



---

Volume 43 (2013)

Pennsylvania Bulletin  
Repository

---

1-12-2013

## January 12, 2013 (Pages 203-290)

Pennsylvania Legislative Reference Bureau

Follow this and additional works at: [http://digitalcommons.law.villanova.edu/pabulletin\\_2013](http://digitalcommons.law.villanova.edu/pabulletin_2013)

---

### Recommended Citation

Pennsylvania Legislative Reference Bureau, "January 12, 2013 (Pages 203-290)" (2013). *Volume 43 (2013)*. 2.  
[http://digitalcommons.law.villanova.edu/pabulletin\\_2013/2](http://digitalcommons.law.villanova.edu/pabulletin_2013/2)

This January is brought to you for free and open access by the Pennsylvania Bulletin Repository at Villanova University Charles Widger School of Law Digital Repository. It has been accepted for inclusion in Volume 43 (2013) by an authorized administrator of Villanova University Charles Widger School of Law Digital Repository. For more information, please contact [Benjamin.Carlson@law.villanova.edu](mailto:Benjamin.Carlson@law.villanova.edu).

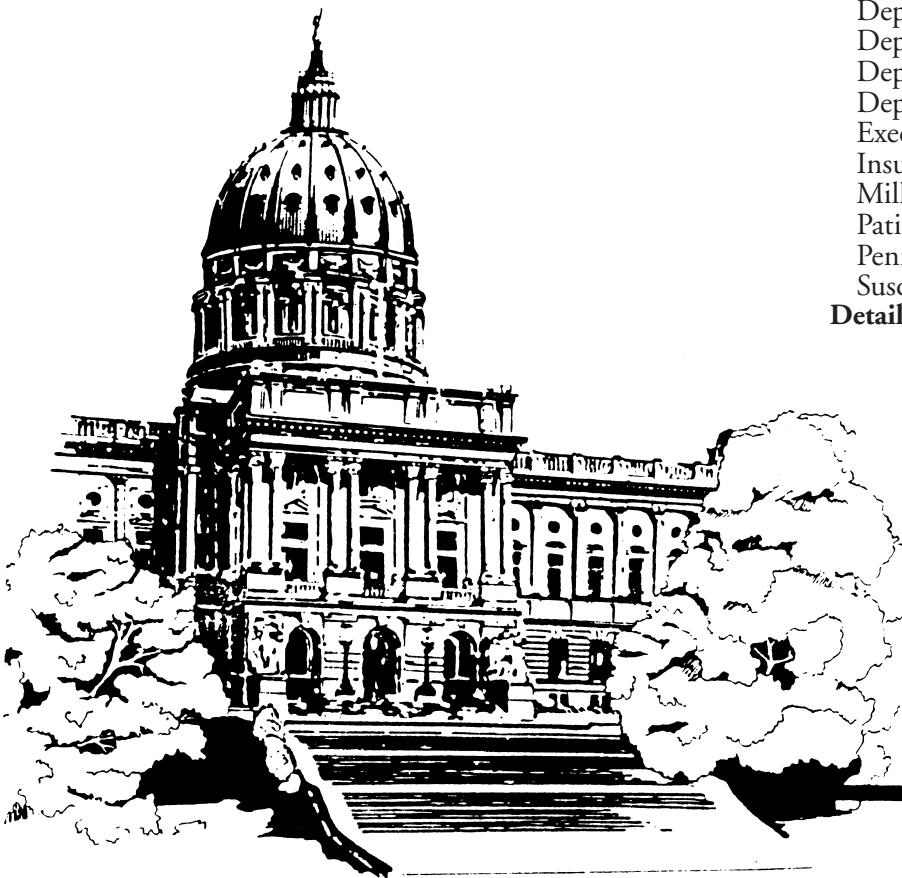
# PENNSYLVANIA BULLETIN

Volume 43  
Saturday, January 12, 2013 • Harrisburg, PA  
Number 2  
Pages 203—290

## Agencies in this issue

The General Assembly  
The Courts  
Department of Banking and Securities  
Department of Conservation and Natural Resources  
Department of Environmental Protection  
Department of General Services  
Department of Labor and Industry  
Department of Public Welfare  
Department of Revenue  
Department of Transportation  
Executive Board  
Insurance Department  
Milk Marketing Board  
Patient Safety Authority  
Pennsylvania Public Utility Commission  
Susquehanna River Basin Commission

**Detailed list of contents appears inside.**



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

**No. 458, January 2013**

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

**CHANGE NOTICE/NEW SUBSCRIPTION**

If information on mailing label is incorrect, please make changes in space provided below and mail to:

**FRY COMMUNICATIONS, INC.  
Attn: *Pennsylvania Bulletin*  
800 W. Church Rd.  
Mechanicsburg, PA 17055-3198**

CUSTOMER NUMBER (6 digit number above name)

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City) (State) (Zip Code)

TYPE OR PRINT LEGIBLY

**PENNSYLVANIA**



**BULLETIN**

(ISSN 0162-2137)

published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg, Pa. 17120, under the policy supervision and direction of the Joint Committee on Documents pursuant to Part II of Title 45 of the Pennsylvania Consolidated Statutes (relating to publication and effectiveness of Commonwealth Documents). Subscription rate \$82.00 per year, postpaid to points in the United States. Individual copies \$2.50. Checks for subscriptions and individual copies should be made payable to "*Fry Communications, Inc.*" Periodicals postage paid at Harrisburg, Pennsylvania.

Postmaster send address changes to:

FRY COMMUNICATIONS  
Attn: *Pennsylvania Bulletin*  
800 W. Church Rd.  
Mechanicsburg, Pennsylvania 17055-3198  
(717) 766-0211 ext. 2340  
(800) 334-1429 ext. 2340 (toll free, out-of-State)  
(800) 524-3232 ext. 2340 (toll free, in State)

Orders for subscriptions and other circulation matters should be sent to:

Fry Communications, Inc.  
Attn: *Pennsylvania Bulletin*  
800 W. Church Rd.  
Mechanicsburg, PA 17055-3198

Copyright © 2013 Commonwealth of Pennsylvania

Editorial preparation, composition, printing and distribution of the *Pennsylvania Bulletin* is effected on behalf of the Commonwealth of Pennsylvania by FRY COMMUNICATIONS, Inc., 800 W. Church Road, Mechanicsburg, Pennsylvania 17055-3198.

# CONTENTS

## THE GENERAL ASSEMBLY

### COMMISSION ON SENTENCING

Meetings scheduled .....	209
2013 public meeting schedule.....	209

## THE COURTS

### LOCAL COURT RULES

#### Bucks County

Fees of clerk of orphans' court division; administrative order no. 66 .....	212
Fees of register of wills; administrative order no. 67 ..	214

### RULES OF CRIMINAL PROCEDURE

Proposed adoption of Pa.R.Crim.P. 574 and proposed amendment of comment to Pa.R.E. 802.....	210
---	-----

### RULES OF EVIDENCE

Proposed adoption of Pa.R.Crim.P. 574 and proposed amendment of comment to Pa.R.E. 802.....	210
---	-----

## EXECUTIVE AGENCIES

### DEPARTMENT OF BANKING AND SECURITIES

#### Notices

Actions on applications (2 documents).....	223, 224
--	----------

### DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

#### Notices

Community Conservation Partnerships Program Grants; schedule of grant workshops .....	225
Conservation and Natural Resources Advisory Council meeting .....	226
Proposed exchange of property.....	226
Revisions to schedule of prices for State Parks.....	226

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### Notices

Applications, actions and special notices.....	228
Bid opportunity.....	276

### DEPARTMENT OF GENERAL SERVICES

#### Notices

Real estate for lease .....	276
-----------------------------	-----

### DEPARTMENT OF LABOR AND INDUSTRY

#### Notices

Current Prevailing Wage Act debarments.....	276
---	-----

### DEPARTMENT OF PUBLIC WELFARE

#### Statements of Policy

Clarifying the applicability of 55 Pa. Code Chapter 6400 to private homes.....	222
--	-----

### DEPARTMENT OF REVENUE

#### Notices

Pennsylvania Extreme Green instant lottery game ...	276
Pennsylvania Pot O' Gold '13 instant lottery game ...	280
Pennsylvania Tic-Tac-Luck instant lottery game .....	284

### DEPARTMENT OF TRANSPORTATION

#### Notices

Requests for modification or inclusion of funding for public use airport projects in the 2014 Four Year Plan .....	286
--	-----

### EXECUTIVE BOARD

#### Statements of Policy

Reorganization of the Governor's Office of the Budget.....	220
--	-----

### INSURANCE DEPARTMENT

#### Notices

Request to surrender a certificate of authority to provide a continuing care retirement community by SHP III East Norriton, LLC .....	287
Review procedure hearings; cancellation or refusal of insurance .....	287

### MILK MARKETING BOARD

#### Rules and Regulations

Electronic methods for testing milk for fat content ...	216
Transactions between dealers and producers.....	216

### PATIENT SAFETY AUTHORITY

#### Notices

Public meeting .....	287
----------------------	-----

### PENNSYLVANIA PUBLIC UTILITY COMMISSION

#### Notices

Service of notice of motor carrier applications.....	288
--	-----

### SUSQUEHANNA RIVER BASIN COMMISSION

#### Notices

Actions taken at December meeting .....	288
---	-----

---

Now Available Online at <http://www.pabulletin.com>

---

# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

## *Pennsylvania Bulletin*

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

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

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

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

### **Adoption, Amendment or Repeal of Regulations**

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

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

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

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

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

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at [www.pacode.com](http://www.pacode.com).

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

A chronological table of the history of *Pennsylvania Code* sections may be found at [www.legis.state.pa.us](http://www.legis.state.pa.us).

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

**SUBSCRIPTION INFORMATION: (717) 766-0211  
GENERAL INFORMATION AND FINDING AIDS: (717) 783-1530**

### 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.

### Reproduction, Dissemination or Publication of Information

Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish such information except as provided by 1 Pa. Code § 3.44. 1 Pa. Code § 3.44 reads as follows:

#### § 3.44. General permission to reproduce content of Code and Bulletin.

Information published under this part, which information includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indexes, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the Bureau. The information which appears on the same leaf with the text of a rule or regulation, however, may be incidentally reproduced in connection with the reproduction of the rule or regulation, if the reproduction is for the private use of a subscriber and not for resale. There are no other restrictions on the reproduction of information published under this part, and the Commonwealth hereby consents to a reproduction.

## List of Pa. Code Chapters Affected

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

<b>4 Pa. Code (Administration)</b>		<b>101 Pa. Code (General Assembly)</b>	
<b>Statements of Policy</b>		<b>Statements of Policy</b>	
9 .....	220	31 .....	17
<b>7 Pa. Code (Agriculture)</b>		<b>225 Pa. Code (Rules of Evidence)</b>	
<b>Adopted rules</b>		<b>Proposed Rules</b>	
143 .....	216	Article VIII .....	210
144 .....	216	<b>234 Pa. Code (Rules of Criminal Procedure)</b>	
<b>40 Pa. Code (Liquor)</b>		<b>Proposed Rules</b>	
<b>Adopted Rules</b>		5 .....	210
15 .....	12	<b>246 Pa. Code (Minor Court Civil Rules)</b>	
<b>55 Pa. Code (Public Welfare)</b>		<b>Proposed Rules</b>	
<b>Statements of Policy</b>		200 .....	8
6400 .....	222	400 .....	8
<b>58 Pa. Code (Recreation)</b>		<b>255 Pa. Code (Local Court Rules)</b>	
<b>Proposed Rules</b>		Unclassified .....	9, 11, 212, 214
75 .....	15		

# THE GENERAL ASSEMBLY

## COMMISSION ON SENTENCING

### Meetings Scheduled

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

Policy Committee Meeting 9 a.m. to 12 p.m.  
 Quarterly Business Meeting 1 p.m. to 3 p.m.

*Date:* Thursday, March 7, 2013

*Location:* Pennsylvania Judicial Center  
 601 Commonwealth Avenue  
 Harrisburg, PA

Commission meetings are open to the public. Direct any questions related to the Commission meetings to Mark H. Bergstrom, Executive Director, (814) 863-4368, mh105@psu.edu.

MARK H. BERGSTROM,  
*Executive Director*

[Pa.B. Doc. No. 13-43. Filed for public inspection January 11, 2013, 9:00 a.m.]

---

### 2013 Public Meeting Schedule

The Commission on Sentencing (Commission) is giving notice that the following dates have been selected for public meetings in the year 2013:

Wednesday, March 6, 2013	Dinner Meeting (6 p.m.) Harrisburg Hilton and Towers Harrisburg, PA
Thursday, March 7, 2013	Policy Committee Meeting (9 a.m.—12 p.m.) Commission Meeting (1 p.m.—3 p.m.) Pennsylvania Judicial Center Harrisburg, PA
Wednesday, June 5, 2013	Dinner Meeting (6 p.m.) Harrisburg Hilton and Towers Harrisburg, PA
Thursday, June 6, 2013	Policy Committee Meeting (9 a.m.—12 p.m.) Commission Meeting (1 p.m.—3 p.m.) Pennsylvania Judicial Center Harrisburg, PA
Wednesday, September 4, 2013	Dinner Meeting (6 p.m.) Harrisburg Hilton and Towers Harrisburg, PA
Thursday, September 5, 2013	Policy Committee Meeting (9 a.m.—12 p.m.) Commission Meeting (1 p.m.—3 p.m.) Pennsylvania Judicial Center Harrisburg, PA
Wednesday, December 4, 2013	Dinner Meeting (6 p.m.) Harrisburg Hilton and Towers Harrisburg, PA
Thursday, December 5, 2013	Policy Committee Meeting (9 a.m.—12 p.m.) Commission Meeting (1 p.m.—3 p.m.) Pennsylvania Judicial Center Harrisburg, PA

Meetings are open to the public. Direct any questions regarding Commission meetings to Mark H. Bergstrom, Executive Director, (814) 863-4368, mh105@psu.edu.

MARK H. BERGSTROM,  
*Executive Director*

[Pa.B. Doc. No. 13-44. Filed for public inspection January 11, 2013, 9:00 a.m.]



# THE COURTS

## Title 225—RULES OF EVIDENCE

[ 225 PA. CODE ART. VIII ]

## Title 234—RULES OF CRIMINAL PROCEDURE

[ 234 PA. CODE CH. 5 ]

### Proposed Adoption of Pa.R.Crim.P. 574 and Proposed Amendment of Comment to Pa.R.E. 802

The Criminal Procedural Rules Committee is considering a recommendation to the Supreme Court of Pennsylvania to adopt Rule of Criminal Procedure 574 (Forensic Laboratory Report; Certification in Lieu of Expert Report) to provide procedures for the admissibility of forensic laboratory reports in lieu of expert testimony. The Committee on Rules of Evidence is considering a recommendation to the Supreme Court to amend the Comment to Rule of Evidence 802 to identify and describe Rule of Criminal Procedure 574. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

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

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

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

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

no later than Monday, February 18, 2013.

