—  
 Other, Connoquenessing Creek—Other

ESCGP-1 #ESX11-083-0055—RFP Location  
 Applicant Chesapeake Appalachia, LLC  
 Contact 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, West Branch Clarion  
 River—CWF

ESCGP-1 #ESX11-019-0107—McGowan  
 Applicant SWEPI LP  
 Contact 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) UNT to Blacks  
 Creek—CWF

[Pa.B. Doc. No. 11-2190. Filed for public inspection December 23, 2011, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at <http://www.eLibrary.dep.state.pa.us>. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2011.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Rescission of Technical Guidance*

DEP ID: 391-3200-005. Title: Water Quality Assurance Workplan: Aquatic Life Special Water Quality Protection Surveys. Description: This document is being rescinded because it is outdated and being revised for replacement with updated information. Contact: Questions regarding the rescission of this document should be directed to Tony Shaw, Department of Environmental Protection, Bureau of Point and Non-point Source Management, Division of Water Quality Standards, Rachel Carson State Office Building-11th Floor, P. O. Box 8467, Harrisburg PA 17105-8467, [tshaw@pa.gov](mailto:tshaw@pa.gov) or (717) 787-9637.

*Effective Date:* January 3, 2012.

MICHAEL L. KRANCER,  
 Secretary

[Pa.B. Doc. No. 11-2191. Filed for public inspection December 23, 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 30, 2011, through December 6, 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 Jeffrey Balmer 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 23, 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 Karen Price, Interstate Waters Office, Department of Environmental Protection, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 772-4785, kprice@pa.gov.

For further information about this certification request or the Trading Program contact Karen Price, at the previously 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. 11-2192. Filed for public inspection December 23, 2011, 9:00 a.m.]

### **Nutrient Credit Trading Program; Notice of Registration**

The Department of Environmental Protection (Department) provides notice of the following credit registration recorded under the Nutrient Credit Trading Program (Trading Program). The request for registration was 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 registration of credits on October 26, 2011. For background information related to these credits please see the Department's certification published at:

- 40 Pa.B. 5641 (October 2, 2010)—Team Ag, Inc. on behalf of Brubaker Farms.



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>
Brubaker Farms	Mount Joy Borough Authority, Mount Joy, PA	7117 Nitrogen	Best management practices that include the no-till planted corn and cover crop plantings.	October 2010—September 2011

For further information about this registration or the Trading Program, contact Karen Price, Interstate Waters Office, Department of Environmental Protection, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 772-4785, kprice@pa.gov 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. 11-2193. Filed for public inspection December 23, 2011, 9:00 a.m.]

### State Board for Certification of Water and Wastewater Systems Operators; 2012 Meeting Schedule

The 2012 meetings of the State Board for Certification of Water and Wastewater Systems Operators will begin at 10 a.m. in the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105-8454. The meeting dates and locations are as follows:

February 16	10 a.m.—2 p.m.	10th Floor Conference Room
April 23	10 a.m.—2 p.m.	12th Floor Conference Room
June 21	10 a.m.—11 a.m.	8th Floor Conference Room
August 22	10 a.m.—2 p.m.	10th Floor Conference Room
October 12	10 a.m.—11 a.m.	8th Floor Conference Room
December 5	10 a.m.—2 p.m.	10th Floor Conference Room

Questions concerning the meetings can be directed to Cheri Sansoni at (717) 772-5158 or [csansoni@pa.gov](mailto:csansoni@pa.gov). The agenda and meeting materials will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.depweb.state.pa.us> (DEP Keyword: Public Participation).

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Cheri Sansoni at (717) 772-5158, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users), to discuss how the Department may accommodate their needs.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 11-2194. Filed for public inspection December 23, 2011, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(j)(k) (relating to electric requirements for existing and new construction).

The Highlands at Wyomissing  
2000 Cambridge Avenue  
Wyomissing, PA 19610  
FAC ID # 089602

The request is on file with the Department of Health (Department). Persons may receive a copy of the 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@state.pa.us](mailto:ra-paexcept@state.pa.us).

Persons who wish to comment on this 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. 11-2195. Filed for public inspection December 23, 2011, 9:00 a.m.]

### Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Maximum Allowable Prices and Competitive Prices

#### Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) (relating to selection criteria for authorization and reauthorization; and terms and conditions of participation) and 7 CFR 246.12 (relating to food delivery systems), the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties.

#### Maximum Allowable Prices

Effective January 1, 2012, through March 31, 2012, the Maximum Allowable Prices the Department of Health (Department) will pay Type 1 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>	<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.55	Good Start 2 Protect Powder Formula—22 oz. ..	\$24.74
Beans/Peas—Dry—16 oz. ....	\$1.88	Good Start Protect Powder Formula—12.4 oz. ..	\$14.61
Canned Fish—Pink Salmon .....	\$2.15	Nutramigen LIPIL Concentrate Formula—	
Canned Fish—Sardines .....	\$1.52	13 oz. ....	\$7.22
Canned Fish—Tuna .....	\$1.12	Nutramigen LIPIL RTF Formula—32 oz. ....	\$8.74
Cereal (per oz.) .....	\$0.32	Nutramigen LIPIL w/Enflora Powder	
Cheese, 16 oz. ....	\$7.26	Formula—12.6 oz. ....	\$23.16
Eggs .....	\$2.15	Pediasure RTF Formula—8 oz. ....	\$1.93
Gerber Infant Cereal—8 oz. ....	\$2.00	Pediasure w/Fiber RTF Formula—8 oz. ....	\$1.92
Infant Fruits, 100%—4 oz. ....	\$0.65	Pediasure Sidekicks RTF Formula—8 oz. ....	\$2.55
Infant Vegetables, 100%—4 oz. ....	\$0.65	Similac Advance Concentrate Formula—13 oz. ..	\$4.67
Infant Meats, 100%—2.5 oz. ....	\$1.00	Similac Advance RTF Formula—32 oz. ....	\$6.57
Juice—11.5/12 oz. ....	\$2.27	Similac Advance w/Iron Powder Formula—	
Juice—48 oz. ....	\$3.00	12.4 oz. ....	\$14.33
Juice—64 oz. ....	\$3.97	Similac Expert Care Alimentum RTF	
Kosher Cheese—16 oz. ....	\$8.58	Formula—32 oz. ....	\$9.14
Kosher Low Fat Milk—quart .....	\$1.58	Similac Expert Care Alimentum Powder	
Kosher Low Fat Milk—1/2 gallon .....	\$2.91	Formula—16 oz. ....	\$27.52
Kosher Whole Milk—quart .....	\$1.58	Similac Expert Care for Diarrhea RTF	
Kosher Whole Milk—1/2 gallon .....	\$3.03	Formula—32 oz. ....	\$6.49
Milk, Dry—9.6 oz. ....	\$4.38	Similac Expert Care NeoSure RTF Formula—	
Milk, Dry—25.6 oz. ....	\$9.28	32 oz. ....	\$7.48
Milk, Evaporated—12 oz. ....	\$1.43	Similac Expert Care NeoSure Powder	
Milk, Low Fat—quart .....	\$1.39	Formula—13.1 oz. ....	\$15.49
Milk, Low Fat—1/2 gallon .....	\$2.52	Store Brand Milk Based Concentrate Formula—	
Milk, Low Fat Lactose Free—quart .....	\$2.30	13 oz. ....	\$3.67
Milk, Low Fat Lactose Free—1/2 gallon .....	\$3.71	Store Brand Milk Based RTF Formula—	
Milk, Whole—quart .....	\$1.39	32 oz. ....	\$5.65
Milk, Whole—1/2 gallon .....	\$2.53	Store Brand Milk Based Powder Formula—	
Milk, Whole Lactose Free—quart .....	\$2.31	25.75 oz. ....	\$16.13
Milk, Whole Lactose Free—1/2 gallon .....	\$3.81		
Peanut Butter—18 oz. ....	\$3.00		
Soy Beverage—Pacific Natural Foods 32 oz. ....	\$3.49		
Soy Beverage—8th Continent 64 oz. ....	\$3.19		
Tofu—16 oz. ....	\$2.30		
Whole Grain—Bread, 16 oz. ....	\$3.81		
Whole Grain—Bread, 24 oz. ....	\$4.04		
Whole Grain—Brown Rice, 16 oz. ....	\$1.58		
Whole Grain—Brown Rice, 24 oz. ....	\$3.50		
Whole Grain—Oats, 16 oz. ....	\$2.26		
Whole Grain—Oats, 24 oz. ....	\$5.56		
Whole Grain—Soft Corn or Whole Wheat			
Tortillas, 16 oz. ....	\$2.54		
Boost RTF Formula—8 oz. ....	\$2.00		
EnfaCare RTF Formula—32 oz. ....	\$7.22		
EnfaCare w/Iron Powder Formula—12.8 oz. ....	\$14.75		
EnfaCare w/Iron Powder Formula—15.1 oz. ....	\$16.39		
Enfamil Premium Infant Concentrate			
Formula—13 oz. ....	\$4.69		
Enfamil Premium Infant RTF Formula—			
32 oz. ....	\$6.75		
Enfamil Premium Infant Powder Formula—			
12.5 oz. ....	\$14.16		
Good Start Gentle Concentrate—Orange			
Formula—12.1 oz. ....	\$4.64		
Good Start Gentle RTF—Orange			
Formula—4-count, 8.45 oz. (33.8 oz.) ....	\$6.85		
Good Start Gentle Powder Formula—12.7 oz. ....	\$14.11		
Good Start Soy Concentrate—Blue			
Formula—12.1 oz. ....	\$4.76		
Good Start Soy RTF—Blue Formula—4-count,			
8.45 oz. (33.8 oz.) ....	\$6.96		
Good Start Soy Powder—Blue Formula—			
12.9 oz. ....	\$15.21		
Good Start 2 Soy Powder Formula—24 oz. ....	\$23.00		
Good Start 2 Gentle Powder Formula—22 oz. ....	\$23.15		

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2 (relating to price adjustment).

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2012, through March 31, 2012, the Competitive Prices for WIC Authorization for Type 1 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.36
Beans/Peas—Dry—16 oz. ....	\$1.68
Canned Fish—Pink Salmon .....	\$2.09
Canned Fish—Sardines .....	\$1.42
Canned Fish—Tuna .....	\$1.06
Cereal (per oz.) .....	\$0.30
Cheese, 16 oz. ....	\$6.01
Eggs .....	\$2.09
Gerber Infant Cereal—8 oz. ....	\$2.00
Infant Fruits, 100%—4 oz. ....	\$0.64
Infant Vegetables, 100%—4 oz. ....	\$0.64
Infant Meats, 100%—2.5 oz. ....	\$0.98
Juice—11.5/12 oz. ....	\$2.20
Juice—48 oz. ....	\$2.90
Juice—64 oz. ....	\$3.62
Kosher Cheese—16 oz. ....	\$8.49
Kosher Low Fat Milk—1/2 gallon .....	\$2.86
Kosher Whole Milk—1/2 gallon .....	\$2.97

<i>Description</i>	<i>Competitive Prices</i>
Milk, Low Fat—1/2 gallon	\$2.36
Milk, Whole—1/2 gallon	\$2.43
Peanut Butter—18 oz.	\$2.88
Whole Grain—Bread, 16 oz.	\$3.58
Whole Grain—Brown Rice, 16 oz.	\$1.53
Whole Grain—Oats, 16 oz.	\$2.21
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.48
Good Start Gentle Concentrate—Orange Formula—12.1 oz.	\$4.64
Good Start Gentle Powder Formula—12.7 oz.	\$14.11
Good Start Soy Concentrate—Blue Formula—12.1 oz.	\$4.76
Good Start Soy Powder—Blue Formula—12.9 oz.	\$15.21

**Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties.

*Maximum Allowable Prices*

Effective January 1, 2012, through March 31, 2012, the Maximum Allowable Prices the Department will pay Type 2 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.55
Beans/Peas—Dry—16 oz.	\$1.91
Canned Fish—Pink Salmon	\$2.15
Canned Fish—Sardines	\$1.52
Canned Fish—Tuna	\$1.29
Cereal (per oz.)	\$0.33
Cheese, 16 oz.	\$7.26
Eggs	\$2.15
Gerber Infant Cereal—8 oz.	\$2.14
Infant Fruits, 100%—4 oz.	\$0.77
Infant Vegetables, 100%—4 oz.	\$0.77
Infant Meats, 100%—2.5 oz.	\$1.06
Juice—11.5/12 oz.	\$2.53
Juice—48 oz.	\$3.15
Juice—64 oz.	\$4.20
Kosher Cheese—16 oz.	\$8.58
Kosher Low Fat Milk—quart	\$1.58
Kosher Low Fat Milk—1/2 gallon	\$2.91
Kosher Whole Milk—quart	\$1.58
Kosher Whole Milk—1/2 gallon	\$3.03
Milk, Dry—9.6 oz.	\$4.51
Milk, Dry—25.6 oz.	\$9.28
Milk, Evaporated—12 oz.	\$1.50
Milk, Low Fat—quart	\$1.39
Milk, Low Fat—1/2 gallon	\$2.52
Milk, Low Fat Lactose Free—quart	\$2.47
Milk, Low Fat Lactose Free—1/2 gallon	\$4.01
Milk, Whole—quart	\$1.39
Milk, Whole—1/2 gallon	\$2.53
Milk, Whole Lactose Free—quart	\$2.31
Milk, Whole Lactose Free—1/2 gallon	\$3.98
Peanut Butter—18 oz.	\$3.19
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.62
Soy Beverage—8th Continent 64 oz.	\$3.41

<i>Description</i>	<i>Maximum Allowable Price</i>
Tofu—16 oz.	\$2.34
Whole Grain—Bread, 16 oz.	\$3.89
Whole Grain—Bread, 24 oz.	\$4.04
Whole Grain—Brown Rice, 16 oz.	\$2.06
Whole Grain—Brown Rice, 24 oz.	\$3.50
Whole Grain—Oats, 16 oz.	\$2.27
Whole Grain—Oats, 24 oz.	\$5.56
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.54
Boost RTF Formula—8 oz.	\$2.19
EnfaCare RTF Formula—32 oz.	\$7.49
EnfaCare w/Iron Powder Formula—12.8 oz.	\$14.76
EnfaCare w/Iron Powder Formula—15.1 oz.	\$16.84
Enfamil Premium Infant Concentrate Formula—13 oz.	\$4.92
Enfamil Premium Infant RTF Formula—32 oz.	\$7.12
Enfamil Premium Infant Powder Formula—12.5 oz.	\$14.23
Good Start Gentle Concentrate—Orange Formula—12.1 oz.	\$4.73
Good Start Gentle RTF—Orange Formula—4-count, 8.45 oz. (33.8 oz.)	\$6.85
Good Start Gentle Powder Formula—12.7 oz.	\$15.16
Good Start Soy Concentrate—Blue Formula—12.1 oz.	\$4.90
Good Start Soy RTF—Blue Formula—4-count, 8.45 oz. (33.8 oz.)	\$6.96
Good Start Soy Powder—Blue Formula—12.9 oz.	\$15.21
Good Start 2 Soy Powder Formula—24 oz.	\$23.00
Good Start 2 Gentle Powder Formula—22 oz.	\$23.15
Good Start 2 Protect Powder Formula—22 oz.	\$26.15
Good Start Protect Powder Formula—12.4 oz.	\$14.71
Nutramigen LIPIL Concentrate Formula—13 oz.	\$8.13
Nutramigen LIPIL RTF Formula—32 oz.	\$9.00
Nutramigen LIPIL w/Enflora Powder Formula—12.6 oz.	\$23.56
Pediasure RTF Formula—8 oz.	\$2.13
Pediasure w/Fiber RTF Formula—8 oz.	\$2.09
Pediasure Sidekicks RTF Formula—8 oz.	\$2.55
Similac Advance Concentrate Formula—13 oz.	\$4.67
Similac Advance RTF Formula—32 oz.	\$7.14
Similac Advance w/Iron Powder Formula—12.4 oz.	\$14.72
Similac Expert Care Alimentum RTF Formula—32 oz.	\$9.43
Similac Expert Care Alimentum Powder Formula—16 oz.	\$28.36
Similac Expert Care for Diarrhea RTF Formula—32 oz.	\$7.44
Similac Expert Care NeoSure RTF Formula—32 oz.	\$7.65
Similac Expert Care NeoSure Powder Formula—13.1 oz.	\$15.89
Store Brand Milk Based Concentrate Formula—13 oz.	\$3.67
Store Brand Milk Based RTF Formula—32 oz.	\$5.65
Store Brand Milk Based Powder Formula—25.75 oz.	\$17.39

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that



exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2012, through March 31, 2012, the Competitive Prices for WIC Authorization for Type 2 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.36
Beans/Peas—Dry—16 oz. ....	\$1.72
Canned Fish—Pink Salmon ....	\$2.14
Canned Fish—Sardines ....	\$1.42
Canned Fish—Tuna ....	\$1.27
Cereal (per oz.) ....	\$0.31
Cheese, 16 oz. ....	\$6.03
Eggs ....	\$2.09
Gerber Infant Cereal—8 oz. ....	\$2.14
Infant Fruits, 100%—4 oz. ....	\$0.76
Infant Vegetables, 100%—4 oz. ....	\$0.76
Infant Meats, 100%—2.5 oz. ....	\$1.05
Juice—11.5/12 oz. ....	\$2.43
Juice—48 oz. ....	\$3.04
Juice—64 oz. ....	\$3.89
Kosher Cheese—16 oz. ....	\$8.49
Kosher Low Fat Milk—1/2 gallon ....	\$2.86
Kosher Whole Milk—1/2 gallon ....	\$2.97
Milk, Low Fat—1/2 gallon ....	\$2.36
Milk, Whole—1/2 gallon ....	\$2.43
Peanut Butter—18 oz. ....	\$3.06
Whole Grain—Bread, 16 oz. ....	\$3.73
Whole Grain—Brown Rice, 16 oz. ....	\$2.06
Whole Grain—Oats, 16 oz. ....	\$2.21
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.48
Good Start Gentle Concentrate—Orange Formula—12.1 oz. ....	\$4.73
Good Start Gentle Powder Formula—12.7 oz. ....	\$15.16
Good Start Soy Concentrate—Blue Formula—12.1 oz. ....	\$4.90
Good Start Soy Powder—Blue Formula— 12.9 oz. ....	\$15.21

**Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties.

*Maximum Allowable Prices*

Effective January 1, 2012, through March 31, 2012, the Maximum Allowable Prices the Department of Health will pay Type 3 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.55
Beans/Peas—Dry—16 oz. ....	\$1.91
Canned Fish—Pink Salmon ....	\$2.15
Canned Fish—Sardines ....	\$1.52

<i>Description</i>	<i>Maximum Allowable Price</i>
Canned Fish—Tuna ....	\$1.29
Cereal (per oz.) ....	\$0.36
Cheese, 16 oz. ....	\$7.26
Eggs ....	\$2.15
Gerber Infant Cereal—8 oz. ....	\$2.28
Infant Fruits, 100%—4 oz. ....	\$0.82
Infant Vegetables, 100%—4 oz. ....	\$0.82
Infant Meats, 100%—2.5 oz. ....	\$1.13
Juice—11.5/12 oz. ....	\$2.53
Juice—48 oz. ....	\$3.25
Juice—64 oz. ....	\$4.26
Kosher Cheese—16 oz. ....	\$8.58
Kosher Low Fat Milk—quart ....	\$1.97
Kosher Low Fat Milk—1/2 gallon ....	\$3.17
Kosher Whole Milk—quart ....	\$1.97
Kosher Whole Milk—1/2 gallon ....	\$3.36
Milk, Dry—9.6 oz. ....	\$4.51
Milk, Dry—25.6 oz. ....	\$9.28
Milk, Evaporated—12 oz. ....	\$1.66
Milk, Low Fat—quart ....	\$1.40
Milk, Low Fat—1/2 gallon ....	\$2.52
Milk, Low Fat Lactose Free—quart ....	\$2.47
Milk, Low Fat Lactose Free—1/2 gallon ....	\$4.11
Milk, Whole—quart ....	\$1.59
Milk, Whole—1/2 gallon ....	\$2.54
Milk, Whole Lactose Free—quart ....	\$2.39
Milk, Whole Lactose Free—1/2 gallon ....	\$4.04
Peanut Butter—18 oz. ....	\$3.37
Soy Beverage—Pacific Natural Foods 32 oz. ....	\$3.62
Soy Beverage—8th Continent 64 oz. ....	\$3.41
Tofu—16 oz. ....	\$2.34
Whole Grain—Bread, 16 oz. ....	\$3.89
Whole Grain—Bread, 24 oz. ....	\$4.26
Whole Grain—Brown Rice, 16 oz. ....	\$2.43
Whole Grain—Brown Rice, 24 oz. ....	\$4.87
Whole Grain—Oats, 16 oz. ....	\$2.27
Whole Grain—Oats, 24 oz. ....	\$5.56
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.54
Boost RTF Formula—8 oz. ....	\$2.19
EnfaCare RTF Formula—32 oz. ....	\$7.49
EnfaCare w/Iron Powder Formula—12.8 oz. ....	\$16.35
EnfaCare w/Iron Powder Formula—15.1 oz. ....	\$18.26
Enfamil Premium Infant Concentrate Formula—13 oz. ....	\$6.15
Enfamil Premium Infant RTF Formula— 32 oz. ....	\$7.54
Enfamil Premium Infant Powder Formula— 12.5 oz. ....	\$15.41
Good Start Gentle Concentrate—Orange Formula—12.1 oz. ....	\$4.85
Good Start Gentle RTF—Orange Formula—4-count, 8.45 oz. (33.8 oz.) ....	\$6.94
Good Start Gentle Powder Formula—12.7 oz. ....	\$15.45
Good Start Soy Concentrate—Blue Formula—12.1 oz. ....	\$5.12
Good Start Soy RTF—Blue Formula—4-count, 8.45 oz. (33.8 oz.) ....	\$7.28
Good Start Soy Powder—Blue Formula—12.9 ..	\$15.21
Good Start 2 Soy Powder Formula—24 oz. ....	\$23.00
Good Start 2 Gentle Powder Formula—22 oz. ....	\$23.15
Good Start 2 Protect Powder Formula—22 oz. ..	\$26.15
Good Start Protect Powder Formula—12.4 oz. ..	\$15.81
Nutramigen LIPIL Concentrate Formula— 13 oz. ....	\$8.13
Nutramigen LIPIL RTF Formula—32 oz. ....	\$9.07