HONORABLE NANCY L. BUTTS,  
*Vice Chair*  
*Criminal Procedural Rules Committee*  
CHRISTOPHER H. CONNORS,  
*Chair*  
*Committee on Rules of Evidence*

#### Annex A

### TITLE 225. RULES OF EVIDENCE

#### ARTICLE VIII. HEARSAY

*(Editor's Note:* The proposed amendments to Rule 802 are based on the proposed restyled Rules of Evidence published at 41 Pa.B. 2795, 2813, 2814 (May 28, 2011).)

### Rule 802. The Rule Against Hearsay.

Hearsay is not admissible except as provided by these rules, by other rules prescribed by the Pennsylvania Supreme Court, or by statute.

#### Comment

\* \* \* \* \*

On occasion, hearsay may be admitted pursuant to another rule promulgated by the Pennsylvania Supreme Court. For example, in civil cases, all or part of a deposition may be admitted pursuant to Pa.R.C.P. No. 4020, or a video deposition of an expert witness may be admitted pursuant to Pa.R.C.P. No. 4017.1(g). In preliminary hearings in criminal cases, the court may consider hearsay evidence pursuant to Pa.R.Crim.P. 542(E) and 1003(E). **In criminal trials, Pa.R.Crim.P. 574 provides a procedure for the admission of forensic laboratory reports supported by a certification.**

\* \* \* \* \*

#### *Hearsay Exceptions and the Right of Confrontation of a Defendant in a Criminal Case*

\* \* \* \* \*

In short, when hearsay is offered against a defendant in a criminal case, the defendant may interpose three separate objections: (1) admission of the evidence would violate the hearsay rule, (2) admission of the evidence would violate defendant's right to confront the witnesses against him under the Sixth Amendment of the United States Constitution, and (3) admission of the evidence would violate defendant's right "to be confronted with the witnesses against him" under Article I, § 9 of the Pennsylvania Constitution.

**Pennsylvania Rule of Criminal Procedure 574 provides a mechanism for the admission of a forensic laboratory report supported by a certification. This Rule provides a defendant an opportunity to exercise the right of confrontation and to object to the report on hearsay grounds. Following pre-trial notice by the prosecution, and in the absence of a demand by defendant for declarant's live testimony, the Rule permits the admission of a properly certified forensic laboratory report at trial. See Pa.R.Crim.P. 574.**

\* \* \* \* \*

#### *Committee Explanatory Reports:*

\* \* \* \* \*

**Final Report explaining the** , 2013 revision of the Comment published with the Court's Order at 43 Pa.B. ( , 2013).

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

#### PART G(1). Motion Procedures

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

#### **Rule 574. Forensic Laboratory Report; Certification in Lieu of Expert Testimony.**

(A) In any trial, the attorney for the Commonwealth may seek to offer into evidence a forensic laboratory report supported by a certification, as provided in para-

graph (D), in lieu of testimony by the person who performed the analysis or examination that is the subject of the report.

(B) *Notice*

(1) If the attorney for the Commonwealth intends to offer the report as provided in paragraph (A) as evidence at trial, the attorney for the Commonwealth shall serve upon the defendant's attorney, or if unrepresented, the defendant a written notice of that fact at the time of the disclosure of the report but no later than 20 days prior to the start of trial.

(2) A copy of the report shall be provided to the defendant prior to or contemporaneously with the notice.

(3) Except as provided in paragraph (C), the report and certification are admissible in evidence to the same effect as if the person who performed the analysis or examination had personally testified.

(C) *Demand*

(1) No later than 10 days following receipt of the notice provided in paragraph (B), the defendant's attorney, or if unrepresented, the defendant may serve upon the attorney of the Commonwealth, a written demand for the person who performed the analysis or examination that is the subject of the report to testify at trial.

(2) If a written demand is filed, the report and certificate are not admissible under paragraph (B)(3) unless the analyst testifies.

(3) If no demand for live testimony is made to the use of the laboratory report and certificate within the time allowed by this section, the report and certificate are admissible in evidence.

(D) *Certification*

(1) The analyst who performed the analysis or examination that is the subject of the report shall complete a certificate in which the analyst shall state:

(a) that he or she is qualified by education, training, and experience to perform the analysis;

(b) a description of his or her regular duties;

(c) the name and location of the laboratory where the analysis was performed; and

(d) that the tests were performed under industry-approved procedures or standards and the report accurately reflects the analyst's findings and opinions regarding the results of those tests or analysis.

(2) An analyst employed by a laboratory that is accredited by a state, national, or international accreditation entity may, in lieu of the required certificate under paragraph (D)(1), submit a copy of the laboratory's accreditation certificate.

**Comment**

This rule was adopted in 2013 to address the issues raised by the U.S. Supreme Court's decision in *Melendez-Diaz v. Massachusetts*, 557 U.S. 305 (2009), that held that the 6th amendment confrontation right precluded presentation of laboratory reports without a live witness testifying in the trial. In *Melendez-Diaz*, the U.S. Supreme Court noted with approval the use of "notice and demand" procedures as a means of permitting routine laboratory reports to be admitted without the expense of supporting the admission by live expert testimony while protecting a defendant's confrontation rights.

This rule provides a "notice and demand" procedure for Pennsylvania. Under the rule, the attorney for the Commonwealth may seek to admit a forensic laboratory report as evidence without the testimony of the analyst who performed the testing that was the subject of the report if notice requirements are met and no demand for the presence of the analyst is made. If the defendant makes such a demand, the analyst would be required to testify before the report could be admitted into evidence.

Nothing in this rule is intended to preclude a stipulation agreed to by the parties for the admission of the laboratory report without the analyst's presence.

For cause shown, the judge may extend the time period of filing a demand for live testimony or grant a continuance of the trial.

For purposes of paragraph (D)(2) of this rule, a laboratory is "accredited" when its management, personnel, quality system, operational and technical procedures, equipment and physical facilities meet standards established by a recognized state, national, or international accrediting organization such as the American Society of Crime Laboratory Directors/Laboratory Accrediting Board (ASCLD/LAB) or Forensic Quality Services—International (FQS-I).

**Official Note:** New Rule 574 adopted \_\_\_\_\_, 2012, effective \_\_\_\_\_, 2012.

*Committee Explanatory Reports:*

Report explaining new Rule 574 providing for notice and demand procedures regarding forensic laboratory reports published for comment at 43 Pa.B. 211 (January 12, 2013).

**JOINT REPORT**

***Proposed New Pa.R.Crim.P. 574 and Proposed Revision of the Comment to Pa.R.E. 802***

**Forensic Laboratory Report; Certification in Lieu of Expert Testimony**

*Background*

The Criminal Procedural Rules Committee and the Committee on Rules of Evidence were requested by the Pennsylvania District Attorneys Association to consider a "notice and demand" rule of criminal procedure or evidence.

This request arose from the 2009 United States Supreme Court case of *Melendez-Diaz v. Massachusetts*, 557 U.S. 305 (2009) in which the Court held that the evidentiary use of a report of a forensic test on an alleged controlled substance violated the defendant's right to confront the witness against him because the preparer of the report did not testify at the defendant's trial. The Court rejected the prosecution's argument that the report was admissible as a business record or official record, and the argument that compelling the appearance of the person who performed the test was time consuming and wasteful since, in the overwhelming majority of cases, the defendant would not contest the accuracy of the test.

The Court in *Melendez-Diaz* noted with approval "simple" notice-and-demand procedures that require the prosecution to give notice to the defense of its intent to introduce evidence without calling the necessary witnesses under the Confrontation Clause. The defense then must give notice to the prosecution that it is demanding that the witness testify and be subject to cross-examination.

After discussing the Association's letter at their respective meetings, the Committees formed a joint subcommittee to investigate whether and how to proceed. The subcommittee found merit in a "notice and demand" procedure that would provide a mechanism for defendants to exercise their rights under the Confrontation Clause and to provide for the admissibility of forensic laboratory reports in lieu of expert testimony. The claimed benefit of a notice and demand procedure would be a lesser burden on the Commonwealth in scheduling these witnesses, fewer expenses associated with attendance of these witnesses at trial, and increased availability of these analysts and technicians to perform lab/field work rather than appearing in court. Additionally, the procedure would provide a timely and structured mechanism for defendants to raise a Confrontation Clause demand. See *Melendez-Diaz*, 557 U.S. at 327.

Based upon the recommendations of the joint subcommittee, the Committees approved for publication proposed new Rule of Criminal Procedure 574 and correlative amendment of the Comment to Rule of Evidence 802.

*Proposed Rule of Criminal Procedure 574*

In developing proposed new Rule of Criminal Procedure 574,<sup>1</sup> a number of other jurisdictions' "notice and demand" statutes and rules were considered, including recently adopted Michigan Court Rule 6.202. Proposed new Rule 574 is modeled on portions of the Michigan rule and provides for the prosecution's admission of forensic laboratory reports at a criminal trial in lieu of the live testimony of the person who performed the laboratory analysis or examination. This admission would be predicated on compliance with three elements: 1) notice; 2) demand; and 3) certification.

Unlike the Michigan rule that requires notice to be given in every case, use of this procedure would be optional with the prosecution. The Committees have concluded that mandatory use of the notice procedure would not be efficient in many cases, especially in larger counties where stipulations of admissibility are common and producing an expert to testify is relatively easy in those cases in which a stipulation cannot be reached. In other words, a live witness would be necessary in order to have forensic reports admitted but the Commonwealth could rely on either traditional stipulations or the new notice procedures to be able to introduce the report without a witness. The new rule is not intended to preclude or discourage the use of stipulations.

In order to utilize the proposed notice procedure, the attorney for the Commonwealth would be required to serve defense counsel, or defendant if unrepresented, written notice of the intention to invoke Rule 574 to admit the report without accompanying live testimony. This notice, together with the forensic laboratory report if not already provided, must be given at least 20 days before the start of defendant's trial. The Committees anticipate that the practice in many judicial districts will be to provide the notice and report during the discovery process, which generally occurs prior to the 20-day notice deadline.

No later than 10 days after receiving the prosecution's notice, the defendant's attorney, or the defendant if unrepresented, would have the option of serving a written demand on the prosecution that the witness appear and

testify at trial. Such a demand would preclude the admission of the forensic laboratory report or certificate absent an analyst's testimony. This is unlike the Michigan rule that speaks in terms of a defense "objection" rather than "demand," with the implication that the trial judge could overrule the objection.

If no demand is made, then the report and certificate are admissible without witness testimony. However, as noted in the Comment to Rule 574, for cause shown, the judge would have the discretion to extend the time period of filing a demand for live testimony or grant a continuance of the trial.

The new rule also would require that the analyst who performed the analysis or examination to complete a certificate detailing his or her qualifications, job description, laboratory information, and the procedures and standards in which the analysis or examination were conducted. However, if the laboratory is properly accredited, a copy of the accreditation certificate may be submitted in lieu of the analyst's certification. The Comment would contain a definition of "accreditation."

*Proposed Revision of the Comment to Rule of Evidence 802*

As explained in the Comments, the Rules of Evidence do not attempt to codify requirements under the Confrontation Clause. See Pa.R.E. 802, Comment. Moreover, the Rules of Evidence acknowledge that evidentiary rules may exist in other bodies of rules. *Id.* Proposed Criminal Rule of Procedure 574 would operate both as a "notice and demand" mechanism to satisfy the requirements of the Confrontation Clause and as a new rule of evidence that would permit the admission of laboratory reports in criminal trials.

Accordingly, the Comment to Rule of Evidence 802 is proposed to be amended to recognize this new Rule and describe its operation.

[Pa.B. Doc. No. 13-45. Filed for public inspection January 11, 2013, 9:00 a.m.]

## Title 25—LOCAL COURT RULES

### BUCKS COUNTY

#### Fees of Clerk of Orphans' Court Division; Administrative Order No. 66

#### Order

*And Now, To Wit*, this 18th day of December 2012, in accordance with the provisions of Act 18 of April 21, 1994, upon the determination of the Clerk of the Orphans' Court that these fees are fair and reasonable, the following Bill of Costs is established to become effective on February 4, 2013, to be chargeable to the parties and to the Estates before this Court for settlement for all services of the Clerk of the Orphans' Court Division of the Court of Common Pleas of Bucks County, in the transaction of the business of this Court.

*By the Court*

SUSAN DEVLIN SCOTT,  
*President Judge*

<sup>1</sup>Currently, Rule 574 is not an active rule number, the previous version of that rule having been rescinded in 2004. As part of this proposal, new Rule 574 would be placed in the more general, introductory portion of Part F (Pretrial Procedures) rather than in its current location in Part F(1) (Motions Procedures) since the proposed notice and demand procedures would not be considered motions.

**BUCKS COUNTY  
ORPHANS' COURT FEE BILL**

**Formal Accountings**

Personal Representative, Trustee and Guardian Accounts

Includes Advertising and Adjudication

<u>Over</u>	<u>But not more than</u>	<u>Accounts (advertising included)</u>
\$ -	\$ 250.00	\$ 25.00
\$ 250.00	\$ 1,000.00	\$ 35.00
\$ 1,000.00	\$ 5,000.00	\$ 50.00
\$ 5,000.00	\$ 10,000.00	\$ 75.00
\$ 10,000.00	\$ 25,000.00	\$ 100.00
\$ 25,000.00	\$ 50,000.00	\$ 150.00
\$ 50,000.00	\$ 100,000.00	\$ 200.00
\$ 100,000.00	\$ 200,000.00	\$ 250.00
\$ 200,000.00	\$ 300,000.00	\$ 350.00

Add \$150 for each additional \$100,000 or fraction thereof

Re-advertising Accounts \$100      Insolvent Estates \$25  
Exceptions or Objections to Accounts \$40

**Estates**

AFFIDAVIT/CERTIFICATE OF SERVICE	NC
ANNUAL REPORT/INVENTORY	\$30.00
ANSWER	NC
ACP FEE, state mandated (all first filings)	\$10.00
<b>APPEALS:</b>	
Petition to Appeal from Register of Wills Decision	\$80.00
Notice of Appeal to Superior Court	\$80.00
Filing Fee to Superior Court (payable to Superior Court)	\$73.50
BOND, filing	\$15.00
CEMETERY TRUST RECORDING	\$100.00
CERTIFICATION OF RECORD (including Apostille):	\$20.00
Birth Records (1893—1906)	
Death Records (1893—1906)	
(plus copies/per page over 10 pgs.)	1.00
CITATION	\$40.00
CLAIM (incl. SATISFACTION and/or WITHDRAWAL)	\$40.00
DEED EXECUTION BY CLERK	\$20.00
DISCLAIMER	\$30.00
DOCKET ENTRIES (per page)	\$1.00
ELECTION AGAINST A WILL	\$20.00
ELECTRONIC TRANSFER SERVICE FEE	\$10.00
(plus images/per page over 10 pgs./max. fee \$50.00)	\$1.00
EXEMPLIFICATION OF RECORD (issued)	\$60.00
(plus images/per page over 10 pgs.)	1.00