<i>Description</i>	<i>Maximum Allowable Price</i>
Nutramigen LIPIL w/Enflora Powder Formula—12.6 oz. ....	\$24.24
Pediasure RTF Formula—8 oz. ....	\$2.13
Pediasure w/Fiber RTF Formula—8 oz. ....	\$2.13
Pediasure Sidekicks RTF Formula—8 oz. ....	\$2.55
Similac Advance Concentrate Formula—13 oz. ...	\$5.17
Similac Advance RTF Formula—32 oz. ....	\$7.86
Similac Advance w/Iron Powder Formula—12.4 oz. ....	\$15.02
Similac Expert Care Alimentum RTF Formula—32 oz. ....	\$9.48
Similac Expert Care Alimentum Powder Formula—16 oz. ....	\$28.78
Similac Expert Care for Diarrhea RTF Formula—32 oz. ....	\$8.19
Similac Expert Care NeoSure RTF Formula—32 oz. ....	\$9.23
Similac Expert Care NeoSure Powder Formula—13.1 oz. ....	\$16.39
Store Brand Milk Based Concentrate Formula—13 oz. ....	\$3.67
Store Brand Milk Based RTF Formula—32 oz. ....	\$5.65
Store Brand Milk Based Powder Formula—25.75 oz. ....	\$18.49

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2012, through March 31, 2012, the Competitive Prices for WIC Authorization for Type 3 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.36
Beans/Peas—Dry—16 oz. ....	\$1.72
Canned Fish—Pink Salmon ....	\$2.14
Canned Fish—Sardines ....	\$1.42
Canned Fish—Tuna ....	\$1.27
Cereal (per oz.) ....	\$0.34
Cheese, 16 oz. ....	\$6.03
Eggs ....	\$2.09
Gerber Infant Cereal—8 oz. ....	\$2.28
Infant Fruits, 100%—4 oz. ....	\$0.80
Infant Vegetables, 100%—4 oz. ....	\$0.80
Infant Meats, 100%—2.5 oz. ....	\$1.13
Juice—11.5/12 oz. ....	\$2.43
Juice—48 oz. ....	\$3.15
Juice—64 oz. ....	\$3.95
Kosher Cheese—16 oz. ....	\$8.49
Kosher Low Fat Milk—1/2 gallon ....	\$3.14
Kosher Whole Milk—1/2 gallon ....	\$3.36
Milk, Low Fat—1/2 gallon ....	\$2.36
Milk, Whole—1/2 gallon ....	\$2.44
Peanut Butter—18 oz. ....	\$3.28
Whole Grain—Bread, 16 oz. ....	\$3.73

<i>Description</i>	<i>Competitive Prices</i>
Whole Grain—Brown Rice, 16 oz. ....	\$2.38
Whole Grain—Oats, 16 oz. ....	\$2.21
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.48
Good Start Gentle Concentrate—Orange Formula—12.1 oz. ....	\$4.85
Good Start Gentle Powder Formula—12.7 oz. ...	\$15.45
Good Start Soy Concentrate—Blue Formula—12.1 oz. ....	\$5.12
Good Start Soy Powder—Blue Formula—12.9 oz. ....	\$15.21

**Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties.

*Maximum Allowable Prices*

Effective January 1, 2012, through March 31, 2012, the Maximum Allowable Prices the Department will pay Type 1 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.64
Beans/Peas—Dry—16 oz. ....	\$2.02
Canned Fish—Pink Salmon ....	\$2.17
Canned Fish—Sardines ....	\$1.68
Canned Fish—Tuna ....	\$1.16
Cereal (per oz.) ....	\$0.33
Cheese, 16 oz. ....	\$7.33
Eggs ....	\$2.25
Gerber Infant Cereal—8 oz. ....	\$2.10
Infant Fruits, 100%—4 oz. ....	\$0.65
Infant Vegetables, 100%—4 oz. ....	\$0.65
Infant Meats, 100%—2.5 oz. ....	\$1.03
Juice—11.5/12 oz. ....	\$2.36
Juice—48 oz. ....	\$3.23
Juice—64 oz. ....	\$4.02
Kosher Cheese—16 oz. ....	\$8.99
Kosher Low Fat Milk—quart ....	\$1.58
Kosher Low Fat Milk—1/2 gallon ....	\$2.91
Kosher Whole Milk—quart ....	\$1.58
Kosher Whole Milk—1/2 gallon ....	\$3.03
Milk, Dry—9.6 oz. ....	\$4.38
Milk, Dry—25.6 oz. ....	\$9.31
Milk, Evaporated—12 oz. ....	\$1.43
Milk, Low Fat—quart ....	\$1.45
Milk, Low Fat—1/2 gallon ....	\$2.56
Milk, Low Fat Lactose Free—quart ....	\$2.30
Milk, Low Fat Lactose Free—1/2 gallon ....	\$3.80
Milk, Whole—quart ....	\$1.44
Milk, Whole—1/2 gallon ....	\$2.64
Milk, Whole Lactose Free—quart ....	\$2.32
Milk, Whole Lactose Free—1/2 gallon ....	\$3.81
Peanut Butter—18 oz. ....	\$3.06
Soy Beverage—Pacific Natural Foods 32 oz. ...	\$3.49
Soy Beverage—8th Continent 64 oz. ....	\$3.27
Tofu—16 oz. ....	\$2.30
Whole Grain—Bread, 16 oz. ....	\$3.91
Whole Grain—Bread, 24 oz. ....	\$4.04
Whole Grain—Brown Rice, 16 oz. ....	\$1.75

<i>Description</i>	<i>Maximum Allowable Price</i>
Whole Grain—Brown Rice, 24 oz. ....	\$3.50
Whole Grain—Oats, 16 oz. ....	\$2.31
Whole Grain—Oats, 24 oz. ....	\$5.56
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.54
Boost RTF Formula—8 oz. ....	\$2.00
EnfaCare RTF Formula—32 oz. ....	\$7.29
EnfaCare w/Iron Powder Formula—12.8 oz. ....	\$14.91
EnfaCare w/Iron Powder Formula—15.1 oz. ....	\$17.31
Enfamil Premium Infant Concentrate Formula—13 oz. ....	\$4.82
Enfamil Premium Infant RTF Formula— 32 oz. ....	\$6.80
Enfamil Premium Infant Powder Formula— 12.5 oz. ....	\$14.39
Good Start Gentle Concentrate—Orange Formula—12.1 oz. ....	\$4.64
Good Start Gentle RTF—Orange Formula—4-count, 8.45 oz. (33.8 oz.) ....	\$6.85
Good Start Gentle Powder Formula—12.7 oz. ....	\$14.84
Good Start Soy Concentrate—Blue Formula—12.1 oz. ....	\$4.82
Good Start Soy RTF—Blue Formula—4-count, 8.45 oz. (33.8 oz.) ....	\$6.96
Good Start Soy Powder—Blue Formula— 12.9 oz. ....	\$15.21
Good Start 2 Soy Powder Formula—24 oz. ....	\$23.19
Good Start 2 Gentle Powder Formula—22 oz. ....	\$23.16
Good Start 2 Protect Powder Formula—22 oz. ....	\$26.19
Good Start Protect Powder Formula—12.4 oz. ....	\$14.65
Nutramigen LIPIL Concentrate Formula— 13 oz. ....	\$7.51
Nutramigen LIPIL RTF Formula—32 oz. ....	\$9.06
Nutramigen LIPIL w/Enflora Powder Formula—12.6 oz. ....	\$23.67
Pediasure RTF Formula—8 oz. ....	\$2.01
Pediasure w/Fiber RTF Formula—8 oz. ....	\$2.22
Pediasure Sidekicks RTF Formula—8 oz. ....	\$2.55
Similac Advance Concentrate Formula—13 oz. ....	\$4.67
Similac Advance RTF Formula—32 oz. ....	\$7.02
Similac Advance w/Iron Powder Formula— 12.4 oz. ....	\$14.60
Similac Expert Care Alimentum RTF Formula—32 oz. ....	\$9.33
Similac Expert Care Alimentum Powder Formula—16 oz. ....	\$28.51
Similac Expert Care for Diarrhea RTF Formula—32 oz. ....	\$6.49
Similac Expert Care NeoSure RTF Formula— 32 oz. ....	\$7.81
Similac Expert Care NeoSure Powder Formula—13.1 oz. ....	\$16.16
Store Brand Milk Based Concentrate Formula— 13 oz. ....	\$3.67
Store Brand Milk Based RTF Formula— 32 oz. ....	\$5.65
Store Brand Milk Based Powder Formula— 25.75 oz. ....	\$16.19

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2012, through March 31, 2012, the Competitive Prices for WIC Authorization for Type 1 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.42
Beans/Peas—Dry—16 oz. ....	\$1.78
Canned Fish—Pink Salmon ....	\$2.14
Canned Fish—Sardines ....	\$1.52
Canned Fish—Tuna ....	\$1.10
Cereal (per oz.) ....	\$0.31
Cheese, 16 oz. ....	\$6.11
Eggs ....	\$2.19
Gerber Infant Cereal—8 oz. ....	\$2.10
Infant Fruits, 100%—4 oz. ....	\$0.64
Infant Vegetables, 100%—4 oz. ....	\$0.64
Infant Meats, 100%—2.5 oz. ....	\$1.01
Juice—11.5/12 oz. ....	\$2.23
Juice—48 oz. ....	\$3.12
Juice—64 oz. ....	\$3.67
Kosher Cheese—16 oz. ....	\$8.89
Kosher Low Fat Milk—1/2 gallon ....	\$2.86
Kosher Whole Milk—1/2 gallon ....	\$2.97
Milk, Low Fat—1/2 gallon ....	\$2.41
Milk, Whole—1/2 gallon ....	\$2.54
Peanut Butter—18 oz. ....	\$2.91
Whole Grain—Bread, 16 oz. ....	\$3.66
Whole Grain—Brown Rice, 16 oz. ....	\$1.67
Whole Grain—Oats, 16 oz. ....	\$2.29
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.48
Good Start Gentle Concentrate—Orange Formula—12.1 oz. ....	\$4.64
Good Start Gentle Powder Formula—12.7 oz. ....	\$14.84
Good Start Soy Concentrate—Blue Formula—12.1 oz. ....	\$4.82
Good Start Soy Powder—Blue Formula— 12.9 oz. ....	\$15.21

**Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties.

*Maximum Allowable Prices*

Effective January 1, 2012, through March 31, 2012, the Maximum Allowable Prices the Department will pay Type 2 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.64
Beans/Peas—Dry—16 oz. ....	\$2.02
Canned Fish—Pink Salmon ....	\$2.17
Canned Fish—Sardines ....	\$1.68
Canned Fish—Tuna ....	\$1.29
Cereal (per oz.) ....	\$0.35
Cheese, 16 oz. ....	\$7.33
Eggs ....	\$2.25
Gerber Infant Cereal—8 oz. ....	\$2.19
Infant Fruits, 100%—4 oz. ....	\$0.79

<i>Description</i>	<i>Maximum Allowable Price</i>	<i>Description</i>	<i>Maximum Allowable Price</i>
Infant Vegetables, 100%—4 oz. ....	\$0.79	Similac Advance Concentrate Formula—13 oz. . .	\$4.70
Infant Meats, 100%—2.5 oz. ....	\$1.13	Similac Advance RTF Formula—32 oz. ....	\$7.15
Juice—11.5/12 oz. ....	\$2.58	Similac Advance w/Iron Powder Formula—	
Juice—48 oz. ....	\$3.24	12.4 oz. ....	\$14.99
Juice—64 oz. ....	\$4.26	Similac Expert Care Alimentum RTF	
Kosher Cheese—16 oz. ....	\$8.99	Formula—32 oz. ....	\$9.74
Kosher Low Fat Milk—quart ....	\$1.58	Similac Expert Care Alimentum Powder	
Kosher Low Fat Milk—1/2 gallon ....	\$2.91	Formula— 16 oz. ....	\$29.01
Kosher Whole Milk—quart ....	\$1.58	Similac Expert Care for Diarrhea RTF	
Kosher Whole Milk—1/2 gallon ....	\$3.03	Formula—32 oz. ....	\$7.79
Milk, Dry—9.6 oz. ....	\$4.51	Similac Expert Care NeoSure RTF Formula—	
Milk, Dry—25.6 oz. ....	\$9.31	32 oz. ....	\$7.93
Milk, Evaporated—12 oz. ....	\$1.54	Similac Expert Care NeoSure Powder	
Milk, Low Fat—quart ....	\$1.45	Formula—13.1 oz. ....	\$16.68
Milk, Low Fat—1/2 gallon ....	\$2.56	Store Brand Milk Based Concentrate Formula—	
Milk, Low Fat Lactose Free—quart ....	\$2.47	13 oz. ....	\$3.67
Milk, Low Fat Lactose Free—1/2 gallon ....	\$4.09	Store Brand Milk Based RTF Formula—	
Milk, Whole—quart ....	\$1.49	32 oz. ....	\$5.65
Milk, Whole—1/2 gallon ....	\$2.64	Store Brand Milk Based Powder Formula—	
Milk, Whole Lactose Free—quart ....	\$2.32	25.75 oz. ....	\$17.39
Milk, Whole Lactose Free—1/2 gallon ....	\$4.10		
Peanut Butter—18 oz. ....	\$3.30		
Soy Beverage—Pacific Natural Foods 32 oz. ....	\$3.62		
Soy Beverage—8th Continent 64 oz. ....	\$3.67		
Tofu—16 oz. ....	\$2.34		
Whole Grain—Bread, 16 oz. ....	\$3.91		
Whole Grain—Bread, 24 oz. ....	\$4.04		
Whole Grain—Brown Rice, 16 oz. ....	\$2.06		
Whole Grain—Brown Rice, 24 oz. ....	\$3.50		
Whole Grain—Oats, 16 oz. ....	\$2.39		
Whole Grain—Oats, 24 oz. ....	\$5.80		
Whole Grain—Soft Corn or Whole Wheat			
Tortillas, 16 oz. ....	\$2.59		
Boost RTF Formula—8 oz. ....	\$2.19		
EnfaCare RTF Formula—32 oz. ....	\$7.74		
EnfaCare w/Iron Powder Formula—12.8 oz. ....	\$15.30		
EnfaCare w/Iron Powder Formula—15.1 oz. ....	\$17.70		
Enfamil Premium Infant Concentrate			
Formula—13 oz. ....	\$5.05		
Enfamil Premium Infant RTF Formula—			
32 oz. ....	\$7.12		
Enfamil Premium Infant Powder Formula—			
12.5 oz. ....	\$14.63		
Good Start Gentle Concentrate—Orange			
Formula—12.1 oz. ....	\$4.78		
Good Start Gentle RTF—Orange			
Formula—4-count, 8.45 oz. (33.8 oz.) ....	\$6.86		
Good Start Gentle Powder Formula—12.7 oz. ....	\$15.39		
Good Start Soy Concentrate—Blue			
Formula—12.1 oz. ....	\$4.95		
Good Start Soy RTF—Blue Formula—4-count,			
8.45 oz. (33.8 oz.). ....	\$6.96		
Good Start Soy Powder—Blue Formula—			
12.9 oz. ....	\$15.45		
Good Start 2 Soy Powder Formula—24 oz. ....	\$23.19		
Good Start 2 Gentle Powder Formula—22 oz. ....	\$23.35		
Good Start 2 Protect Powder Formula—22 oz. . .	\$26.19		
Good Start Protect Powder Formula—12.4 oz. . .	\$15.52		
Nutramigen LIPIL Concentrate Formula—			
13 oz. ....	\$8.13		
Nutramigen LIPIL RTF Formula—32 oz. ....	\$9.06		
Nutramigen LIPIL w/Enflora Powder			
Formula—12.6 oz. ....	\$23.82		
Pediasure RTF Formula—8 oz. ....	\$2.29		
Pediasure w/Fiber RTF Formula—8 oz. ....	\$2.22		
Pediasure Sidekicks RTF Formula—8 oz. ....	\$2.55		
		Similac Advance Concentrate Formula—13 oz. . .	\$4.70
		Similac Advance RTF Formula—32 oz. ....	\$7.15
		Similac Advance w/Iron Powder Formula—	
		12.4 oz. ....	\$14.99
		Similac Expert Care Alimentum RTF	
		Formula—32 oz. ....	\$9.74
		Similac Expert Care Alimentum Powder	
		Formula— 16 oz. ....	\$29.01
		Similac Expert Care for Diarrhea RTF	
		Formula—32 oz. ....	\$7.79
		Similac Expert Care NeoSure RTF Formula—	
		32 oz. ....	\$7.93
		Similac Expert Care NeoSure Powder	
		Formula—13.1 oz. ....	\$16.68
		Store Brand Milk Based Concentrate Formula—	
		13 oz. ....	\$3.67
		Store Brand Milk Based RTF Formula—	
		32 oz. ....	\$5.65
		Store Brand Milk Based Powder Formula—	
		25.75 oz. ....	\$17.39

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

#### *Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2012, through March 31, 2012, the Competitive Prices for WIC Authorization for Type 2 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.42
Beans/Peas—Dry—16 oz. ....	\$1.78
Canned Fish—Pink Salmon ....	\$2.14
Canned Fish—Sardines ....	\$1.52
Canned Fish—Tuna ....	\$1.27
Cereal (per oz.) ....	\$0.33
Cheese, 16 oz. ....	\$6.26
Eggs ....	\$2.19
Gerber Infant Cereal—8 oz. ....	\$2.19
Infant Fruits, 100%—4 oz. ....	\$0.78
Infant Vegetables, 100%—4 oz. ....	\$0.78
Infant Meats, 100%—2.5 oz. ....	\$1.11
Juice—11.5/12 oz. ....	\$2.43
Juice—48 oz. ....	\$3.12
Juice—64 oz. ....	\$3.94
Kosher Cheese—16 oz. ....	\$8.89
Kosher Low Fat Milk—1/2 gallon ....	\$2.86
Kosher Whole Milk—1/2 gallon ....	\$2.97
Milk, Low Fat—1/2 gallon ....	\$2.41
Milk, Whole—1/2 gallon ....	\$2.54
Peanut Butter—18 oz. ....	\$3.12
Whole Grain—Bread, 16 oz. ....	\$3.73
Whole Grain—Brown Rice, 16 oz. ....	\$2.06
Whole Grain—Oats, 16 oz. ....	\$2.34
Whole Grain—Soft Corn or Whole Wheat	
Tortillas, 16 oz. ....	\$2.48
Good Start Gentle Concentrate—Orange	
Formula—12.1 oz. ....	\$4.78



<i>Description</i>	<i>Competitive Prices</i>
Good Start Gentle Powder Formula—12.7 oz. . . .	\$15.39
Good Start Soy Concentrate—Blue Formula—12.1 oz. . . . .	\$4.95
Good Start Soy Powder—Blue Formula—12.9 oz. . . . .	\$15.45

**Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties.

*Maximum Allowable Prices*

Effective January 1, 2012, through March 31, 2012, the Maximum Allowable Prices the Department will pay Type 3 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. . . . .	\$1.64
Beans/Peas—Dry—16 oz. . . . .	\$2.02
Canned Fish—Pink Salmon . . . . .	\$2.17
Canned Fish—Sardines . . . . .	\$1.68
Canned Fish—Tuna . . . . .	\$1.35
Cereal (per oz.) . . . . .	\$0.37
Cheese, 16 oz. . . . .	\$8.34
Eggs . . . . .	\$2.25
Gerber Infant Cereal—8 oz. . . . .	\$2.57
Infant Fruits, 100%—4 oz. . . . .	\$0.85
Infant Vegetables, 100%—4 oz. . . . .	\$0.85
Infant Meats, 100%—2.5 oz. . . . .	\$1.18
Juice—11.5/12 oz. . . . .	\$2.67
Juice—48 oz. . . . .	\$3.31
Juice—64 oz. . . . .	\$4.26
Kosher Cheese—16 oz. . . . .	\$9.14
Kosher Low Fat Milk—quart . . . . .	\$1.97
Kosher Low Fat Milk—1/2 gallon . . . . .	\$3.17
Kosher Whole Milk—quart . . . . .	\$1.97
Kosher Whole Milk—1/2 gallon . . . . .	\$3.36
Milk, Dry—9.6 oz. . . . .	\$4.70
Milk, Dry—25.6 oz. . . . .	\$9.31
Milk, Evaporated—12 oz. . . . .	\$1.66
Milk, Low Fat—quart . . . . .	\$1.61
Milk, Low Fat—1/2 gallon . . . . .	\$2.74
Milk, Low Fat Lactose Free—quart . . . . .	\$2.47
Milk, Low Fat Lactose Free—1/2 gallon . . . . .	\$4.11
Milk, Whole—quart . . . . .	\$1.61
Milk, Whole—1/2 gallon . . . . .	\$2.78
Milk, Whole Lactose Free—quart . . . . .	\$2.39
Milk, Whole Lactose Free—1/2 gallon . . . . .	\$4.10
Peanut Butter—18 oz. . . . .	\$3.58
Soy Beverage—Pacific Natural Foods 32 oz. . . . .	\$3.62
Soy Beverage—8th Continent 64 oz. . . . .	\$3.67
Tofu—16 oz. . . . .	\$2.45
Whole Grain—Bread, 16 oz. . . . .	\$3.91
Whole Grain—Bread, 24 oz. . . . .	\$4.26
Whole Grain—Brown Rice, 16 oz. . . . .	\$2.43
Whole Grain—Brown Rice, 24 oz. . . . .	\$4.87
Whole Grain—Oats, 16 oz. . . . .	\$2.70
Whole Grain—Oats, 24 oz. . . . .	\$5.83
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. . . . .	\$2.59
Boost RTF Formula—8 oz. . . . .	\$2.19
EnfaCare RTF Formula—32 oz. . . . .	\$9.24