FAMILY SETTLEMENT AGREEMENT	\$60.00
IMAGING (paper and electronic)—per page/staff	\$1.00
—per page/public	\$0.25

**Research**

Service Fees:

Minimum Fee (up to 1 hour)	\$25.00
Hourly Fee (over 1 hour/billed in 1/4 hour increments)	\$40.00
Imaging Fee (per page over 10 pgs.)	\$1.00

Note: \$80.00 deposit required on any research request over two hours \$10.00

**Marriage Licenses**

Marriage License Application	\$50.00
Includes ACP FEE	10.00
Includes one certified Certificate of Marriage	<u>20.00</u> \$80.00
Affidavit of Name Verification	\$10.00
Certification of Marriage	\$20.00
Consent of Parent or Guardian	\$10.00
Duplicate/Reissue Marriage License	\$10.00
Non-resident Affidavit	\$20.00
Outside Office Appearance	\$125.00
Waiver—under age 16	\$35.00
Waiver of three-day day waiting period	
Emergency	\$75.00
Active Military	NC
INFORMAL ACCOUNTS	\$60.00
JCP FEE, state mandated	\$23.50
(inter vivos trusts, incapacitated & minors estates)	
MOTION	\$85.00
(1) Continuance	NC
(2) Re-List	NC
(3) Rule Absolute	NC
NOTARY FEE: \$5.00 (each instrument)	\$5.00
PRELIMINARY OBJECTIONS	\$85.00
ON-LINE SEARCH FEE	
Imaging fee/per page	\$0.10
OUTSIDE OFFICE APPEARANCE	\$125.00
PETITIONS (all, including Guardianships)	\$85.00
PLEADINGS & PAPERS (instruments not specifically listed)	\$35.00
PRAECIPE	\$35.00
Entry /Withdrawal of Appearance	NC
Discontinue/Withdrawal Petition	\$35.00
Enter Judgment	\$35.00
Satisfaction of Award	\$15.00
Settle, Discontinue and End	\$15.00

POUNDAGE (for monies determined by the Court)	
Percentage of each dollar of the first \$1,000	5.00%
Percentage of each dollar of each additional \$1000 or fraction thereof	1.00%
POWER OF ATTORNEY	\$40.00
RECEIPT & RELEASE	\$35.00
RETURNED CHECK FEE	\$45.00
SCHEDULE OF DISTRIBUTION	\$35.00
STATEMENT OF FIDUCIARY	\$50.00
STIPULATION	\$15.00
SUBPOENA	\$20.00
TRUST INSTRUMENTS	\$50.00

**Adoptions**

ACP FEE, state mandated (all first filings)	\$10.00
Adoption Inquiries (search inquiries)	\$30.00
Amended Birth Certificate Application (Form H105.102)	\$10.00
(check payable to Vital Records)	
Counseling Fee (filed with Report of Intention to Adopt)	\$75.00
JCP FEE, state mandated (first filings for petitions for adoptions)	\$23.50
Petition for Adoption (includes Certificate of Adoption)	\$115.00
Petition (other)	
Confirmation of Consent	\$85.00
Putative Father	\$85.00
Register a Foreign Adoption	\$85.00
Termination of Parental Rights	\$85.00
Voluntary/Involuntary Relinquishment	\$85.00
Pre-placement fee payable to B.C. Children and Youth	\$650.00
Report of Intention to Adopt	\$30.00
Report of Intermediary	\$30.00

*Note:* Instruments not specifically listed will be charged at a rate comparable to this schedule for a similar instrument

Rev. 12/18/12

[Pa.B. Doc. No. 13-46. Filed for public inspection January 11, 2013, 9:00 a.m.]

**BUCKS COUNTY****Fees of Register of Wills; Administrative Order No. 67****Order**

*And Now, To Wit,* this 18th day of December 2012, in accordance with the provisions of Act 18 of April 21, 1994, upon the determination of the Register of Wills that these fees are fair and reasonable, the following Bill of Costs is

established to become effective on February 4, 2013, to be chargeable to the parties and to the Estates before this Court for settlement for all services of the Register of Wills of Bucks County, in the transaction of the business of this Court.

*By the Court*

SUSAN DEVLIN SCOTT,  
*President Judge*

**BUCKS COUNTY REGISTER OF WILLS—FEE BILL  
(Effective 2/04/13)**

ACCOUNTING (Informal)	\$60.00
BOND (filing fee—probate)	\$15.00
CAVEAT	
Formal (including Bond)	\$115.00
Informal	\$50.00
Answer	NC
Withdrawal	\$15.00
CERTIFICATION (including Apostille)	
Filed or issued	\$20.00
(plus Images/per page over 10 pgs.)	\$1.00
CITATION	
First person cited	\$90.00
Each additional person cited	\$10.00
Answer	NC
Withdrawal	NC
Certified copy of Citation/each	\$20.00
CODICIL (filing/each)	\$20.00
COMMISSION	\$50.00
DEATH CERTIFICATE (filed, non-probate)	\$10.00
DISCLAIMER	\$30.00
DOCKET ENTRIES (per page)	\$1.00
ELECTRONIC TRANSFER SERVICE FEE	\$10.00
(plus image fee/per page over 10 pgs.)	\$1.00
ENTRY/WITHDRAWAL OF APPEARANCE	NC
EXEMPLIFICATION (issued, each)	\$60.00
(plus copy fee/per page over 10 pgs.)	\$1.00
FAMILY SETTLEMENT AGREEMENT	\$60.00
HEARING—before the Register of Wills*	\$250.00
* <i>Note:</i> Deposit for court reporter, fee to be assessed at Hearing	\$200.00
IMAGING, per page/staff	\$1.00
per page/public	\$0.25
INHERITANCE TAX	
REV-1500—Inheritance Tax Return	\$25.00
Supplemental Return	\$20.00
706—Federal Estate Tax Return	\$20.00
INVENTORY	
Original Filing	\$25.00
Supplemental Filing/each	\$20.00
LETTERS* calculated based on probate assets varies	

LETTERS (reissue, revocation or to successor personal rep.)			\$75.00
<b>MANDATORY FEES</b>			
ACP—Automated Computer Project (all first filings)			\$10.00
JCP—Judicial Computer Project (all petitions for grant of letters)			\$23.50
<b>Letters of Administration and Testamentary*</b>			
Graduated according to <u>gross</u> value of probate assets			
Over	But not more than	Amount Due	
0 to	250	=	\$10.00
250 to	1,000	=	\$15.00
1,000 to	5,000	=	\$50.00
5,000 to	10,000	=	\$75.00
10,000 to	25,000	=	\$100.00
25,000 to	50,000	=	\$125.00
50,000 to	100,000	=	\$150.00
100,000 to	200,000	=	\$250.00
200,000 to	300,000	=	\$350.00
Add \$150 for each additional \$100,000 or fraction thereof			
NON-PROBATE LETTER			NC
(Under 20 Pa.C.S.A. § 3101)			
NOTARY FEE (per document)			\$5.00
NOTICE OF APPEAL FROM PROBATE			\$50.00
OUTSIDE OFFICE APPEARANCE			\$125.00
PLEADINGS and PAPERS—filings (affidavits, certifications, exemplifications, motions, orders and miscellaneous instruments not specifically listed)			\$30.00

POUNDAGE (for monies determined by the court)	
Percentage of each dollar of the first \$1,000	5.00%
Percentage of each dollar of each additional \$1000 or fraction thereof	1.00%
PROCESSING FEE	\$25.00
<b>RESEARCH SERVICE FEES:</b>	
Minimum Fee (up to 1 hour)	\$25.00
Hourly Fee (over 1 hour/billed in 1/4 hour increments)	\$40.00
Imaging Fee (per page over 10 pgs.)	\$1.00
<i>Note: \$80.00 deposit required on any research request over two hours</i>	
RENUNCIATION, incl. REJECTION, RESIGNATION and/or DESIGNATION	\$15.00
RETURNED CHECK FEE	\$45.00
SHORT CERTIFICATE	\$10.00
Update fee	\$4.00
SUBPOENA	\$20.00
WITNESS AFFIDAVIT	\$15.00
<i>*Additional Probate Fee: At the time of filing the Petition for Grant of Letters an estimate of the gross probate value of the estate is made. The initial fee for Letters is based on that estimated value. When the Inheritance Tax Return and Inventory are filed, the actual gross probate value of the estate is then calculated. If the actual gross probate value is greater than the estimated gross probate value, an additional probate fee is charged.</i>	
<i>Note: Instruments not specifically listed will be charged at a rate comparable to this schedule for a similar instrument \$23.50</i>	
(Rev. 09/18/12)	

[Pa.B. Doc. No. 13-47. Filed for public inspection January 11, 2013, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 7—AGRICULTURE

### MILK MARKETING BOARD

[ 7 PA. CODE CH. 143 ]

#### Transactions between Dealers and Producers

The Milk Marketing Board (Board) amends Chapter 143 (relating to transactions between dealers and producers) under the authority of section 307 of the Milk Marketing Law (act) (31 P. S. § 700j-307).

Notice of proposed rulemaking was published at 42 Pa.B. 1378 (March 17, 2012) with a 30-day public comment period. The Board did not receive public comments. Comments were not received from the Senate Agriculture and Rural Affairs Committee, the House Agriculture and Rural Affairs Committee or the Independent Regulatory Review Committee (IRRC).

#### *Purpose of the Final-Form Rulemaking*

The purpose of the final-form rulemaking is to update several regulations pertaining to payments to producers and testing of producers' milk for payment purposes to reflect changes in the way producers are paid for milk and in milk testing and electronic communication technology that have occurred since these regulations were last amended.

#### *Changes in the Final-Form Rulemaking*

There have not been changes in the final-form rulemaking from the proposed rulemaking. Therefore, this final-form rulemaking is adopted as proposed.

#### *Paperwork Estimates*

The final-form rulemaking will not require additional paperwork by the regulated entities or the Commonwealth or its political subdivisions. The final-form rulemaking may ease the paperwork requirements for regulated entities by allowing notice of test results, monthly statements and producer payment to be done electronically rather than on paper delivered by mail.

#### *Effective Date*

This final-form rulemaking will become effective upon publication in the *Pennsylvania Bulletin*.

#### *Sunset Date*

There is not a sunset date.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on March 6, 2012, the Board submitted a copy of the notice of proposed rulemaking, published at 42 Pa.B. 1378, to IRRC and the Chairpersons of the House and Senate Agriculture and Rural Affairs Committees for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the House and Senate Committees were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has considered all comments from IRRC, the House and Senate Committees and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on July 18, 2012, the final-form rulemaking was deemed approved by the House and

Senate Committees. Under section 5(g) of the Regulatory Review Act, the final-form rulemaking was deemed approved by IRRC effective July 18, 2012.

#### *Contact Person*

For further information about this final-form rulemaking, contact Timothy A. Moyer, Secretary, Milk Marketing Board, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 787-4194, tmoyer@pa.gov.

#### *Findings*

The Board finds that:

(1) Public notice of the intention to adopt these final-form regulations was 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 promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and comments were not received.

(3) The final-form rulemaking is necessary and appropriate for the administration of the act.

#### *Order*

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

(a) The regulations of the Board, 7 Pa. Code Chapter 143, are amended by amending §§ 143.11—143.14 and 143.21—143.28 to read as set forth at 42 Pa.B. 1378.

(b) The Board will submit this order and 42 Pa.B. 1378 to the Office of Attorney General for review and approval as to legality and form as required by law.

(c) The Board shall certify this order and 42 Pa.B. 1378 and deposit them with the Legislative Reference Bureau as required by law.

(d) The order shall take effect upon publication in the *Pennsylvania Bulletin*.

LUKE BRUBAKER,  
*Chairperson*

*(Editor's Note:* For the text of the order of the Independent Regulatory Review Commission relating to this document, see 42 Pa.B. 4992 (August 4, 2012).)

**Fiscal Note:** Fiscal Note 47-16 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 13-48. Filed for public inspection January 11, 2013, 9:00 a.m.]

### MILK MARKETING BOARD

[ 7 PA. CODE CH. 144 ]

#### Electronic Methods for Testing Milk for Fat Content

The Milk Marketing Board (Board), under authority of section 307 of the Milk Marketing Law (act) (31 P. S. § 700j-307), amends Chapter 144 (relating to electronic methods for testing milk for fat and component content) to read as set forth in Annex A.

Notice of proposed rulemaking was published at 41 Pa.B. 2123 (April 23, 2011) with an invitation to submit written comments within 30 days. The Board did not receive public comments. The Senate Committee on Agri-

culture and Rural Affairs and the House Agriculture and Rural Affairs Committee did not offer comments, suggestions or objections. The Independent Regulatory Review Commission (IRRC) did offer comments which are discussed as follows.

#### *Purpose*

The former regulations specified which electronic testing instruments were approved for testing butterfat content of milk for purposes of payment to producers. Advances in testing technology, as well as changes in the way producers are paid for their milk, made the former regulations obsolete. This final-form rulemaking incorporates by reference Nationally-recognized milk testing standards, specifies how electronic milk testing equipment shall be maintained and calibrated and eliminates references to specific equipment. This final-form rulemaking provides flexibility as new technology is developed and accountability to ensure that testing is performed in accordance with applicable standards.

#### *Comments*

In § 144.1 (relating to electronic methods—general), IRRC recommended that certified testers, rather than the manufacturers, be responsible to provide the operations manual and information for electronic testing instruments. The Board agreed that certified testers are under its regulatory authority, rather than manufacturers. This change has been made in this final-form rulemaking.

In § 144.1a (relating to definitions), IRRC suggested that the definition of “certified tester” correspond directly to, and reference, the statutory definition in section 602 of the act (31 P. S. § 700j-602). The Board agreed and made this change.

In § 144.6 (relating to required records), IRRC recommended clarification that the listed records are required and that the period of retention in this section and in § 144.7 (relating to summary record required) should be 2 years to correspond to section 602 of the act. The Board agreed and made these changes.

In §§ 144.6 and 144.7, IRRC recommended that the proposed 1-year recordkeeping requirement be changed to 2 years to be consistent with statutory requirements. These changes have been made.

#### *Additional Changes*

Several additional changes have been made. The names of several of the organizations or agencies which establish the approved testing methods have been updated. Those organizations or agencies approve the testing methods, but neither they nor the Board approve the testing instruments. This has been clarified. The definition of “milk component or component” in § 144.1a has been revised by adding “but are not necessarily limited to” because the component classifications used for payment purposes could change and the current listing should not be construed as exclusive. Minor grammatical changes have also been made.

#### *Paperwork Estimates*

This final-form rulemaking will not substantially alter paperwork, accounting or reporting requirements already in place.

#### *Effective Date*

This final-form rulemaking will become effective upon publication in the *Pennsylvania Bulletin*.

#### *Sunset Date*

There is no sunset date.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on March 6, 2012, the Board submitted a copy of the notice of proposed rulemaking, published at 41 Pa.B. 2123, to IRRC and the Chairpersons of the House and Senate Agriculture and Rural Affairs Committees for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the House and Senate Committees were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has considered all comments from IRRC, the House and Senate Committees and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on May 16, 2012, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on May 17, 2012, and approved the final-omitted rulemaking.