<i>Description</i>	<i>Maximum Allowable Price</i>
EnfaCare w/Iron Powder Formula—12.8 oz. . . . .	\$17.26
EnfaCare w/Iron Powder Formula—15.1 oz. . . . .	\$18.80
Enfamil Premium Infant Concentrate Formula—13 oz. . . . .	\$6.15
Enfamil Premium Infant RTF Formula—32 oz. . . . .	\$8.45
Enfamil Premium Infant Powder Formula—12.5 oz. . . . .	\$15.76
Good Start Gentle Concentrate—Orange Formula—12.1 oz. . . . .	\$5.74
Good Start Gentle RTF—Orange Formula—4-count, 8.45 oz. (33.8 oz.) . . . . .	\$8.14
Good Start Gentle Powder Formula—12.7 oz. . . . .	\$18.08
Good Start Soy Concentrate—Blue Formula—12.1 oz. . . . .	\$5.53
Good Start Soy RTF—Blue Formula—4-count, 8.45 oz. (33.8 oz.) . . . . .	\$7.47
Good Start Soy Powder—Blue Formula—12.9 oz. . . . .	\$17.59
Good Start 2 Soy Powder Formula—24 oz. . . . .	\$23.49
Good Start 2 Gentle Powder Formula—22 oz. . . . .	\$24.70
Good Start 2 Protect Powder Formula—22 oz. . . . .	\$26.19
Good Start Protect Powder Formula—12.4 oz. . . . .	\$16.43
Nutramigen LIPIL Concentrate Formula—13 oz. . . . .	\$8.23
Nutramigen LIPIL RTF Formula—32 oz. . . . .	\$10.63
Nutramigen LIPIL w/Enflora Powder Formula—12.6 oz. . . . .	\$25.27
Pediasure RTF Formula—8 oz. . . . .	\$2.51
Pediasure w/Fiber RTF Formula—8 oz. . . . .	\$2.51
Pediasure Sidekicks RTF Formula—8 oz. . . . .	\$2.55
Similac Advance Concentrate Formula—13 oz. . . . .	\$5.17
Similac Advance RTF Formula—32 oz. . . . .	\$9.84
Similac Advance w/Iron Powder Formula—12.4 oz. . . . .	\$16.51
Similac Expert Care Alimentum RTF Formula—32 oz. . . . .	\$10.33
Similac Expert Care Alimentum Powder Formula—16 oz. . . . .	\$31.11
Similac Expert Care for Diarrhea RTF Formula—32 oz. . . . .	\$9.73
Similac Expert Care NeoSure RTF Formula—32 oz. . . . .	\$9.99
Similac Expert Care NeoSure Powder Formula—13.1 oz. . . . .	\$17.22
Store Brand Milk Based Concentrate Formula—13 oz. . . . .	\$3.67
Store Brand Milk Based RTF Formula—32 oz. . . . .	\$5.65
Store Brand Milk Based Powder Formula—25.75 oz. . . . .	\$18.49

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2012, through March 31, 2012, the Competitive Prices for WIC Authorization for Type 3 Stores in High Cost Counties are as follows:



<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.42
Beans/Peas—Dry—16 oz. ....	\$1.78
Canned Fish—Pink Salmon ....	\$2.15
Canned Fish—Sardines ....	\$1.52
Canned Fish—Tuna ....	\$1.30
Cereal (per oz.) ....	\$0.35
Cheese, 16 oz. ....	\$6.61
Eggs ....	\$2.19
Gerber Infant Cereal—8 oz. ....	\$2.57
Infant Fruits, 100%—4 oz. ....	\$0.83
Infant Vegetables, 100%—4 oz. ....	\$0.83
Infant Meats, 100%—2.5 oz. ....	\$1.17
Juice—11.5/12 oz. ....	\$2.57
Juice—48 oz. ....	\$3.23
Juice—64 oz. ....	\$4.07
Kosher Cheese—16 oz. ....	\$9.04
Kosher Low Fat Milk—1/2 gallon ....	\$3.14
Kosher Whole Milk—1/2 gallon ....	\$3.36
Milk, Low Fat—1/2 gallon ....	\$2.64
Milk, Whole—1/2 gallon ....	\$2.68
Peanut Butter—18 oz. ....	\$3.54
Whole Grain—Bread, 16 oz. ....	\$3.73
Whole Grain—Brown Rice, 16 oz. ....	\$2.38
Whole Grain—Oats, 16 oz. ....	\$2.69
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.48
Good Start Gentle Concentrate—Orange Formula—12.1 oz. ....	\$5.74
Good Start Gentle Powder Formula—12.7 oz. ...	\$18.08
Good Start Soy Concentrate—Blue Formula—12.1 oz. ....	\$5.53
Good Start Soy Powder—Blue Formula— 12.9 oz. ....	\$17.59

Persons with a disability who require an alternative format of this listing (for example, large print, audiotope, Braille) should contact Chris Harr, Department of Health, Division of WIC, 2150 Herr Street, 1st Floor, Harrisburg, PA 17105, (717) 783-1289, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 11-2196. Filed for public inspection December 23, 2011, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Uniform Construction Code Review and Advisory Council Meeting

The Uniform Construction Code Review and Advisory Council will hold a meeting on Wednesday, January 18, 2012, at 10 a.m. at the Department of Labor and Industry, 651 Boas Street, Room E-100, Harrisburg, PA 17121.

Additional information concerning the meeting may be found on the Department of Labor and Industry web site at [www.dli.state.pa.us](http://www.dli.state.pa.us). Select "Uniform Construction Code" and then click on the link for "UCC Review and Advisory Council."

Questions concerning this may be directed to Edward Leister at (717) 783-6304.

JULIA K. HEARTHWAY,  
*Secretary*

[Pa.B. Doc. No. 11-2197. Filed for public inspection December 23, 2011, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Nursing Facility Assessment Program for Fiscal Year 2011-2012

This notice announces the amount of the assessment that the Department of Public Welfare (Department) is implementing for Fiscal Year (FY) 2011-2012, provides an explanation of the assessment methodology that the Department is using in FY 2011-2012 and identifies the estimated aggregate impact on nursing facilities which will be subject to the assessment.

#### *Background*

Article VIII-A of the Public Welfare Code (code) authorizes the Department to impose an annual monetary assessment on private and county nursing facilities in this Commonwealth each fiscal year through FY 2011-2012. See 62 P. S. §§ 801-A—815-A. Under Article VIII-A of the code, the Department may impose the assessment only to the extent that the assessment revenues qualify as the State share of Medical Assistance (MA) Program expenditures eligible for Federal financial participation (FFP). See 62 P. S. § 803-A. To ensure receipt of FFP, Article VIII-A of the code requires the Department to seek a waiver from the Federal Centers for Medicare and Medicaid Services if necessary to implement the Assessment Program. See 62 P. S. § 812-A.

For each fiscal year that the Assessment Program is implemented, the code authorizes the Secretary of the Department (Secretary) to determine the aggregate amount of the assessment and the annual assessment rate in consultation with the Secretary of the Budget. See 62 P. S. § 804-A. The law specifies that annual assessment rates must be sufficient to generate at least \$50 million in additional revenue, but not more than the maximum aggregate assessment amount that qualifies for Federal matching funds. See 62 P. S. § 805-A.

The Secretary must publish a notice in the *Pennsylvania Bulletin* before imposing an annual assessment for an FY. The notice must specify the amount of the assessment being proposed, explain the proposed assessment methodology, identify the estimated assessment amount and aggregate impact on nursing facilities subject to the assessment and provide interested persons a 30-day period to comment. See 62 P. S. § 805-A.

After consideration of any comments received during the 30-day comment period, the Secretary must publish a second notice announcing the rate of assessment for the FY. See 62 P. S. § 805-A. The annual aggregate assessment amount and assessment rate for the FY must be approved by the Governor. See 62 P. S. § 804-A.

The Secretary published a notice in the *Pennsylvania Bulletin* at 41 Pa.B. 3302 (June 25, 2011) announcing the proposed assessment rates, the aggregate amount and the

impact for FY 2011-2012. No comments were received by the Department in response to the proposed rates notice.

#### *Assessment Methodology and Rates for FY 2011-2012*

The following nursing facilities will continue to be exempt from the Assessment Program in FY 2011-2012:

- (1) State owned and operated nursing facilities.
- (2) Veteran's Administration nursing facilities.
- (3) Nursing facilities that have not been licensed and operated by the current or previous owner for the full calendar quarter prior to the calendar quarter in which an assessment is collected.
- (4) Nursing facilities that provide nursing facility services free of charge to all residents.

The Department will assess nonexempt nursing facilities at two rates. One rate will apply to three categories of nursing facilities: county nursing facilities; nursing facilities that have 50 or fewer licensed beds; and grandfathered Continuing Care Retirement Community (CCRC) nursing facilities.<sup>1</sup> The other rate will apply to all other nonexempt facilities, including nursing facilities that began participation in a CCRC on or after July 1, 2010. Using the applicable rate, the Department will calculate each nonexempt facility's quarterly assessment amount by multiplying its assessment rate by the facility's non-Medicare resident days during the calendar quarter that immediately preceded the assessment quarter. This rate structure is the same structure that was used in FY 2010-2011.

Although the Department will maintain the same basic rate structure for FY 2011-2012, the Department is increasing the assessment rates for nonexempt nursing facilities from the rates in FY 2010-2011. For FY 2011-2012, the assessment rates for nonexempt nursing facilities will be as follows:

- (1) For county nursing facilities, for nursing facilities that have 50 or fewer licensed beds, and for grandfathered CCRC nursing facilities, the assessment rate will be \$6.59 per non-Medicare resident day.
- (2) For all other nonexempt nursing facilities, the assessment rate will be \$28.04 per non-Medicare resident day.

Assessment payments are due the last day of the Assessment quarter or 30 days after publication of this final notice, whichever is later.

The Assessment Program due dates, along with supplemental payment dates, will be available on the Department's web site at <http://www.dpw.state.pa.us/provider/doingbusinesswithdpw/longtermcarecasemixinformation/index.htm>.

<sup>1</sup> The Department will consider a nursing facility to be a grandfathered CCRC nursing facility if it meets either of the following:

- (1) The nursing facility was assessed the CCRC assessment rate prior to July 1, 2010, and continues to qualify for the CCRC assessment rate under the guidelines under which it was approved for the CCRC rate.
- (2) The nursing facility was not assessed at the CCRC assessment rate prior to July 1, 2010, but the nursing facility meets all of the following:
  - (i) The nursing facility submitted a request to the Department to be assessed at the CCRC rate on or before June 23, 2010.
  - (ii) The CCRC which controls or owns the nursing facility submitted an application for a certificate of authority (COA) to the Insurance Department on or before June 23, 2010.
  - (iii) The nursing facility demonstrates that the CCRC incurred significant costs prior to June 5, 2010, in pursuing certification as a CCRC. (Examples of significant costs include costs incurred to obtain plan or site reviews, an enforceable construction contract, lease, contract for consulting services, zoning and certificate of occupancy.)
  - (iv) The nursing facility qualifies for the CCRC rate under the criteria in effect for FY 2009-2010 published at 40 Pa.B. 767 (February 6, 2010).
  - (v) The CCRC receives a COA during FY 2010-2011.

A detailed explanation of a grandfathered CCRC nursing facility is contained in the notice published at 40 Pa.B. 7297 (December 18, 2010), which is available online at <http://www.pabulletin.com/secure/data/vol40/40-51/2417.html>

#### *Aggregate Assessment Amounts and Fiscal Impact*

The Department estimates that the annual aggregate assessment fees for nonexempt nursing facilities will total \$434.130 million. The Department will use the State revenue derived from the assessment fees and any associated Federal matching funds to support payments to qualified MA nursing facility providers in accordance with applicable laws and regulations.

#### *Public Comment*

Interested persons are invited to submit written comments regarding the contents of this notice to Yvette Sanchez-Roberts, Department of Public Welfare/ Department of Aging, Office of Long-Term Living, 555 Walnut Street, Forum Place, 5th Floor, Harrisburg, PA 17101-1919. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

GARY D. ALEXANDER,  
*Secretary*

**Fiscal Note:** 14-NOT-735. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 11-2198. Filed for public inspection December 23, 2011, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania The Lucky Spot Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania The Lucky Spot.
2. *Price:* The price of a Pennsylvania The Lucky Spot instant lottery game ticket is \$1.
3. *Play Symbols:* Each Pennsylvania The Lucky Spot instant lottery game ticket will contain one play area consisting of "SPOT #1," "SPOT #2," "SPOT #3" and "SPOT #4." Each "SPOT" is played separately. The play symbols and their captions located in each "SPOT" are: Diamond (DIAM) symbol, Piggy Bank (PIGBNK) symbol, Star (STAR) symbol, Cherry (CHRY) symbol, Rainbow (RAINBW) symbol, Bar (BAR) symbol, Bell (BELL) symbol and a Horse Shoe (LUCKY) symbol.
4. *Prize Symbols:* The prize symbols and their captions located in the "prize" area of each "SPOT" are: FREE (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$40<sup>00</sup> (FORTY), \$100 (ONE HUN), \$400 (FOR HUN) and \$1,000 (ONE THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$25, \$40, \$100, \$400 and \$1,000. The player can win up to 4 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 19,200,000 tickets will be printed for the Pennsylvania The Lucky Spot instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with a Horse Shoe (LUCKY) symbol in any "SPOT," and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the Horse Shoe (LUCKY) symbol in the same "SPOT," on a single ticket, shall be entitled to a prize of \$1,000.

(b) Holders of tickets with a Horse Shoe (LUCKY) symbol in any "SPOT," and a prize symbol of \$400 (FOR HUN) appears in the "prize" area under the Horse Shoe (LUCKY) symbol in the same "SPOT," on a single ticket, shall be entitled to a prize of \$400.

(c) Holders of tickets with a Horse Shoe (LUCKY) symbol in any "SPOT," and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under the Horse Shoe (LUCKY) symbol in the same "SPOT," on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets with a Horse Shoe (LUCKY) symbol in any "SPOT," and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the "prize" area under the Horse Shoe (LUCKY) symbol in the same "SPOT," on a single ticket, shall be entitled to a prize of \$40.

(e) Holders of tickets with a Horse Shoe (LUCKY) symbol in any "SPOT," and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the "prize" area under the Horse Shoe (LUCKY) symbol in the same "SPOT," on a single ticket, shall be entitled to a prize of \$25.

(f) Holders of tickets with a Horse Shoe (LUCKY) symbol in any "SPOT," and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "prize" area under the Horse Shoe (LUCKY) symbol in the same "SPOT," on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets with a Horse Shoe (LUCKY) symbol in any "SPOT," and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "prize" area under the Horse Shoe (LUCKY) symbol in the same "SPOT," on a single ticket, shall be entitled to a prize of \$10.

(h) Holders of tickets with a Horse Shoe (LUCKY) symbol in any "SPOT," and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "prize" area under the Horse Shoe (LUCKY) symbol in the same "SPOT," on a single ticket, shall be entitled to a prize of \$5.

(i) Holders of tickets with a Horse Shoe (LUCKY) symbol in any "SPOT," and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in the "prize" area under the Horse Shoe (LUCKY) symbol in the same "SPOT," on a single ticket, shall be entitled to a prize of \$4.

(j) Holders of tickets with a Horse Shoe (LUCKY) symbol in any "SPOT," and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the "prize" area under the Horse Shoe (LUCKY) symbol in the same "SPOT," on a single ticket, shall be entitled to a prize of \$2.

(k) Holders of tickets with a Horse Shoe (LUCKY) symbol in any "SPOT," and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in the "prize" area under the Horse Shoe (LUCKY) symbol in the same "SPOT," on a single ticket, shall be entitled to a prize of \$1.

(l) Holders of tickets with a Horse Shoe (LUCKY) symbol in any "SPOT," and a prize symbol of FREE (TICKET) appears in the "prize" area under the Horse Shoe (LUCKY) symbol in the same "SPOT," on a single ticket, shall be entitled to a prize of one Pennsylvania The Lucky Spot instant game ticket or one Pennsylvania Lottery instant game ticket with a \$1 sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

Reveal A "HORSE SHOE"  
(LUCKY) Symbol In Any  
SPOT, Win Prize Shown  
Under It. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 19,200,000 Tickets
FREE	FREE \$1 TICKET	10	1,920,000
\$1	\$1	75	256,000
\$1 x 2	\$2	37.5	512,000
\$2	\$2	37.5	512,000
\$1 x 4	\$4	200	96,000
\$2 x 2	\$4	200	96,000
(\$1 x 2) + \$2	\$4	200	96,000
\$4	\$4	200	96,000
(\$1 x 3) + \$2	\$5	250	76,800
(\$2 x 2) + \$1	\$5	250	76,800
\$5	\$5	187.5	102,400
\$5 x 2	\$10	300	64,000
(\$4 x 2) + \$2	\$10	300	64,000
\$10	\$10	300	64,000
\$5 x 4	\$20	750	25,600
\$10 x 2	\$20	1,500	12,800
(\$5 x 2) + \$10	\$20	1,500	12,800
\$20	\$20	1,500	12,800
\$5 + \$20	\$25	2,400	8,000
\$25	\$25	2,400	8,000
\$10 x 4	\$40	2,667	7,200
\$20 x 2	\$40	4,000	4,800
(\$10 x 2) + \$20	\$40	4,000	4,800
\$40	\$40	4,000	4,800



Reveal A "HORSE SHOE"  
(LUCKY) Symbol In Any  
SPOT, Win Prize Shown  
Under It. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 19,200,000 Tickets
\$25 × 4	\$100	8,000	2,400
(\$40 × 2) + (\$10 × 2)	\$100	16,000	1,200
\$100	\$100	16,000	1,200
\$100 × 4	\$400	240,000	80
\$400	\$400	240,000	80
\$1,000	\$1,000	240,000	80

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania The Lucky Spot instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania The Lucky Spot, prize money from winning Pennsylvania The Lucky Spot instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania The Lucky Spot instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania The Lucky Spot or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 11-2199. Filed for public inspection December 23, 2011, 9:00 a.m.]

**Powerball**

In accordance with 61 Pa. Code § 871.21 (relating to future changes to Powerball), the Secretary of Revenue (Secretary) announces the following changes to the Powerball regulations.

The Secretary, having determined that it is impractical and contrary to the public interest to defer notice to the public of changes to the Powerball game, has given actual knowledge of the document to the persons whom the document is primarily directed in accordance with 1 Pa. Code § 13.74 (relating to effectiveness prior to publication) by press release dated on or before December 16, 2011, of the following changes to the Powerball regulations.

These changes will affect ticket sales beginning on Sunday, January 15, 2012, for the Powerball drawing on Wednesday, January 18, 2012. The changes to the regulation will be codified as paragraph (5) in 61 Pa. Code § 871.22 (relating to changes to Powerball):

(5) Changes effective for Powerball tickets sold on or after January 15, 2012:

(i) *Section 871.2(a) (relating to game description and purpose).* Powerball is a five out of 59 plus one out of 35 on-line lottery game which pays the grand prize on an annuitized, parimutuel basis. Except as provided in this chapter, all other prizes are paid on a set cash basis.

(ii) *Section 871.3 (relating to definitions).*

*Grand prize winnings pool*—An amount constituting 31.9756% of gross sales from all participating states for a particular Powerball game drawing for the purpose of paying winning grand prizes in that drawing. The grand prize winnings pool includes prize money allocated to the grand prize category from prior Powerball game drawings in which there were no winning grand prize tickets. A portion of this pool is used to fund prize reserve accounts until those accounts achieve maximum balances.

*Panel or game panel*—One of five areas of the Powerball bet slip that contains two number grids. The upper grids (first set numbers) contain 59 squares, each numbered 1 through 59 and the lower grids (second set numbers) contain 35 squares, each numbered 1 through 35. Each panel is lettered either A, B, C, D or E.

*Powerball number or second set number*—The number selected from the second group of numbers, from 1 through 35, appearing in the lower grid of a Powerball game panel.

*Quick pick*—The random selection by the Lottery's computer system of five numbers from 1 through 59 and a Powerball number from 1 through 35 that appear on a ticket in the Powerball game.

*Second set numbers*—The second group of numbers, from 1 through 35, appearing in the lower grid of a Powerball game panel.

*Set prize winnings pool*—An amount constituting 18.0244% of gross sales for the current drawing and any monies carried forward from previous draws.

*Ticket*—A Powerball ticket, produced by an on-line terminal from a licensed on-line retailer in an authorized manner, containing a letter prefix followed by five selected numbers from 1 through 59 and a single selected Powerball number from 1 through 35 for each basic play, ticket validation number data, drawing date, amount bet



and any applicable promotion exercised by the player. Each set of five numbers and the Powerball number constitutes a basic play of which there may be one or more, up to five on a ticket.