#### *Contact Person*

For further information about this final-form rulemaking, contact Timothy A. Moyer, Secretary, Milk Marketing Board, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 787-4194, tmoyer@pa.gov.

#### *Findings*

The Board finds that:

(1) Public notice of the intention to adopt these final-form regulations was 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 promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and the comments were considered.

(3) The final-form rulemaking is necessary and appropriate for the administration of the act.

#### *Order*

The Board, acting under authorizing statute, orders that:

(a) The regulations of the Board, 7 Pa. Code Chapter 144, are amended by adding § 144.1a, deleting §§ 144.8—144.11 and amending §§ 144.1—144.7 and 144.12—144.14 to read as set forth in Annex A.

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

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

(d) The order shall take effect upon publication in the *Pennsylvania Bulletin*.

LUKE BRUBAKER,  
*Chairperson*

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 42 Pa.B. 3182 (July 2, 2012).)*

**Fiscal Note:** Fiscal Note 47-15 remains valid for the final adoption of the subject regulations.



## Annex A

## TITLE 7. AGRICULTURE

## PART VI. MILK MARKETING BOARD

## CHAPTER 144. ELECTRONIC METHODS FOR TESTING MILK FOR FAT AND COMPONENT CONTENT

## § 144.1. Electronic methods—general.

(a) Reference methods used to determine the component content of milk for payment purposes shall be those recognized or approved and set forth in the latest edition of the SMEDP, by the AOAC in Official Methods of Analysis, published by the AOAC, Gaithersburg, Maryland, or by the USDA. Only electronic instruments capable of performance standards as referenced in § 144.4 (relating to routine inspection and control) shall be used to test milk for payment purposes in this Commonwealth.

(b) A certified tester using an electronic testing instrument shall make available upon request to the Board a complete instrument operation and maintenance manual and further information as requested.

## § 144.1a. Definitions.

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

*AOAC*—AOAC International.

*Accuracy check*—A test made at the beginning of each testing session and once per hour thereafter to determine the continued accuracy of the electronic testing apparatus.

*Calibration*—The adjustment of an electronic instrument so that the results for a given payment component meet the comparison criteria results of an AOAC, SMEDP or USDA approved reference method.

*Certified tester*—A Board certified technician as provided in section 602 of the act (31 P. S. § 700j-602).

*Control milk or control sample*—Samples produced by a commercial laboratory or by the USDA, or its successor agency, used to do the following:

- (i) Determine the calibration of an electronic instrument.
- (ii) Set the calibration of an electronic instrument.

*Electronic method*—A method for determining the components in raw milk using an electronic testing instrument.

*Milk component or component*—A unique compound within milk whose relative mass within the milk may be used to determine the payment to producers. Component parts of milk include but are not necessarily limited to the following:

- (i) Butterfat.
- (ii) Protein.
- (iii) Lactose.
- (iv) Solids nonfat.
- (v) Other solids.
- (vi) Total solids.

*Reference method*—A standard method using analytical chemistry or other approved techniques by which all other electronic methods of testing milk are compared for determining the components in milk.

*Repeatability check*—A test run at the beginning of each testing session to demonstrate the ability of a given electronic testing instrument or piece of equipment to

meet the requirements for repeatability in § 144.4(b)(2) (relating to routine inspection and control).

*SMEDP*—Standard Methods for the Examination of Dairy Products published by the American Public Health Association, Washington, D.C.

*USDA*—The United States Department of Agriculture.

## § 144.2. Certification and approval requirements.

(a) No person may use a method to test milk for component content for payment purposes unless the method has been approved by the Board, the SMEDP, the AOAC or the USDA or their successor organizations.

(b) No person may use or employ an electronic instrument or method to test milk for component content for payment purposes unless certified by the Board under section 602 of the act (31 P. S. § 700j-602).

## § 144.3. Laboratory facilities and supplies.

Laboratories and other facilities using an electronic instrument or method to test milk for component content for payment purposes shall have the following supplies and facilities available and in proper working order:

(1) An electronic testing instrument capable of performance standards as referenced in § 144.4 (relating to routine inspection and control), required accessories and reagents and an instruction manual for operation of the instrument.

(2) A thermostatically controlled water, or other manufacturer-prescribed medium, bath with recording thermometer having proper temperature distribution, set to maintain samples at the temperature specified by the manufacturer of the electronic testing instrument or other methods of obtaining the required temperature as specified by the instrument manufacturer.

## § 144.4. Routine inspection and control.

(a) *Preparation of control samples.* Control samples shall be prepared in accordance with the methods in § 144.1 (relating to electronic methods—general).

(b) *Daily performance.*

(1) *Accuracy check.* Each day before routine testing begins, at least once each hour during the course of the testing session, and when the testing session ends, at least one subsample of control milk shall be tested using the electronic instrument. The certified tester shall read the test to 0.01%. The result difference obtained by the reference method must be 0.05 or less than the known reference test sample result. If the difference of the samples exceeds 0.05, the certified tester shall discontinue operation of the instrument, determine the reason for the difference and correct the deficiencies before resuming operation.

(2) *Repeatability check.* Each day before routine testing begins, and generally within the first hour of the session, at least ten consecutive readings on a single well-mixed sample of milk that has not been homogenized shall be made and recorded as a permanent record. If more than ten consecutive readings are taken, the certified tester shall use the last ten results. The repeatability check is acceptable if the range of the ten readings is 0.04 or less.

## § 144.5. Instrument calibration.

(a) *Calculation of calibration results.* An instrument shall be considered to be calibrated properly when the average difference between the instrument results for butterfat and protein and the reference method results for at least ten different control samples, called mean average, is  $\pm 0.04$  and the standard deviation of the difference between the instrument and reference methods,

called standard deviation, is 0.04 or less. For all solids the mean average is +/-0.09 and the standard deviation of the differences between the instrument and reference methods is 0.12 or less for those same ten samples.

(b) *Conditions requiring calibration.*

(1) The instrument shall be calibrated when initially installed.

(2) The instrument shall be calibrated when the accuracy check is confirmed to have failed.

(3) The instrument shall be calibrated if a part which may affect proper operation of the instrument is replaced, rebuilt or adjusted.

(4) The instrument shall be calibrated upon the occurrence of the specific circumstances which require calibration for that instrument, as determined by the manufacturer.

(5) The instrument shall be calibrated when new controls are available.

**§ 144.6. Required records.**

(a) The certified tester and testing facility or laboratory shall maintain the records listed in this section for at least 2 years. Records may be maintained in paper or electronic formats. Records must denote the record date. The name and license number of the certified tester who created or maintained the records must be included in the records or be readily available upon request.

(b) Records of calibrations, accuracy checks, mean average and standard deviation computations and other instrument use are required.

(c) Records of the operation and maintenance of each electronic testing instrument and records of test results by electronic method are required.

(d) Certified testers shall record standard deviation of the calibration verification as follows:

(1) The results of individual samples by reference method (average only for reference method) and electronic method.

(2) The date of computation, name and license number of certified tester.

(e) Certified testers operating electronic testing equipment shall perform a daily accuracy check and record the following:

(1) Reference method used, sample identification, individual test results and average test.

(2) Electronic method used, time, sample identification, individual test results and average test results.

**§ 144.7. Summary record required.**

(a) The certified tester and the testing facility or laboratory shall compile summary records of component tests performed for producers for the first and second half of each month containing results for at least two evenly spaced representative samples in each half month for each producer. The record must contain the farm sampling date, the laboratory testing date, the laboratory or testing site, the tester identification, the producer identification and the test result for each sample. The record shall be known as the original record or laboratory record and shall be maintained by the tester for at least 2 years. If the tests are performed by a milk dealer licensed by the Board, the milk dealer shall maintain the records of the component content of producers' milk samples for at least 2 years.

(b) If tests are performed in a commercial laboratory which is not an integral part of the milk plant where the samples were delivered, the licensed dealer or plant shall make available to the Board a copy of the final laboratory records of the component tests in computerized or written form for at least 2 years.

**§ 144.8. (Reserved).**

**§ 144.9. (Reserved).**

**§ 144.10. (Reserved).**

**§ 144.11. (Reserved).**

**§ 144.12. Credit producers with actual component test.**

(a) No individual producers delivering milk or cream, or both, to a milk or cream-receiving or purchasing plant, where the milk or cream is purchased on the basis of the milk components contained therein, may be credited with a greater or lesser percentage or average percentage of milk components than is actually contained in the milk or cream delivered.

(b) No report on a test to determine the milk component content of milk or cream may be of a greater or lesser percentage of milk components than is actually contained in the milk or cream from which the sample was taken. To be a basis of payment to an individual producer, a recheck of a producer's milk component test shall be made from the next available sample taken after the original test. Rechecks of a producer's milk component test shall be made when the butterfat varies 0.5% or more or the protein varies 0.3% or more from the most recent test.

**§ 144.13. Availability of records.**

Laboratory, cooperative or plant records shall be open to examination by the Board or its authorized representative. Upon request of a producer, the purchaser or receiver of milk or cream, or both, shall permit the producer to examine the part of the record containing information concerning the samples of milk or cream representing the milk or cream delivered by the producer. A purchaser or receiver of milk or cream from the producer thereof shall, on written request, at least once each month mail or deliver to the producer a written statement, unless the producer agrees to accept a verbal statement, of the percentage of milk components found to have been contained in the sample or samples representing the milk or cream delivered by the producer.

**§ 144.14. Responsibility for violations.**

A certified tester at a laboratory or plant is responsible for a violation of the act or this chapter, including the keeping of the reports and records required under the act and this chapter. The purchaser or receiver, or both, of the milk or cream, or both, or the licensed manager of a milk-gathering station, manufactory or plant receiving or purchasing milk or cream from producers for sale or resale or for manufacture, where the payment or settlement for the milk or cream is based in whole or in part on the milk component content thereof, is responsible for a violation of the act or this chapter by a person working under his direction or subject to his orders or the act or this chapter, including the keeping of the reports and records required by the act and this chapter.

[Pa.B. Doc. No. 13-49. Filed for public inspection January 11, 2013, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

#### [ 4 PA. CODE CH. 9 ]

#### **Reorganization of the Governor's Office of the Budget**

The Executive Board approved a reorganization of the Governor's Office of the Budget effective December 21, 2012.

The organization chart at 43 Pa.B. 221 (January 12, 2013) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

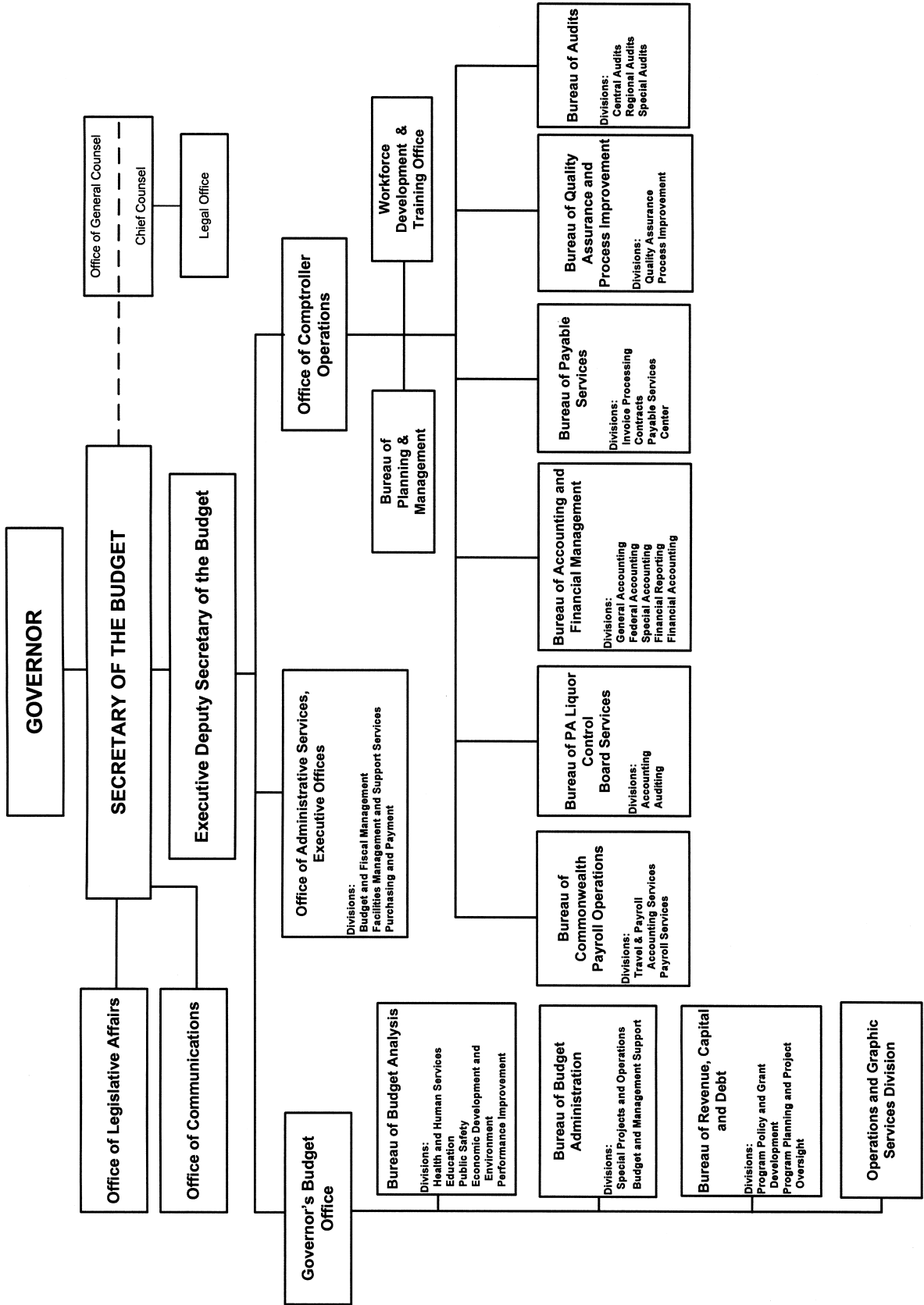
*(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)*

[Pa.B. Doc. No. 13-50. Filed for public inspection January 11, 2013, 9:00 a.m.]

---

OR-12-034  
December 21, 2012

**GOVERNOR'S OFFICE OF THE BUDGET**



# Title 55—PUBLIC WELFARE

## DEPARTMENT OF PUBLIC WELFARE

[ 55 PA. CODE CH. 6400 ]

### Clarifying the Applicability of 55 Pa. Code Chapter 6400 to Private Homes

This statement of policy applies to Administrative Entity (AE) administrators or directors, County Mental Health/Intellectual Disability Program (MH/ID) administrators or directors, Supports Coordination Organization directors and providers of residential services.

#### *Purpose*

The purpose of this statement of policy is to clarify the applicability of Chapter 6400 (relating to community homes for individuals with mental retardation) to homes leased or owned by individuals with intellectual disabilities or their families. Although the regulations use the term “mental retardation,” the commonly-used term in the field is “intellectual disabilities.” This change has been reflected in State and Federal statutes. For example, the act of November 22, 2011 (P. L. 420, No. 105) which changed the name of a State law to the Mental Health and Intellectual Disability Act of 1966 (50 P. S. §§ 4101—4704) and Rosa’s Law (Pub. L. No. 111-256) which substituted “individuals with intellectual disabilities” for “the mentally retarded” in Federal law.

#### *Discussion*

Section 6400.3(f)(1) (relating to applicability) explicitly states that Chapter 6400 does not apply to “[p]rivate homes of persons providing care to a relative with mental retardation.” The Department of Public Welfare is clarifying that the private home exclusion under § 6400.3(f)(1) includes homes leased or owned by individuals with intellectual disabilities or their families. Therefore, these homes are not subject to licensure under Chapter 6400.

A residential home that is owned or leased by a provider, however, is not a private home and is required to be licensed under Chapter 6400. This includes homes owned or leased by the provider and subsequently leased to the individual with intellectual disabilities or the individual’s family.

#### *Effective Date*

This statement of policy is effective upon publication in the *Pennsylvania Bulletin*.

#### *Obsolete Bulletin*

This statement of policy replaces and supersedes Bulletin 00-04-12, Clarifying the “30-Hour Rule.”

#### *Contact Person*

Questions about this statement of policy should be directed to the regional program manager at the appropriate regional Office of Developmental Programs (ODP). Copies of this statement of policy may be obtained at the local MH/ID County Program, AE or regional ODP in the corresponding regions:

\* *Western region:* Piatt Place, Room 4900, 301 5th Avenue, Pittsburgh, PA 15222, (412) 565-5144

\* *Northeast region:* Room 315, Scranton State Office Building, 100 Lackawanna Avenue, Scranton, PA 18503, (570) 963-4749

\* *Southeast region:* 801 Market Street, Suite 5071, Philadelphia, PA 19107, (215) 560-2242 or (215) 560-2245

\* *Central region:* Room 430, Willow Oak Building, P. O. Box 2675, DGS Annex Complex, Harrisburg, PA 17105, (717) 772-6507

GARY D. ALEXANDER,  
*Secretary*

*(Editor’s Note:* Title 55 of the *Pennsylvania Code* is amended by adding a statement of policy in § 6400.3a to read as set forth in Annex A.)

**Fiscal Note:** 14-BUL-99. No fiscal impact; (8) recommends adoption.

#### Annex A

**TITLE 55. PUBLIC WELFARE**  
**PART VIII. INTELLECTUAL DISABILITY**  
**Subpart E. RESIDENTIAL**  
**AGENCIES/FACILITIES/SERVICES**  
**ARTICLE I. LICENSING/APPROVAL**  
**CHAPTER 6400. COMMUNITY HOMES FOR**  
**INDIVIDUALS WITH MENTAL RETARDATION**  
**GENERAL PROVISIONS**

**§ 6400.3a. Clarification of the applicability of this chapter to private homes—statement of policy.**

(a) Except as specified in subsection (b), private homes under § 6400.3(f)(1) (relating to applicability) include homes owned or leased by individuals with intellectual disabilities or their families.

(b) Homes owned or leased by providers are not private homes and must be licensed under this chapter regardless if these homes are subsequently leased by the providers to individuals with intellectual disabilities or their families.

(c) Private homes under subsection (a) are not subject to licensure under this chapter.

[Pa.B. Doc. No. 13-51. Filed for public inspection January 11, 2013, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending December 25, 2012.

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

### BANKING INSTITUTIONS

#### Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-20-2012	<i>From:</i> Franklin Security Bank Wilkes-Barre Luzerne County  <i>To:</i> Franklin Security Bank Wilkes-Barre Luzerne County  Application for approval to convert from a Federally chartered savings bank to Pennsylvania State-chartered savings bank.	Approved
12-21-2012	<i>From:</i> The Union National Bank of Mount Carmel Mount Carmel Northumberland County  <i>To:</i> UNB Bank Mount Carmel Northumberland County  Application for approval to convert from a National bank to a Pennsylvania State-chartered bank.	Approved

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-20-2012	Northwest Savings Bank Warren Warren County	118 South Main Street Zelienople Butler County	Approved

### SAVINGS INSTITUTIONS

No activity.

### CREDIT UNIONS

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-20-2012	TruMark Financial Credit Union Trevose Bucks County	179 Levittown Parkway Levittown Bucks County	Approved

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 13-52. Filed for public inspection January 11, 2013, 9:00 a.m.]

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending December 31, 2012.

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

### BANKING INSTITUTIONS

#### Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>				
12-27-2012	<p><i>From:</i> Washington Savings Bank Philadelphia Philadelphia County</p> <p><i>To:</i> Washington Savings Bank Philadelphia Philadelphia County</p> <p>Application for approval to convert from a Federal mutual savings bank to a Pennsylvania State-chartered, non-Federal Reserve member mutual savings bank.</p>	Approved				
12-27-2012	<p><i>From:</i> The Union National Bank of Mount Carmel Mount Carmel Northumberland County</p> <p><i>To:</i> UNB Bank Mount Carmel Northumberland County</p> <p>Conversion from a National banking association to a Pennsylvania State-chartered bank and trust company. UNB Bank is a wholly-owned subsidiary of UNB Corp. (5028546), Mount Carmel, an existing bank holding company.</p> <p>Branch offices operated by UNB Bank: 1071 Numidia Drive Catawissa Columbia County</p>	Effective				
#7587 12-31-2012	<p><i>From:</i> Washington Savings Bank Philadelphia Philadelphia County</p> <p><i>To:</i> Washington Savings Bank Philadelphia Philadelphia County</p> <p>Application for approval to convert from a Federal mutual savings bank to a Pennsylvania State-chartered, non-Federal Reserve member mutual savings bank.</p> <p>Branch offices operated by UNB Bank:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">10663 Bustleton Avenue Philadelphia Philadelphia County</td> <td style="width: 50%;">2548 East Lehigh Avenue Philadelphia Philadelphia County</td> </tr> <tr> <td>2701 East Allegheny Avenue Philadelphia Philadelphia County</td> <td>8729 Frankford Avenue Philadelphia Philadelphia County</td> </tr> </table>	10663 Bustleton Avenue Philadelphia Philadelphia County	2548 East Lehigh Avenue Philadelphia Philadelphia County	2701 East Allegheny Avenue Philadelphia Philadelphia County	8729 Frankford Avenue Philadelphia Philadelphia County	Effective
10663 Bustleton Avenue Philadelphia Philadelphia County	2548 East Lehigh Avenue Philadelphia Philadelphia County					
2701 East Allegheny Avenue Philadelphia Philadelphia County	8729 Frankford Avenue Philadelphia Philadelphia County					

#### Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-28-2012	<p>Martin Tuchman</p> <p>Application for approval to acquire up to 50% ownership interest of Vantage Point Bank, Horsham.</p>	Filed

**Branch Applications****De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-15-2012	Susquehanna Bank Lititz Lancaster County	215 Key Highway Baltimore Baltimore City, MD	Opened
12-21-2012	The Bryn Mawr Trust Company Bryn Mawr Montgomery County	135 East City Avenue Bala Cynwyd Montgomery County	Opened

**Branch Relocations**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-17-2012	VIST Bank Wyomissing Berks County	<i>To:</i> 221 Ridge Pike Conshohocken Montgomery County  <i>From:</i> 625 Ridge Pike Conshohocken Montgomery County	Effective
12-26-2012	Conestoga Bank Chester Springs Chester County	<i>To:</i> 125 East Swedesford Road Wayne Chester County  <i>From:</i> 500 Chesterbrook Boulevard Wayne Chester County	Filed

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS****Branch Applications****De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-28-2012	TruMark Financial Credit Union Trevose Bucks County	200 West Ridge Pike Plymouth Township Montgomery County	Filed

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 13-53. Filed for public inspection January 11, 2013, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Community Conservation Partnerships Program Grants; Schedule of Grant Workshops

The Department of Conservation and Natural Resources (Department) announces the 2013 open application period for the Community Conservation Partnerships Program (Program) Grants administered by the Bureau of Recreation and Conservation (Bureau). The open application period opened January 9, 2013, and will end at 4 p.m. on April 10, 2013. Depending on the funding source, eligible applicants include Commonwealth municipalities and appropriate nonprofit organizations.

Applications must be submitted electronically through the Environmental eGrants System available at <https://www.grants.dcnr.state.pa.us/index.aspx>. No paper, faxed

or e-mailed applications will be accepted. Grant information, project guidance documents, program policies and application instructions are available online at <http://www.dcnr.state.pa.us/brc/grants/index.aspx>. For assistance with the Environmental eGrants System, call the Department's Grants Customer Service Center at (800) 326-7734 or e-mail [DCNR-Grants@pa.gov](mailto:DCNR-Grants@pa.gov).

Grant assistance from the Department helps communities in this Commonwealth and organizations plan, acquire and develop recreation, park and trail facilities and conserve open space. The Bureau administers the Program which combines several State and Federal funding sources including the Keystone Recreation, Park and Conservation Fund, Environmental Stewardship Fund, Pennsylvania Recreation Trails Program and the Land and Water Conservation Fund.

In 2013, the Program will focus on making grant awards that advance local recreation and conservation priorities and implement the Statewide Comprehensive Outdoor Recreation Plan (see [www.paoutdoorrecreplan.com](http://www.paoutdoorrecreplan.com)). Specific priorities include: sustainable and green park



development and planning; trails that close gaps in major Statewide greenways and regionally significant trails and planning to help communities become bicycle and pedestrian friendly; land conservation to protect critical habitat, conserve connectors between public lands or conserve urban green space; Rivers Conservation Plan implementation of water trail enhancements and improvement of public access; emerging trends including connecting youth to nature, community parks that feature green amenities such as gardens, off-leash dog parks, skate parks, and the like; and established Statewide and regional partnerships that build capacity to promote outdoor recreation and conservation of natural and heritage resources.

Free grants workshops are scheduled at the following locations throughout this Commonwealth, from 9 a.m. until 1 p.m., focusing on the Department's greening emphasis, how to develop a competitive and ready to go project and changes to the 2013 Grants Program:

February 6, 2013—Montgomery County Public Safety Training Campus: Fire Academy, Conshohocken

February 13, 2013—Pennsylvania State Association of Township Supervisors Administration Building, Enola

February 20, 2013—Luzerne County Community College, Education Conference Center, Nanticoke

February 26, 2013—Franklin Park Borough, Blueberry Hill Park Activity Center, Franklin Park

February 27, 2013—Clarion University, James Gemmill Student Complex, Clarion

In addition, the Department will host a webinar on the grant program on March 6, 2013, from 10 a.m. to 11:30 a.m.

To register for these workshops and webinar, go to <http://www.dcnr.state.pa.us/calendar/list.asp?intDivisionID=24>.

Persons with a disability who wish to submit an application and require assistance should contact Darrel Siesholtz at (717) 787-7672 to discuss how the Department may best accommodate their needs. Voice/TTY users should call (800) 654-5984.

RICHARD J. ALLAN,  
*Secretary*

[Pa.B. Doc. No. 13-54. Filed for public inspection January 11, 2013, 9:00 a.m.]

### Conservation and Natural Resources Advisory Council Meeting

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, January 23, 2013, at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to Joe Graci at (717) 705-0031.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Deb Miller directly at (717) 705-0031 or through the

Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

RICHARD J. ALLAN,  
*Secretary*

[Pa.B. Doc. No. 13-55. Filed for public inspection January 11, 2013, 9:00 a.m.]

### Proposed Exchange of Property

The Department of Conservation and Natural Resources (Department), acting through the Bureau of Forestry (Bureau), and Hanson Aggregates BMC, Inc. are proposing to negotiate an exchange of property interests in Derry and Fairfield Townships, Westmoreland County and Thornhurst Township, Lackawanna County.

Hanson Aggregates BMC, Inc. will convey the fee interest to 376 acres in Thornhurst Township known as parcel number 25201010002. This parcel is adjacent to existing State Forest land, improves public access and further conserves lands within an exceptional quality watershed. In return, the Bureau proposes to convey 130 acres of Loyalhanna Limestone rights, underlying all of Fairfield Township parcel number 48-04-00-00-0004 and portion of Derry Township parcel number 45-26-00-00-0001, subject to a Surface Use Agreement, to Hanson Aggregates BMC, Inc. The Commonwealth will retain the surface rights and the remainder of subsurface rights to the property. In total, the Commonwealth will add 376 acres to Lackawanna State Forest while retaining the surface and the remainder of subsurface rights to existing State Forest land in the Forbes State Forest.

As is the policy of the Department, the public is hereby notified of this exchange. A 30-day period for public inquiry or comment, or both, will be in effect beginning January 12, 2013, and ending February 11, 2013. Oral or written comments or questions concerning this proposed exchange may be addressed to Craig Chapman, Forest Resource Planner, Bureau of Forestry, P. O. Box 8552, Harrisburg, PA 17105-8552, (717) 783-0387. Oral or written comments will become part of the official document used in the final decision process. Additional information regarding the proposed land exchange has been posted on the Bureau's web site at <http://www.dcnr.state.pa.us/forestry/hansonexchange/index.htm>.

RICHARD J. ALLAN,  
*Secretary*

[Pa.B. Doc. No. 13-56. Filed for public inspection January 11, 2013, 9:00 a.m.]

### Revisions to Schedule of Prices for State Parks

#### A. Summary and Background

Under section 314 of the Conservation and Natural Resources Act (71 P.S. § 1340.314) and 17 Pa. Code § 11.224 (relating to prices), the Department of Conservation and Natural Resources (Department), Bureau of State Parks (Bureau), is revising its price schedule for State Park activities, uses and privileges. The new schedule, which is in Section D, includes price increases for Commonwealth residents and non-Commonwealth residents for certain camping add-on fees, meeting rooms and specialized facilities, organized group tenting facilities,

shower fees, backpacking/river camping, equestrian camping, camper unit storage, dump station fees, transient overnight RV camping, whitewater boating, astronomy observatory, swimming pools and the Hufman Lodge at Laurel Hill State Park.

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

The new price schedule revises the definition of a family for a Family Season Pool Pass and entrance fees for children less than 42 inches at State Park Pools with slides.

For comparison purposes, the current price schedule along with the new price schedule can be found at the State Parks web site at <http://www.dcnr.state.pa.us/>

stateparks/prices/index.htm. It can also be obtained by calling Pennsylvania State Parks Reservations and Information at (888) PA-PARKS. When the new price schedule becomes effective, it will be posted on the previously listed State Parks web site.

#### B. *Contact Person*

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

#### C. *Effective Date*

The effective date of the new price schedule is January 31, 2013. Therefore, it will apply to swimming pools, whitewater boating in the 2013 season. For campsites, it will apply to reservations made for the 2014 season.