*Winning numbers*—Six numbers, the first five numbers from 1 through 59, and the Powerball number from 1 through 35, selected at a Powerball drawing and subsequently validated by the MUSL, which shall be used to determine the winning Powerball plays.

*Editor's note:* This is a partial listing of the definitions applicable to Powerball. See § 871.3 (relating to definitions) for additional definitions.

(iii) *Section 871.5 (relating to ticket price).* A Powerball ticket shall cost \$2 per play. The power play option may be exercised, at the discretion of the player, for an additional \$1 per play.

(iv) *Section 871.6(a) (relating to Powerball bet slip and ticket characteristics and restrictions).* For each basic play the player shall select, or request quick pick selection by the computer, five numbers and a single Powerball number, in one or more of the game panels on a Powerball bet slip. Powerball bet slips shall be available at no cost to the player. The minimum entry is \$2. For \$2, play one game; for \$4, play two games; for \$6, play three games; for \$8, play four games; for \$10, play five games. Players are also given the option to select a promotion verbally or on the bet slip at the time of purchase for an additional \$1 for each play. Game panels shall be played in alphabetical order in accordance with the instructions printed on the Powerball bet slip. A Powerball bet slip has no pecuniary or prize value and does not constitute evidence of the purchase of a ticket or the numbers selected.

(v) *Section 871.6(b).* To purchase a ticket, players shall, in addition to the purchase price, submit a completed Powerball bet slip, or request number selections either by quick pick or manual terminal entry to an on-line retailer to have a ticket issued. To purchase a ticket at a Lottery self-service terminal that dispenses terminal-based Lot-

tery tickets, the player shall designate the drawing date or dates for which the ticket is entered, number selections and may exercise the power play promotion for an additional \$1 per play. The player may use a bet slip or the Quick Pick option at a Lottery self-service terminal that dispenses terminal-based Lottery tickets. The ticket shall contain five selected numbers and a single selected Powerball number for each play, ticket validation number data, drawing date, amount bet and any applicable promotion exercised by the player. This ticket shall be the only valid receipt for claiming a prize. The ticket shall only be valid for the drawing date or dates printed on the ticket. Retailers are not permitted to allow the attachment of any remote devices to a lottery terminal to enter plays except as otherwise provided in the MUSL rules.

(vi) *Section 871.6(c).* If Powerball bet slips are unavailable, number selections may be given to an on-line retailer in groups of five number selections and one Powerball number selection per game section for each \$2 wagered as a basic play. The player may exercise the power play promotion for an additional \$1 per play. The retailer shall manually enter the selections into the computer terminal.

(vii) *Section 871.7(b) (relating to time, place and manner of conducting drawing).* Place of drawing. A Powerball drawing will be conducted in a location selected by the MUSL.

(viii) *Section 871.7(c).* Manner of conducting drawing. The MUSL will draw at random five numbers from a set of balls numbered 1 through 59 and one Powerball number from a set of balls numbered 1 through 35 with the aid of mechanical drawing equipment. The drawings will be observed by security personnel and independent auditors and the validity of a drawing will be solely determined by the MUSL.

(iv) *Section 871.8(a) (relating to expected prize payout percentages).* Determination of expected prize payout percentages is as follows:

*Tickets Containing The Following in One Single Lettered Game Section*

<i>Prize Category</i>	<i>Prize Payment</i>	<i>Approximate Percentage of Winnings Pool Allocated to Prize Category**</i>
Five first set numbers and the Powerball number	Grand Prize	63.9511%
Five first set numbers	Second Prize*	19.4038%
Four first set numbers and the Powerball number	Third Prize*	1.5409%
Four first set numbers	Fourth Prize*	.5239%
Three first set numbers and the Powerball number	Fifth Prize*	.8167%
Three first set numbers	Sixth Prize*	1.9437%
Two first set numbers and the Powerball number	Seventh Prize*	.9909%
One first set number and the Powerball number	Eighth Prize*	3.6097%
The Powerball number	Ninth Prize*	7.2194%

\* Indicates a set prize.

\*\* Fifty percent of Powerball gross sales are allocated to the winnings pool for the payment of prizes.

(x) *Section 871.8(c)(1)*. If the total of the set prizes awarded in a Powerball drawing exceeds the set prize pool which is 18.0244% of gross sales, the amount needed to fund the set prizes shall be drawn from the following sources in the following order:

(i) The amount allocated to the set prize tiers and carried forward from previous draws, if any.

(ii) An amount from the MUSL set prize reserve account, if available, not to exceed \$40,000,000 per Powerball drawing.

(xi) *Section 871.15 (relating to unclaimed prize money)*. Prize money on a winning Powerball play may be re-

tained by the Secretary for payment to the person entitled to it. If within 1 year of the drawing date on the ticket, no claim is made on a winning play, as determined by the Secretary, the right to claim prize money terminates. For set prizes, the prize money will be paid into the State Lottery Fund and used for purposes otherwise provided for by statute. Unclaimed grand prize funds will be distributed among all MUSL Lotteries in proportion to each lottery's sales for the grand prize drawing.

(xii) *Section 871.19 (relating to probability of winning)*. The probability of winning is as follows:

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*Tickets Containing The Following in One Single Lettered Game Section*

Five first set numbers and the Powerball number  
 Five first set numbers  
 Four first set numbers and the Powerball number  
 Four first set numbers  
 Three first set numbers and the Powerball number  
 Three first set numbers  
 Two first set numbers and the Powerball number  
 One first set number and the Powerball number  
 The Powerball number

<i>Prize Category</i>	<i>Probability of Winning per Play</i>
Grand Prize	1:175,223,510
Second Prize	1:5,153,632.6471
Third Prize	1:648,975.9630
Fourth Prize	1:19,087.5283
Fifth Prize	1:12,244.8295
Sixth Prize	1:360.1420
Seventh Prize	1:706.4325
Eighth Prize	1:110.8129
Ninth Prize	1:55.4065

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(xiii) *Section 871.20(a) (relating to power play promotion)*. The power play promotion shall be available in association with the Powerball game and will continue until the Secretary publicly announces a suspension or termination thereof. The power play promotion will be conducted in accordance with the Powerball rules except that players may purchase the power play option to increase set prizes won as a result of a Powerball drawing. The Powerball grand prize will not be eligible for an increase under the power play promotion. The Secretary will on occasion announce, as a special promotion, higher promotional prize amounts to be won with the power play promotion.

(xiv) *Section 871.20(c)* is deleted in its entirety.

(xv) *Section 871.20(d)*. Powerball tickets that contain the power play option and one or more plays eligible for Powerball second through ninth category prizes identified in § 871.8(a) (relating to expected prize payout percentages) shall be entitled to a total set prize identified in § 871.20(j) (relating to power play promotion), unless a higher limited promotional prize amount is announced by the Secretary.

(xvi) *Section 871.20(e)*. The prize pool for power play set prizes shall consist of up to 49.96% of power play sales after Powerball prize reserve accounts are funded to the amounts set by the MUSL. The prize pool percentage allocated to power play set prizes shall be carried forward to subsequent power play drawings if all or a portion of the percentage is not required to pay the set prizes for the current power play drawing.

(xvii) *Section 871.20(f)*. An additional 0.04% of power play sales may be collected and placed in prize reserve accounts until the prize reserve accounts meet the amounts designated by the MUSL. Any amount remain-

ing in prize reserve accounts at the end of the power play promotion shall be carried forward to a replacement prize reserve account or expended in a manner as directed by the MUSL Powerball Product Group in accordance with State law.

(xviii) *Section 871.20(g)*. If, with respect to a single Powerball drawing, the total of the Powerball set prizes without the power play option and the Powerball set prizes increased by the power play option exceeds the percentage of the prize pools allocated to the set prizes, the amount needed to fund those combined set prizes shall be drawn from the following sources in the following order:

(1) The amount allocated to the set prizes and carried forward from previous Powerball drawings, if any.

(2) An amount from the Powerball set prize reserve account, if available, not to exceed \$40,000,000 per drawing.

(xix) *Section 871.20(h)*. If the sources set forth in subsection (g) are depleted and there still are not sufficient funds to pay the set prizes for a particular Powerball drawing, the highest set prize, including the prize increased by the power play option, shall become a parimutuel prize. If the amount of the highest set prize, when paid as a parimutuel prize, is less than or equal to the next highest set prize and there are still not sufficient funds to pay the remaining prizes, the next highest set prize, including the prize increased by the power play option, shall become a parimutuel prize. If necessary under the same test set forth in the preceding sentence, each succeeding set prize level shall be converted to a parimutuel prize, in order, until all set prizes become parimutuel. If all set prizes are converted to parimutuel prizes, the money available from the funding sources

listed in subsection (g) shall be divided among the winning plays in proportion to their respective prize percentages.

(xx) *Section 871.20(j)*. Except as otherwise provided, all power play set prizes shall be paid in single, lump-sum payments. Power play prize levels shall be paid as follows:

<i>Prize Level</i>	<i>Power Play Set Prize Amount</i>
Second Prize	\$2,000,000
Third Prize	\$40,000
Fourth Prize	\$200
Fifth Prize	\$200
Sixth Prize	\$14
Seventh Prize	\$14
Eighth Prize	\$12
Ninth Prize	\$12

(xxi) *Section 871.20(k)*. When the Powerball set prizes become parimutuel, the Powerball set prize amounts will be less than the amount shown and the power play prizes for the second through the ninth category prizes shall be reduced as announced by the MUSL Powerball Product Group.

(xxii) Section 871.20(l) is deleted in its entirety.

(xxiii) Section 871.22(1)(vi) (relating to changes to Powerball) is deleted in its entirety.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 11-2200. Filed for public inspection December 23, 2011, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### 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*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
125-137	Pennsylvania Gaming Control Board Table Game Equipment	12/13/11	1/26/12

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 11-2201. Filed for public inspection December 23, 2011, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Aetna Health Insurance; Small Group (with Fewer than 51 Subscribers) Rate Filing

Aetna Health Insurance requests approval to increase the Commercial HMO rates for all groups with fewer than 51 average subscribers. The average requested rate increase is 4.1% with a range of 0% to 9.3%. The proposed rate increase would affect approximately 1,200 members and would generate additional revenue of about \$800,000 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 "PA Bulletin."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regu-

lation, 1311 Strawberry Square, Harrisburg, PA 17120, [rmathur@pa.gov](mailto:rmathur@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 11-2202. Filed for public inspection December 23, 2011, 9:00 a.m.]

### Application for Approval to Acquire Control of First Sealord Surety, Inc.

Torus National Insurance Company has filed an application for approval to acquire control of First Sealord Surety, Inc., a domestic casualty insurance company. The filing was made under Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413).

Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 4 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to

Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, by fax (717) 787-8557 or rbrackbill@pa.gov.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 11-2203. Filed for public inspection December 23, 2011, 9:00 a.m.]

### **Insurance Services Office, Inc.; Private Passenger Automobile Loss Cost Revision; Rate Filing**

On December 6, 2011, the Insurance Department received from Insurance Services Office, Inc. a filing for a proposed loss cost level change for private passenger automobile insurance.