#### D. *Price Schedule*

<i>Facility Type Unit</i>	<i>Unit</i>	<i>Resident</i>	<i>Non-Resident</i>
<i>Camping—Add on Fees</i>			
Electricity	Per Night	6.50—12.00	6.50—12.00
Water	Per Night	8.00—16.00	8.00—16.00
Water and Sewer	Per Night	13.00—26.00	13.00—26.00
Designated Pet Campsite	Per Night	2.00—4.00	2.00—4.00
Designated Dog Friendly Cottage	Per Night	2.00—15.00	2.00—15.00
Extra Vehicle	Per Night	5.00—8.00	5.00—8.00
Multi-Campsite	Per Night	18.00—36.00	21.00—42.00
<i>Miscellaneous</i>			
Specialized Facilities— Meeting Rooms— Amphitheaters	Per Day Per Group	50.00—7,000.00	55.00—7,500.00
<i>Modern OGT Camping</i>			
20 or Less	Per Night	34.00—44.00	48.00—58.00
21 to 40	Per Night	48.00—58.00	63.00—73.00
41 to 60	Per Night	64.00—74.00	77.00—87.00
61 to 100	Per Night	79.00—89.00	92.00—102.00
101 and Over	Per Night	140.00—150.00	166.00—176.00
Sleeping Trailer	Per Night	13.00—23.00	28.00—38.00
<i>Rustic OGT Camping</i>			
20 or Less	Per Night	28.00—38.00	41.00—51.00
21 to 40	Per Night	43.00—53.00	56.00—66.00
41 to 60	Per Night	57.00—67.00	70.00—80.00
61 to 100	Per Night	72.00—82.00	85.00—95.00
101 and Over	Per Night	125.00—135.00	140.00—150.00
Sleeping Trailer	Per Night	12.00—22.00	15.00—25.00
<i>Shower Rates</i>			
Shower—Nonovernight Unmetered	Per Person	4.00—14.00	4.00—14.00
Shower—Nonovernight Metered	Per Person	0.75—5.00	0.75—5.00

<i>Facility Type Unit</i>	<i>Unit</i>	<i>Resident</i>	<i>Non-Resident</i>		
<i>Backpacking/River Camping</i>					
Campsite	Per Night Per Person	4.00—11.00	5.00—12.00		
<i>Camping—Additional Charges</i>					
Premium—Friday, Saturday, Holiday and Events	Per Night	4.00—14.00	4.00—14.00		
Modern (showers)	Per Night	4.00—14.00	4.00—14.00		
Adirondack Shelters	Per Night	2.00—12.00	2.00—12.00		
<i>Miscellaneous Camping</i>					
Camping Unit Storage	Per Week	16.00—32.00	16.00—32.00		
Camping Unit Storage	Per Night	3.50—7.00	3.50—7.00		
Camping Equestrian Site	Per Night	19.00—38.00	24.00—48.00		
Transient RV Overnight Camping	Per Night	6.00—12.00	6.00—12.00		
Dump Station for Noncampers	Per Use	10.00—20.00	11.00—22.00		
<i>Boating—Whitewater</i>					
Boating—Whitewater	Per Reservation	4.00—14.00	4.00—14.00		
Boating—Whitewater	Season Pass	40.00—65.00	45.00—65.00		
<i>Astronomy Observatory</i>					
Observatory	Nightly Use	25.00—35.00	25.00—35.00		
<i>Galaxy Pass</i>					
Galaxy Pass	Per Reservation	55.00—65.00	55.00—65.00		
<i>Swimming</i>					
Children under 42" (For Pools with Slides Only)	Per Day	Free	Free		
Annual Family Pass	A family is redefined as one family unit living under one household. Rate remains the same as previously published.				
<i>Laurel Hill Lodge</i>					
	<i>Unit</i>	<i>Resident Peak Season</i>	<i>Resident Nonpeak Season</i>	<i>Nonresident Peak Season</i>	<i>Nonresident Nonpeak Season</i>
Sleep 14	Per Week	1,338.68—1,838.68	1,216.04—1,716.04	1,463.21—1,963.21	1,340.57—1,840.57
Sleep 14	Per Night Friday-Saturday	N/A	247.17—447.17	N/A	284.91—484.91
Sleep 14	Per Night Sunday-Thursday	N/A	194.87—418.87	N/A	256.60—456.60

RICHARD J. ALLAN,  
*Secretary*

[Pa.B. Doc. No. 13-57. Filed for public inspection January 11, 2013, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### APPLICATIONS

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

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a

General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

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

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

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

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

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

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

## **I. NPDES Renewal Applications**

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0051799 (Minor Sewage)	Lehigh Carbon Community College 4525 Education Park Drive Schnecksville, PA 18078-2502	Lehigh County North Whitehall Township	Unnamed Tributary to Jordan Creek (2-C)	Y
PA0063631 (Sewage)	Parkland High School STP Cedar Crest Boulevard & Ritter Road Allentown, PA 18104	Lehigh County South Whitehall Township	Jordan Creek (2-C)	Y
PAS122203 (Storm Water)	Nestle Waters North American 305 Nestle Way Breinigsville, PA 18031	Lehigh County Upper Macungie Township	Iron Run (2-C)	Y
PAS122202 (Storm Water)	Nestle Waters Na Bottling Plant 405 Nestle Way Breinigsville, PA 18031	Lehigh County	Iron Run (2-C)	Y

*Southcentral Region: Clean Water 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>
PA0051900 (Sew)	Robeson Township Municipal Authority 8 Boonetown Road Birdsboro, PA 19508	Berks County Robeson Township	Schuylkill River / 3-C	Y
PA0084450 (IW)	Raven Rock Mountain Complex 201 Beasley Drive Suite 100 Fort Detrick, MD 21702-5029	Adams County Liberty Township	UNT to Miney Branch / 13-D	Y
PA0085332 (Sew)	Delta Borough Municipal Authority PO Box 278 Delta, PA 17314	York County Delta Borough	Scott Creek / 7-I	Y
PA0081868 (Sew)	Fairview Township 599 Lewisberry Road New Cumberland, PA 17070-2399	York County Fairview Township	Susquehanna River / 7-E	Y
PA0088765 (Sew)	Nelson & Margaret Wenger Millbrook Manor MHP 545 Mt. Airy Road Stevens, PA 17578	Lancaster County West Cocalico Township	Indian Run / 7-J	Y
PA0082198 (Sew)	Peters Township 5000 Steele Avenue PO Box 88 Lemasters, PA 17231	Franklin County Peters Township	UNT Conococheage Creek / 13-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0112119 (Sewage)	American Truck Plazas LLC 1460 N Ridge Road Milton, PA 17847	Northumberland County Turbot Township	Limestone Run (10-D)	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0035505 (Sewage)	Faith Bldr Ed Programs 28500 Guys Mills Road Guys Mills, PA 16327	Crawford County Randolph Township	Unnamed Tributary of Woodcock Creek (16-A)	Y

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

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

**PA0057487**, SIC Code 2491, **Oldcastle Lawn & Garden Inc.**, 500 East Pumping Station Road, Quakertown, PA 18951. Facility Name: Oldcastle Lawn & Garden Quakertown Facility. This existing facility is located in Richland Township, **Bucks County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage and stormwater from the facility.

The receiving stream(s), Tohickon Creek and Unnamed Tributary to Tohickon Creek, is located in State Water Plan watershed 2-D and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.001 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Instant. Maximum</i>	<i>Instant. Maximum</i>
Flow (GPD)	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0
Dissolved Oxygen	XXX	XXX	3.0	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>XXX</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>XXX</i>	<i>Instant. Maximum</i>
CBOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean 3.0	XXX	6.0
Total Phosphorus	XXX	XXX	XXX	Report	XXX	Report

The proposed effluent limits for storm water Outfall 002 are:

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

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

- Abandon STP When Municipal Sewers Available
- Remedial Measures
- No Stormwater in Sewage
- Necessary Property Rights
- Small Stream Discharge
- Change in Ownership
- TRC Minimization
- Sludge Disposal
- Stormwater Outfall

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

The EPA Waiver is in effect.

**PA0051497**, SIC Code 3462, **Lenape Forged Products Corporation**, 1334 Lenape Road, West Chester, PA 19382-6893. Facility Name: Lenape Forged Products Corporation. This existing facility is located in Pocopson Township, **Chester County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of contact cooling water and stormwater.

The receiving stream(s), Brandywine Creek, is located in State Water Plan watershed 3-H 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 an average stormwater flow.

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

The proposed effluent limits for Monitoring Point 101 are based on a design flow of 0.03 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Instant. Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report	Report	XXX	XXX
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Oil and Grease	XXX	XXX	XXX	10	XXX	30
Total Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Total Phosphorus	XXX	XXX	XXX	Report	Report	XXX
Total Copper	XXX	XXX	XXX	Report	Report	XXX
Total Nickel	XXX	XXX	XXX	Report	Report	XXX

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

- A. Acquire Necessary Property Rights
- B. Proper Sludge Disposal
- C. WQM Permit Condition
- D. BAT/ELG Reopener
- E. 2° Change in Temperature
- F. Stormwater Outfall Requirement

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

The EPA Waiver is not in effect.

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

**PAS602208**, Storm Water, SIC Code 5093, **H Blinderman & Son Inc.**, PO Box 908, Allentown, PA 18105. Facility Name: H Blinderman & Son Inc. This proposed facility is located in Hellertown Borough, **Northampton County**.

Description of Proposed Activity: The application is for a new NPDES permit for an existing discharge of Storm Water associated with industrial activities.

The receiving stream(s), Saucon Creek, is located in State Water Plan watershed 2-C and is classified for High Quality Waters—Cold Water Fishes and, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits\* for Outfall 002 are based on a design flow of 0.000000 MGD (stormwater only).

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

\* In the absence of an available monitoring point, the facility will implement its PPC Plan and BMPs to protect stormwater from contamination in this drainage area.

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

- Necessary Property rights, Residuals management, ELG Reopener, Stormwater conditions

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

The EPA Waiver is in effect.

---

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

**Application No. PA0246859**, Concentrated Animal Feeding Operation (CAFO), **Amos L Hoover (Hickory Lane Farm Cafo)**, R D # 1 Box 706, Blain, PA 17006.

Amos L Hoover has submitted an application for an Individual NPDES permit for an existing CAFO known as Hickory Lane Farm Cafo, located in Jackson Township, **Perry County**.

The CAFO is situated near Unnamed Tributary to Bowers Run in Watershed 7-A, which is classified for High Quality Waters—Cold Water Fishes, and High Quality Waters—Cold Water Fishes. The CAFO is designed to maintain an animal population of approximately 1001.2 animal equivalent units (AEUs) consisting of 850 sows, 50 boars, 5,700 nursery swine, 3,050 finishing swine and 60 steers. Manure is collected in an underneath shallow pull plug pit and stored in a clay-lined earthen manure storage lagoon. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

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

The Environmental Protection Agency (EPA) permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

**Application No. PA0261955**, Concentrated Animal Feeding Operation (CAFO), **S & A Kreider & Son Inc. (S & A Kreider & Sons Farm Cafo)**, 761 Spring Valley Road, Quarryville, PA 17566.

S & A Kreider & Son Inc. has submitted an application for an Individual NPDES permit for a new CAFO known as S & A Kreider & Sons Farm Cafo, located in East Drumore Township, **Lancaster County**.

The CAFO is situated near Jackson Run and Unnamed Stream in Watershed 7-K, which is classified for High Quality Waters—Cold Water Fishes. The CAFO is designed to maintain an animal population of approximately 2402.5 animal equivalent units (AEUs) consisting of Dairy animals. Manure is collected in an HDPE-lined storage lagoon, two circular concrete storage lagoons and a concrete lined storage lagoon. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

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

The Environmental Protection Agency (EPA) permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

---

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

**PA0232319**, SIC Code 4952, **Tammy J Sortman**, 705 Northway Road, Williamsport, PA 17701. Facility Name: Tammy Sortman Subdivision. This proposed facility is located in Lock Haven City, **Clinton County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated sewage from a single residence currently experiencing a malfunctioning on-lot system.

The receiving stream(s), West Branch Susquehanna River, is located in State Water Plan watershed 9-B and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.



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

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Minimum	Maximum	Average Monthly	Instant. Maximum	Instant. Maximum
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH	XXX	XXX	6.0	XXX	XXX	9.0
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10000
UV Intensity (No.)	Clean	XXX	XXX	XXX	XXX	XXX

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

- Annual Maintenance Reporting

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 in effect.

---

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

**PA0000418**, Industrial Waste, SIC Code 4941, **Municipal Authority of the Borough of Derry Westmoreland County**, 620 N Chestnut Street, Derry, PA 15627-1728. Facility Name: Municipal Authority of the Borough of Derry. This existing facility is located in Derry Borough, **Westmoreland County**.

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

The receiving stream(s), Unnamed Tributary to McGee Run, 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 0.27 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.0
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Total Aluminum	XXX	XXX	XXX	2.0	XXX	4.0
Total Iron	XXX	XXX	XXX	2.0	XXX	4.0
Total Manganese	XXX	XXX	XXX	1.0	XXX	2.0

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.

**PAS326103**, Storm Water, SIC Code 1629, **Redevelopment Authority of Allegheny County**, 425 Sixth Avenue, Suite 800, Pittsburgh, PA 15219. Facility Name: Carrie Furnace Redevelopment. This proposed facility is located in Rankin and Swissvale Boroughs, **Allegheny County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of untreated Storm Water.

The receiving stream(s), Monongahela River, is located in State Water Plan watershed 19-A 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 0.000000 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Total Aluminum	XXX	XXX	XXX	4.0	8.0	XXX
Total Iron	XXX	XXX	XXX	2.0	4.0	XXX
Total Manganese	XXX	XXX	XXX	1.0	2.0	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average</i>	<i>Daily</i>	<i>Minimum</i>	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Total Aluminum	XXX	XXX	XXX	4.0	8.0	XXX
Total Iron	XXX	XXX	XXX	2.0	4.0	XXX
Total Manganese	XXX	XXX	XXX	1.0	2.0	XXX

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

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average</i>	<i>Daily</i>	<i>Minimum</i>	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Total Aluminum	XXX	XXX	XXX	4.0	8.0	XXX
Total Iron	XXX	XXX	XXX	2.0	4.0	XXX
Total Manganese	XXX	XXX	XXX	1.0	2.0	XXX

The proposed effluent limits for Outfall 004 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average</i>	<i>Daily</i>	<i>Minimum</i>	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Total Aluminum	XXX	XXX	XXX	4.0	8.0	XXX
Total Iron	XXX	XXX	XXX	2.0	4.0	XXX
Total Manganese	XXX	XXX	XXX	1.0	2.0	XXX

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.

**PA0026522**, Sewage, **West Mifflin Sanitary Sewer Municipal Authority**, 1302 Lower Bull Run Road, West Mifflin, PA 15122-2902. Facility Name: New England STP. This existing facility is located in West Mifflin 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 Monongahela River 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 101 are based on a design flow of 1.2 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average</i>	<i>Weekly</i>	<i>Minimum</i>	<i>Average</i>	<i>Weekly</i>	<i>Instant.</i>
	<i>Monthly</i>	<i>Average</i>		<i>Monthly</i>	<i>Average</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 (Interim)	XXX	XXX	XXX	1.0	XXX	3.3
(Final)	XXX	XXX	XXX	0.02	XXX	0.06
CBOD <sub>5</sub>	250	376	XXX	25	37.5	50
BOD <sub>5</sub> Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
Total Suspended Solids	300	450	XXX	30	45	60

<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>
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	20	30	XXX	2.0	3.0	4.0
Nov 1 - Apr 30	30	45	XXX	3.0	4.5	6.0
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX

The EPA Waiver is not in effect.

**PA0026883**, Sewage, **City of Beaver Falls**, 715 15th Street, Beaver Falls, PA 15010-4124. Facility Name: Beaver Falls STP. This existing facility is located in Beaver Falls City, **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, Beaver River is located in State Water Plan watershed 20-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 Internal Outfall 101 and Relief Outfall 002 are based on a design flow of 4.8 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>	1,001.4	1,502.1 Wkly Avg	XXX	25	37.5	50
BOD <sub>5</sub>	Report	Report	XXX	Report	XXX	XXX
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	1,201.7	1,802.5 Wkly Avg	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000

The EPA Waiver is not in effect.

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

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

**WQM Permit No. 3612403**, Sewerage, **Mount Joy Borough Authority**, 21 East Main Street, Mount Joy, PA 17552.

This proposed facility is located in Mount Joy Borough, **Lancaster County**.

Description of Proposed Action/Activity: Proposed replacement / enlargement of the existing 12-inch vitrified clay sanitary sewer main to a new 18-inch PVC sewer main and four manholes to mitigate existing flooding conditions.

**WQM Permit No. 3192405 12-1**, Sewerage, **Wood-Broad Top-Wells Joint Municipal Authority**, PO Box 7, Wood Township, PA 16694-0007.

This proposed facility is located in Wood Township, **Huntingdon County**.

Description of Proposed Action/Activity: Proposing the inclusion of a three-month maximum monthly average flow capacity of 0.168 million gallons per day (mgd).

**WQM Permit No. 3471403 12-1**, Sewerage, **McAlisterville Area Joint Authority**, PO Box 61, McAlisterville, PA 17049-0061.

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

Description of Proposed Action/Activity: Upgrade / Replacement of the existing covered aerators with fine bubble diffusers, new blowers and mixers.

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

**WQM Permit No. 6312407**, Sewerage, **Cecil Township Municipal Authority**, 3599 Millers Run Road, Suite 104, Cecil Township, PA 15321

This proposed facility is located in Cecil Township, **Washington County**

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

**WQM Permit No. 6309403-A1**, Sewerage, **Cecil Township Municipal Authority**, 3599 Millers Run Road, Suite 104, Cecil Township, PA 15321

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

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

**WQM Permit No. 5612403**, Sewerage, **Jenner Area Joint Sewer Authority**, 102 Saylor Street, Jennerstown, PA 15547

This proposed facility is located in Boswell Borough, **Somerset County**

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

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

**WQM Permit No. WQG018858**, Sewerage, **William D. Holmes**, 8758 Horseshoe Drive, Erie, PA 16510.

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

Description of Proposed Action/Activity: A Single Residence Sewage Treatment Plant.

**WQM Permit No. WQG018859**, Sewerage, **Brian Baldwin**, 8422 Mill Street, Girard, PA 16417.

This proposed facility is located in Platea Borough, **Erie County**.

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

**WQM Permit No. WQG018860**, Sewerage, **Marjorie G. Newcomer**, 4950 Brown Road, Waterford, PA 16441.

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

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

**WQM Permit No. WQG018861**, Sewerage, **Giovanni A. Ciotti**, 11299 Pennside Road, Albion, PA 16401.

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

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

**WQM Permit No. 6212405**, Sewerage, **Paul Zentz**, 11558 Route 62, Tidioute, PA 16351.

This proposed facility is located in Limestone Township, **Warren County**.

Description of Proposed Action/Activity: A Single Residence Sewage Treatment Plant.

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

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023907005R(1)	Jaindl Land Company David Jaindl 3150 Coffeetown Rd. Orefield, PA 18069	Lehigh	Upper Macungie Twp.	Hassen Creek, HQ-CWF, MF

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023912024	Randy and Joe, LLC Randall Weston 2222 Sullivan Trail Easton, PA 18040	Lehigh	Lower Macungie Twp.	Spring Creek, HQ-CWF, MF
<i>Monroe County Conservation District: 8050 Running Valley Road, Stroudsburg, PA 18360, 570-629-3060.</i>				
<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024506016R	Hirshland & Company 1055 Westlakes Drive Suite 300 Berwyn, PA 19312	Monroe	Mount Pocono Borough	Forest Hills Run, HQ-CWF, MF
PAI024512011	M.S. Logistics, LLC 101 Hodencamp Rd. Suite 200 Thousand Oaks, CA 92360	Monroe	Coolbaugh Twp.	Pocono Summit Lake, HQ-CWF, MF; Tobyhanna Creek, HQ-CWF, MF
<i>Northampton County Conservation District: 14 Gracedale Ave., Greystone Building, Nazareth, PA 18064, 610-746-1971.</i>				
<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024806016R	Spectrum Land Acquisition, Inc. Kenneth Snyder 3312 Seventh St. Whitehall, PA 18052	Northampton	Bushkill Township	Monocacy Creek, HQ-CWF, MF
<i>Southwest Region: Waterways &amp; Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. (412) 442.4315</i>				
<i>Permit No.</i>	<i>Applicant &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI056312007	PennDOT District 12-0 PO Box 450, 825 N. Gallatin Avenue Uniontown, PA 15401	Washington	North Strabane Township	Little Chartiers Creek (HQ-WWF)

---

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


---

PAG-12            CAFOs

## STATE CONSERVATION COMMISSION

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

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

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

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

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

## NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/New</i>
Steve Good 1415 Lime Valley Road Lancaster, PA 17602	Lancaster	140	514.08	Broiler / Dairy	NA	Renewal
Arlin Benner 880 Pinkerton Road Mount Joy, PA 17552	Lancaster	734.2	1910.65	Dairy	NA	Renewal
Jay Hess 151 Pequea Creek Road Conestoga, PA 17516	Lancaster	164.6	521.15	Swine / Beef / Poultry	NA	Renewal
Harold Shellenberger 580 Colebrook Road Mount Joy, PA 17552	Lancaster	208.5	479.78	Heifer / Swine	NA	Renewal
Lexington Farm PO Box 291 Lititz, PA 17543	Lancaster	48.9	425.18	Swine / Broilers	NA	Renewal
Nelson Martin 2224 Horseshoe Pike Annville, PA 17003	Lebanon	273	719.96	Swine & Dairy Heifers	NA	Renewal
Jared Rottmund 1030 Girl Scout Road Stevens, PA 17578	Lancaster	55	561.92	Swine	NA	Renewal
Dale Rohrer 762 West Lexington Road Lititz, PA 17543	Lancaster	326.4	1585.6	Swine	NA	Renewal
Marcus Hoover 3229 Hossler Road Manheim, PA 17545	Lancaster	41.9	297.45	Layers/ Beef	NA	Renewal
Furnace Hill Farm Chris Wine 258 Albright Road Newmanstown, PA 17073	Lebanon	0	345.55	Swine	NA	Renewal
Meadow Wood Farm Robert & David Bomberger 2075 Colebrook Road Lebanon, PA 17042	Lebanon	880.6	1217.71	Dairy	NA	New

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 1

#### **Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environ- mental 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:

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

**Maple Press Company**, 480 Willow Springs Lane, York, PA 17404, Manchester Township, **York County**. BL Companies, Inc., 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011, on behalf of The Maple Press Company, 480 Willow Springs Lane, York, PA 17406, submitted a Notice of Intent to Remediate groundwater contaminated with petroleum hydrocarbons and chlorinated solvents. The site will be remediated to the Residential Statewide Health standard and remain a commercial facility.

## 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.**

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

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

**46-0255A: Schumacher & Brenner Funeral Home and Crematory** (359 King St., Pottstown, PA 19464) to allow repositioning of a charge during the cremation cycle at their facility in Downingtown Borough, **Chester County**. The provisions of this plan approval will subsequently be incorporated into a State Only Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450. The Plan Approval will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**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.**

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

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

**59-00008B: Tennessee Gas Pipeline Co., LLC** (1001 Louisiana Street, Houston, TX 77002) for a plan approval for the construction of the Solar(r) compressor-turbine and Caterpillar® generator-engine at their Station 315 facility located in Charleston Township, **Tioga County**. The respective facility is a state only (natural minor) facility for which a state only operating permit has been issued.

The Department's review of the information submitted by Tennessee Gas Pipeline Company (TGP) indicates that the compressor-turbine will comply with applicable regulatory requirements pertaining to air contamination sources. Additionally, the Department has determined

that the proposed engines satisfy best available technology (BAT) requirements, pursuant to 25 Pa. Code §§ 127.1 and 127.12 as well as the Standards of Performance for Stationary Combustion Turbines specified in 40 CFR 60, Subpart KKKK. Pursuant to the requirements of BAT, the compressor-turbine's emissions are restricted to the following; 15 ppmvd for nitrogen oxide (NO<sub>x</sub>), 2 ppmvd for carbon monoxide (CO), 3 ppmvd for non-methane/non-ethane volatile organic compounds (NM/NE VOC), and 0.0027 lb/MMBtu for formaldehyde. To demonstrate compliance with these limitations, TGP will be required to conduct EPA reference method testing on the compressor-turbine's exhaust for NO<sub>x</sub>, CO, VOC, and formaldehyde emissions. Continuous compliance demonstration will include monitoring of operational parameters of the oxidation catalyst and testing for NO<sub>x</sub> and CO on an approximate annual basis. The compressor-turbine is also required to use only pipeline quality natural gas as fuel for operation to minimize particulate matter (PM<sub>10</sub>/PM<sub>2.5</sub> inc. condensable) and sulfur dioxide (SO<sub>2</sub>) emissions to the maximum extent feasible in accordance with BAT. The compressor-turbine has a site rating of 14721 hp.

Based on the findings above, the Department proposes to issue a plan approval with annual emission restrictions for the abovementioned source at Station 315 as well as monitoring, recordkeeping and work practice requirements to verify compliance with the annual emission restrictions. The annual emissions restrictions are as follows; 28.5 tpy for NO<sub>x</sub>; 20.6 tpy for CO; 3.9 tpy for NM/NE VOC including formaldehyde; 5.3 tpy for PM<sub>10</sub>/PM<sub>2.5</sub> inc. condensable; and 1.8 tpy for SO<sub>2</sub>.

In addition to the emission limitations above, the following is a summary of the types of conditions the Department intends to place in Plan Approval 57-00005A to ensure compliance with applicable Federal and State regulatory requirements including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12.

Testing at the exhaust of the compressor-turbine using Department-approved methods on an approximate annual basis for NO<sub>x</sub> and CO and on an approximate triennial basis for NM/NE VOC and formaldehyde.

Exhaust temperature monitoring of the inlet and outlet to the catalyst as well as pressure drop monitoring across the catalyst.

Monitoring the compressor-turbines operation to verify operation in SoLoNO<sub>x</sub>® mode.

Recordkeeping requirement for compressor-turbine's gas usage and operational hours including the records of all required monitoring parameters.

Work practice requirement to construct and operate in accordance with the manufacturer's recommendations and good air pollution control practices, and limit the emission of malodors to level undetectable outside the property.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's North Central Regional office. Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this plan approval, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person

submitting the comments, identification of the proposed permit (specify Plan Approval No. 59-00008B) and concise statements regarding the relevancy of the information or objections to issuance of the plan approval.

All persons requesting additional information or submitting comments should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, North Central Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570 327 3648.

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

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

**65-00979: Laurel Mountain Midstream, LLC** (1550 Coraopolis Heights Road, Suite 140, Moon Township, PA 15108) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (DEP) intends to modify Air Quality Plan Approval: PA-65-00979 currently allowing the installation and initial temporary operation of two new Caterpillar G3612LE lean burn natural gas-fired compressor engines rated at 3,550 bhp each at the Herminie Compressor Station located in South Huntingdon Township, **Westmoreland County**. PA-65-00979 was originally issued on April 5, 2012, and included conditions to deactivate three currently authorized natural gas-fired compressor engines (permitted under GP5-65-00979E) rated at 1,450, 1,340, and 810 bhp prior to startup of the two newly proposed compressor engines. Five currently authorized natural gas-fired compressor engines rated at 1,380 bhp each, two dehydrators (including reboilers) rated for 35 and 150 mmscf/day of natural gas, and five produced water tanks with capacities between 150 and 476 barrels remain permitted under GP5-65-00979E.

Modifications to the Plan Approval will similarly require the deactivation of the 1,450 bhp engine, but will allow the continued operation of the 1,340 bhp engine with installation of an oxidation catalyst and allow the retention of the 810 bhp engine for backup purposes. The Plan Approval will be conditioned to prohibit simultaneous operation of the 1,340 and 810 bhp engines upon startup of the G3612LE engines. Records of compressor and facility-wide blowdowns are required to be maintained. Additionally, the Plan Approval is being modified to incorporate applicable requirements of 40 CFR Part 60 Subpart OOOO for the reciprocating compressors to be driven by the G3612LE engines.

Potential to emit from the facility is calculated to be 91.62 tons of nitrogen oxides (NO<sub>x</sub>), 51.02 tons of carbon monoxide (CO), 44.78 tons of volatile organic compounds (VOC), 5.06 tons of formaldehyde (HCHO), 11.51 tons of hazardous air pollutants (HAP), 0.55 tons of sulfur dioxide (SO<sub>2</sub>), 5.33 tons of particulate matter less than ten or two and a half microns (PM<sub>10</sub>/PM<sub>2.5</sub>), and 96,432 tons of carbon dioxide equivalents (CO<sub>2</sub>e) per year. The Department's prior best available technology (BAT) determination, application of State and Federal regulations, and other Plan Approval conditions are unchanged.

Interested persons may submit written comments, suggestions, or objections concerning modifications to the Plan Approval to Alan Binder, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Written comments submitted to the Department shall include the name, address and telephone number of the person submitting the comments, identification of the Plan Approval (PA-65-00979) and



concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

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

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing in writing or by publication in the newspaper and the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

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

### OPERATING PERMITS

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

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

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

**61-00181: Scrubgrass Power—Scrubgrass Generating Plant** (2151 Lisbon Road, Kennerdell, PA 16374) for a Title V Operating Permit Re-issuance to operate an Electric Energy Generating Facility, in Scrubgrass Township, **Venango County**. The primary sources of emissions are the two Circulating Fluidized Bed Boilers. The potential emissions from this facility are as follows: SO<sub>x</sub>—1003 TPY (tons per year), NO<sub>x</sub>—370 TPY, CO—223 TPY, VOCs—12 TPY, and Particulate Matter—67 TPY.