The advisory organization requests an overall 5.2% decrease in loss costs effective September 1, 2012.

Unless formal administrative action is taken prior to February 4, 2012, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under "How to Find . . ." click on "PA Bulletin."

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [xlu@pa.gov](mailto:xlu@pa.gov) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 11-2204. Filed for public inspection December 23, 2011, 9:00 a.m.]

### **Review Procedure Hearings; Cancellation or Refusal of Insurance**

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Leslie and Stephen Field; file no. 11-183-109924; Harleysville Mutual Insurance Company; Doc. No. P11-11-017; January 10, 2012, 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 11-2205. Filed for public inspection December 23, 2011, 9:00 a.m.]

### **RiverSource Life Insurance Company; Rate Increase Filing for LTC Form 30160A**

The RiverSource Life Insurance Company (previously called IDS Life Insurance Company) is requesting approval to increase the premium 15% on 1,956 policyholders with the following individual LTC policy form: 30160A.

Unless formal administrative action is taken prior to March 8, 2012, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under "How to Find . . ." click on "PA Bulletin."

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@state.pa.us](mailto:jlaverty@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 11-2206. Filed for public inspection December 23, 2011, 9:00 a.m.]

### **Title Insurance Rating Bureau of Pennsylvania, Inc.; Rate Simplification, Rate Increase and Manual Revisions Filing**

On December 9, 2011, the Insurance Department (Department) received from the Title Insurance Rating Bu-



reau of Pennsylvania, Inc. (Rating Bureau) a filing for rate level changes for title insurance.

The Rating Bureau requests an overall 7.0% increase, which includes the effect of extending the existing rate schedule for limits of liability greater than \$30 million, to be effective March 1, 2012. This overall figure represents an average; the effect of this filing on the rates for individual consumers may vary.

Unless formal administrative action is taken prior to January 8, 2012, the subject filing may be deemed effective 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 "PA Bulletin."

Interested parties are invited to submit written comments, suggestions or objections to Michael McKenney, Insurance Department, Office of Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [mmckenney@pa.gov](mailto:mmckenney@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 11-2207. Filed for public inspection December 23, 2011, 9:00 a.m.]

## OFFICE OF THE BUDGET

### Statutory Cost of Living Increases for Salaries of State Officials and the Heads of Departments, Boards and Commissions

Section 3(e) of the Public Official Compensation Act, the act of September 30, 1983 (P. L. 160, No. 39) as amended by section 2 of the act of October 19, 1995 (P. L. 324, No. 51) mandates that the salaries of the Governor, Lieutenant Governor, State Treasurer, Auditor General, Attorney General, and the heads of the departments and members of boards and commissions shall be increased by applying the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area for the most recent 12 month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics (BLS) immediately prior to the date adjustment is due to take effect.

As required by section 3(e) of the Public Official Compensation Law, the Governor has determined, based on the change in the CPI-U (PA-DE-NJ-MD) over the past 12 months as reported by BLS on November 16, 2011, that the salaries covered by that law shall be increased by 3.0% effective January 1, 2012. The following chart lists the position, the salary prior to the adjustment, the percentage increase of the adjustment, and the new salary:

#### COLA Adjustment for Elected and Appointed Officials Receiving Salaries Contained in Act 1995-51

COLA Adjustment is Based on the Percent Change in the CPI-U for PA-DE-NJ-MD, CMSA,  
for the 12 Month Period Ending October 2011

<i>Position</i>	<i>Salary Prior to 1/1/2012</i>	<i>COLA Adjustment</i>	<i>Salary Effective 1/1/2012</i>
Governor	\$177,888	3.0%	\$183,225
Lieutenant Governor	\$149,424	3.0%	\$153,907
State Treasurer	\$148,003	3.0%	\$152,443
Auditor General	\$148,003	3.0%	\$152,443
Attorney General	\$148,003	3.0%	\$152,443
Large Agency Head	\$142,310	3.0%	\$146,579
Secretary of Education			
Secretary of Environmental Protection			
Secretary of Health			
Secretary of Labor and Industry			
Secretary of Public Welfare			
Secretary of Transportation			
Secretary of Corrections			
Medium Agency Head	\$135,194	3.0%	\$139,250
Secretary of Aging			
Secretary of Community & Economic Development			
Secretary of General Services			
Secretary of Revenue			
State Police Commissioner			
Secretary of Conservation & Natural Resources			
Small Agency Head	\$128,080	3.0%	\$131,922
Adjutant General			
Secretary of Agriculture			
Secretary of Banking			
Secretary of the Commonwealth			
Insurance Commissioner			

<i>Position</i>	<i>Salary Prior to 1/1/2012</i>	<i>COLA Adjustment</i>	<i>Salary Effective 1/1/2012</i>
Liquor Control Board			
Chairman	\$72,292	3.0%	\$74,461
Member	\$69,445	3.0%	\$71,528
Civil Service Commission****			
Chairman	\$81,347	3.0%	\$83,787
Member	\$78,217	3.0%	\$80,564
State Tax Equalization Board			
Chairman	\$24,905	3.0%	\$25,652
Member	\$23,125	3.0%	\$23,819
Milk Marketing Board			
Chairman	\$23,125	3.0%	\$23,819
Member	\$22,236	3.0%	\$22,903
Securities Commission***			
Chairman	\$38,909	3.0%	\$40,076
Member	\$35,498	3.0%	\$36,563
Athletic Commission			
Chairman	\$18,681	3.0%	\$19,241
Member	\$17,787	3.0%	\$18,321
Board of Pardons			
Member	\$16,365	3.0%	\$16,856
Public Utility Commission			
Chairman	\$137,694	**	\$141,750
Member	\$135,194	3.0%	\$139,250
Environmental Hearing Board*			
Chairman	\$137,694	*	\$141,750
Member	\$135,194	*	\$139,250
Board of Claims*****			
Chairman	\$131,386	3.0%	\$135,328
Member	\$124,470	3.0%	\$128,204

\* The Environmental Hearing Board is not listed in Act 1995-51, but separate legislation requires that the Board's members receive the same compensation as the PUC.

\*\* Act 1995-51 requires that the PUC Chairman shall receive \$2,500/yr. more than PUC Members.

\*\*\* Per Act 1998-51.

\*\*\*\* Per Act 2002-140, effective November 27, 2002.

\*\*\*\*\* Per Act 2002-118, effective October 2, 2002.

CHARLES B. ZOGBY,  
Secretary

[Pa.B. Doc. No. 11-2208. Filed for public inspection December 23, 2011, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by January 9, 2011. 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-2011-2255390. Lower Bucks Transportation Service, Inc., t/a Tri Hampton Cab Company** (2444 Durham Road, Bristol, Bucks County, PA 19007)—for the right to begin to transport, as a common carrier, persons in paratransit service, from points in the County of Bucks, to points in Pennsylvania, and return. *Attorney:* David P. Temple, Esquire, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

**A-2011-2267343. PJ's Transportation, LLC** (210 Jennifer Court, Levittown, Bucks County, PA 19057)—for the right to begin to transport, as a common carrier, persons in paratransit service, from points in the City and County of Philadelphia, to points in Pennsylvania, and return.

Attorney: David P. Temple, Esquire, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

**A-2011-2267963. County Yellow Cab, LLC** (31-2 Revere Road, Drexel Hill, PA 19026)—for the right to begin to transport, by motor vehicle, persons, in call or demand service in Upper Darby Township, Delaware County.

**A-2011-2268359. JLH Transit, LLC** (7227 Monticello Street, Suite A, Pittsburgh, Allegheny County, PA 15208)—for the right to begin to transport, as a common carrier, persons in paratransit service, from points in the City and County of Philadelphia, to Commonwealth correctional facilities in Pennsylvania, and return.

**A-2011-2270994. Jacob Michael Ness** (917 Lakewood Drive, Harrisburg, PA 17109)—for the right to begin as a common carrier, by motor vehicle, persons in paratransit service from points in Dauphin County to points in Pennsylvania, and return.

**A-2011-2272302. Select Ambulance, Inc.** (328 Tulpehocken Avenue, Unit 1, West Reading, PA 19611)—for the right to begin as a common carrier, by motor vehicle, persons in paratransit service, from points in the Borough of West Reading, Berks County, and within an airline distance of 60 statute miles of the limits of said Borough, to points in Pennsylvania and return.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 11-2209. Filed for public inspection December 23, 2011, 9:00 a.m.]

## STATE BOARD OF COSMETOLOGY

### Bureau of Professional and Occupational Affairs v. Gap Nails and Tan; Doc. No. 1311-45-11

On November 2, 2011, Gap Nails and Tan, license nos. CY193183 and CZ1169256, of Gap, Lancaster County, was suspended for failing to pay a previously imposed civil penalty.

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and final order represents the State Board of Cosmetology's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

MARY LOU ENOCHES,  
Chairperson

[Pa.B. Doc. No. 11-2210. Filed for public inspection December 23, 2011, 9:00 a.m.]

## STATE CONSERVATION COMMISSION

### Access to Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

This notice is provided to direct the public to the State Conservation Commission's (Commission) Facility Odor Management Program (Program) webpage, or alternatively to the Commission's office to obtain information relating to Odor Management Plans (OMP) submitted for the Commission action under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

The Commission's Program webpage, accessed through the Commission's general web site at [www.pda.state.pa.us/scc](http://www.pda.state.pa.us/scc) (click on "Programs," then "Odor Management Program" then select "Odor Management Plans currently under review"), provides the public with the name, address, animal equivalent units, animal type, Odor Site Index score and submission type for the various OMPs under review by the Commission. This listing of plans under review can also be accessed by contacting the Commission's Program office in Tunkhannock at (570) 836-2181. The Commission will not take an action on a submitted OMP until it has been noticed on this list for a minimum of 21 days.

All the Commission actions on submitted OMPs will be published in the *Pennsylvania Bulletin*.

Persons wishing to view or obtain a copy of submitted OMPs are directed to submit a formal Right-to-Know request to the Department of Agriculture to arrange access to the plans currently under review.

Persons wishing to comment on an OMP under review by the Commission are invited to submit a written statement outlining their comments on the plan to the Commission's Program within 21 days from the plan notice date provided on the Commission's listing of plans under review. Persons with a question relating to the submission of comments on a plan under review may contact the Commission's Program office by phone to discuss the process for the submission of comments. Comments should include the name, address and telephone number of the writer, and a concise statement to inform the Commission of the exact basis of the comments and the relevant facts upon which they are based.

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

The address for the Commission's Program office is the Pennsylvania Agriculture Building, Route 92 South, P. O. Box C, Tunkhannock, PA 18657-0318. The phone number for the Commission's Program Coordinator, Karl Dymond is (570) 836-2181.

GEORGE D. GREIG,  
Chairperson

[Pa.B. Doc. No. 11-2211. Filed for public inspection December 23, 2011, 9:00 a.m.]