This facility continues to be subject to the Clean Air Interstate Rule (CAIR) relating to CAIR NO<sub>x</sub> and SO<sub>2</sub> trading programs. The requirements from 40 CFR 98, Subpart D—Mandatory Greenhouse Gas Reporting have also been incorporated into the operating permit. This facility will be subject to the requirements of 40 CFR 63, Subpart UUUUU—National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units which take effect on April 16, 2015. The Auxiliary Boiler at this facility will be subject to the requirements of 40 CFR 63, Subpart DDDDD—National Emissions Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters which has a compliance date of March 21, 2014.

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

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

**V11-034: Philadelphia Gas Works—Richmond Plant** (3100 E Venango Street, Philadelphia, PA 19134) for the operation of a natural gas utility in the City of Philadelphia, **Philadelphia County**. Activities include liquefied natural gas (LNG) storage and distribution of natural gas to the city of Philadelphia. The facility's air emission sources include (1) gas fired LNG compressors (2,350 HP each = 20 MMBTU/hr), eight (8) heaters (six are between 94.1 and 105.0 MMBTU/hr, two are 11 MMBTU/hr or less), four (4) turbines 13.7 MMBTU/hr or less three, two (2) 170 HP emergency generators, three (3) boilers/heater less than 10 MMBTU/hr, and three (3) 295 HP engines.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regula-

tion XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Ave., Philadelphia, PA 19104. For further information, contact Mr. Edward Wiener (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.

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

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

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

**46-00054: Abington Memorial Hospital** (1200 Old York Rd, Abington, PA 19335) for operation of a hospital in Abington Township, **Montgomery County**. The permit is for a non-Title V (State only) facility. The hospital has a previously federally-enforceable potential to emit limit of 24.99 TPY of NO<sub>x</sub>. New applicable regulation is 40 CFR 63, Subpart JJJJJJ, for two of the boilers (Sources 032 and the Old Main Boiler). This has been addressed in the renewal operating permit. The facility is not subject to PSD for Greenhouse Gases. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**23-00052: Crozer Chester Medical Center** (One Medical Center Blvd., Upland, PA 19013-3995) for operation of a hospital in Upland Borough, **Delaware County**. The permit is for a non-Title V (State only) facility. The hospital has a previously federally-enforceable potential to emit limit of 24.95 TPY of NO<sub>x</sub>. No sources have been installed since the permit was last issued on February 1, 2008. Two boilers (Source 035 and Old Mail Boiler) are subject to the NESHAP requirements of 40 CFR 63, Subpart JJJJJJ. This new regulation has been addressed in the renewal operating permit. The facility is not subject to PSD for Greenhouse Gases. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**23-00111: Janssen Research and Development, LLC**, (145 King of Prussia Rd, Radnor, PA 19087) for issuance of a State Only Operating Permit to operate electricity generators at their Janssen Radnor pharmaceutical manufacturing/research and development facility located at 145 King of Prussia Road, Radnor Township, **Delaware County**. Plan Approvals, 23-0111A and 23-0111B, are being incorporated into the facility synthetic minor initial operating permit, 23-00111. This Operating Permit shall include monitoring and recordkeeping requirements to ensure that this facility complies with all applicable air quality regulations.

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

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

**40-00047: Geisinger Wyoming Valley Medical Center** (1000 East Mountain Drive, Wilkes-Barre, PA 18711) for operation of a hospital waste incinerator, boilers and generators in Plains Township, **Luzerne County**. The proposed State-only Operating Permit contains other applicable requirements for emissions limitations, monitoring, recordkeeping, reporting and work practice standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

**67-03094: Rocher, Inc.—d/b/a Del-Wood Kitchens, Inc.** (1856 Dubs Church Road, Hanover, PA 17331) for operation of a wood kitchen cabinet manufacturing in Manheim Township, **York County**.

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

Actual 2011 emissions at the facility are estimated to be approximately 5.4 tons of VOCs and 0.5 ton of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63, Subpart JJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

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

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

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

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

**67-03033: The Sheridan Press** (450 Fame Avenue, Hanover, PA 17331) for their lithographic printing facility in Penn 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 had the following actual emissions in 2011: 17.0 tons VOC; 0.2 ton NO<sub>x</sub>; 0.2 ton CO; 216 tons CO<sub>2</sub>; and 216 tons CO<sub>2</sub>e. The Operating Permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

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

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

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

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

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

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

**41-00077: Kellogg USA Inc.** (572 Industrial Park Road, Muncy, PA 17756) for their snack manufacturing facility in Muncy Creek Township, **Lycoming County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the above mentioned facility. The subject facility has the following potential emissions: 16.56 TPY of CO; 2.64 TPY of PM/PM<sub>10</sub>; 0.61 TPY of SO<sub>x</sub>; 18.82 TPY of NO<sub>x</sub>; 49.00 TPY of VOC and 0.31 TPY of total hazardous air pollutants (HAPs). The operating permit will include emission limits and work practice standards along with monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Northcentral Regional Office at 208 West Third Street, Suite 101, Williamsport, Pa 17701.

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

A 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.

Muhammad Q. Zaman, Environmental Program Manager, may be contacted at 570-327-3648, or at PA DEP Air Quality Program, 208 West Third Street, Suite 101, Williamsport, Pa 17701, for additional information or for the submission of comments or protests.

**17-00066: Forum US Inc.** (1102 Industrial Park Road, Clearfield, PA 16830) for their metal fabrication shop in Lawrence Township, **Clearfield County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the above mentioned facility. The subject facility has the following potential emissions: 6.23 TPY of CO; 1.49 TPY of PM/PM<sub>10</sub>; 7.63 TPY of NO<sub>x</sub>; 0.04 TPY of SO<sub>x</sub>; 19.35 TPY of VOC and 7.25 TPY of total hazardous air pollutants (HAPs). The operating permit will include emission limits and work practice standards along with monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Northcentral Regional Office at 208 West Third Street, Suite 101, Williamsport, Pa 17701.

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

A 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.

Muhammad Q. Zaman, Environmental Program Manager, may be contacted at 570-327-3648, or at PA DEP Air Quality Program, 208 West Third Street, Suite 101, Williamsport, Pa 17701, for additional information or for the submission of comments or protests.

**49-00025: Pennsylvania Department of Corrections** (PO Box 598, Camp Hill, PA 17001-0598) for the Coal Township State Correctional Institute in Coal Township, **Northumberland County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and intends to issue a renewal of an Air Quality Operating Permit for the abovementioned facility. The subject facility has the following potential emissions: 17.46 TPY of CO; 51.09 TPY of NO<sub>x</sub>; 85.56 TPY of SO<sub>x</sub>; 12.95 TPY of PM/PM<sub>10</sub>; 0.49 TPY of VOC; 0.49 TPY of total HAPs and 69,684 TPY of CO<sub>2e</sub>. Pennsylvania Department of Corrections has taken elective restrictions to limit a total combined 4,000,000 gallon of #2 fuel oil to be fired in all boilers incorporated in Source ID 031 and limit sulfur content of #2 fuel oil fired in these boilers to not exceed 0.3%, by weight. The operating permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

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

available for public review during normal business hours at the PA DEP Northcentral Regional Office at 208 West Third Street, Suite 101, Williamsport, Pa 17701

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

Muhammad Q. Zaman, Environmental Program Manager, may be contacted at 570-327-3648, or at PA DEP Air Quality Program, 208 West Third Street, Suite 101, Williamsport, Pa 17701, for additional information or for the submission of comments or protests.

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

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

**04-00730: Lindy Paving, Inc.** (2340 Second Avenue, Pittsburgh, PA 15219) for asphalt paving mixtures and block manufacturing at their Koppel Facility in Big Beaver Borough, **Beaver County**. This is an initial Synthetic Minor 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*

**27-00019: PA Department of Corrections, SCI at Forest** (HC2, Box 18, Marienville, PA 16239) to re-issue the Natural Minor Operating Permit, in Jenks Township, **Forest County**. The facility's primary emissions are from the four (4) boilers used to provide comfort heat and hot water to the facility. Emissions of criteria pollutants remain below major source levels.

**43-00294: International Timber & Veneer** (75 McQuiston Drive, Jackson Center, PA 16133) to issue a renewal of the State Only Operating Permit for the hardwood veneer and plywood manufacturing facility in Jackson Township, **Mercer County**. The sources at the facility include a 23.9 mmbtu/hr wood fired boiler controlled by primary and secondary cyclones, an 8.4 mmbtu/hr natural gas boiler, three space heaters, four veneer dryers and sawing, grinding and chipping sources controlled by cyclones for the processing of hardwood logs into veneer. The facility is a natural minor. The facility is an Area Source for MACT. The wood fired boiler is subject to the requirements of 40 CFR 63, Subpart JJJJJJ—NESHAP for Industrial, Commercial, and Institutional Boilers at Area Sources. The PM, SO<sub>x</sub>, NO<sub>x</sub>, CO, and VOC emissions are less than 22 TPY, 3 TPY, 30 TPY, 69 TPY, and 8 TPY, respectively. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**62-00149: Interlectric Corporation, Inc.** (1401 Lexington Avenue, Warren, PA 16365) for a Synthetic Minor Permit to operate electric fluorescent tubes manufacturing company located in City of Warren, **Warren County**.

The emitting sources included, 1) Miscellaneous natural gas usage, 2) Flow application coating process and, 3) Coating mixing room. The facility has accepted a limitation on the facilities potential to emit Volatile Organic Compounds less than 49.9 tons per year and became Synthetic Minor.

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

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

**S11-015: Drexel University** (at 3330 Market Street, Philadelphia, PA 19104) for operation of a school in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include sixty-seven (67) combustion unit each less than or equal to 5.23 MMBTU/hr that can burn No 2 fuel oil, or natural gas, two (2) natural gas emergency generators, seventeen (17) diesel emergency generators, and one (1) fire pump. The facility also has several tanks, boilers, heaters, emergency generators, and fire pumps that are insignificant.

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

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

## 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.

### *Noncoal Applications Received*

*Mineral Resources Management—District Mining Operations, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2522*

**7774SM1A1C10 and NPDES Permit No. PA0044555. Eastern Industries, Inc.**, (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Oley Township, **Berks County**, receiving stream: unnamed tributary to Limekiln Creek, classified for the following use: warm water fishes. Application received: December 3, 2012.

### MINING ACTIVITY NPDES DRAFT PERMITS

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

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

### *Effluent Limits for Coal Mining Activities*

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

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

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 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*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

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

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

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

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

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

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

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

*Coal NPDES Draft Permits*

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

**NPDES No. PA0259268 (Permit No. 33120102). Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767) New NPDES permit for a bituminous surface mine in Perry Township, **Jefferson County**, affecting 232.0 acres. Receiving streams: Unnamed tributary to Rose Run and Rose Run; unnamed tributaries to Mahoning Creek, all classified for the following uses: CWF. TMDL: None. Application received: March 26, 2012.

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

The outfall(s) listed below discharge to unnamed tributary to Rose Run and Rose Run; unnamed tributaries to Mahoning Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TB	Y
TC	Y
TD	Y
TE	Y
TF	Y
TG	Y

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)		3	6	7
Manganese (mg/l)		2	4	5
Aluminum (mg/l)		2	4	5
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (milliosmoles/kg)				50

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

The outfall(s) listed below discharge to unnamed tributary to Rose Run and Rose Run; unnamed tributaries to Mahoning Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
A	Y
B	Y
C	Y
D	Y
E	Y
F	Y
G	Y

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)				7.0
Alkalinity greater than acidity <sup>1</sup>				
Total Settleable Solids (ml/l)				0.5

**FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401**

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments,

suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request

are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**Applications Received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.**

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717.705.4802.*

**E05-364: Bedford County Development Association**, One Corporate Drive, Bedford, Pennsylvania 15522, in Bedford Township, **Bedford County**, ACOE Baltimore District

To construct a 65.0-acre business park to: 1) construct and maintain a 24.0-inch diameter, 987.0-foot Smooth Lined Corrugated Plastic Pipe stream enclosure of an unnamed tributary to Dunning's Creek, which is an intermittent stream classified as a warm water fishery, 2) place and maintain R-4 riprap for scour protection 22.0 feet wide × 16.0 feet long, 3) place and maintain fill on both left and right floodways with an average dimension of 100.0 feet wide × 987.0 feet long × 30.0 feet high, 4) permanently fill three wetland areas, 0.0076 acre of PEM and 0.007 acre of PFO as a result of fill, 5) construct replacement wetlands as compensation for wetland impacts, and 6) perform stream stabilization and riparian habitat restoration to mitigate for impacts to water-courses. The project proposes to directly affect a total of 987.0 linear feet of stream channel, 2.27 acres of floodway and 0.083 acre of wetland. The proposed project is in Bedford Township, Bedford County (Bedford, PA Quadrangle; Latitude: 40°04'10.6", Longitude: -78°31'36").

**E22-575: Pennsylvania Turnpike Commission**, PO Box 67676, Harrisburg, Pennsylvania 17106-7676, in Londonderry and Lower Swatara Townships, **Dauphin County**, ACOE Baltimore District

To: 1) place and maintain fill in 0.46 acre of Palustrine Emergent/Palustrine Scrub Shrub/ Palustrine forested wetland; 2) relocate and maintain 553.0 feet of an unnamed tributary to Swatara Creek (WWF, MF); 3) relocate and maintain 314.0 feet of an unnamed tributary to Swatara Creek (WWF, MF); 4) construct and maintain a 75.0-foot long, 18.0-inch RCCP pipe conveying an unnamed tributary to Swatara Creek (WWF, MF); 5) construct and maintain an 83.0-foot long, 54.0-inch diameter RCCP culvert extension in an unnamed tributary to Swatara Creek (WWF, MF); 6) install and maintain two 30.0-foot long, 24.0-inch diameter RCP pipes with riprap apron in an unnamed tributary to Swatara Creek (WWF, MF); 7) construct and maintain a 125.5-foot wide, 610.0-foot long four span continuous bridge with a multiple welded plate girder superstructure, composite concrete decking, and three solid wall type piers in Swatara Creek (WWF, MF); and 8) install and maintain a 631.0-foot long temporary construction causeway in Swatara Creek (WWF, MF), all for the purpose of increasing traffic capacity. This project will permanently impact 1,229.0 linear feet of streams and 0.50 acre of wetland, and

temporarily affects 704.0 linear feet of streams and 0.03 acre of wetland. The project is located between MP 250 and MP 252 (Latitude: 40°12'40.3", Longitude: -76°43'13.3") in Londonderry and Lower Swatara Townships, Dauphin County.

**E28-364: Humberto Ho, Green Castle Land LLC**, 5709 Avery Park Drive, Rockville, Maryland 20855, in Antrim Township, **Franklin County**, ACOE Baltimore District

To construct and maintain: 1) an 18.0-inch diameter HDPE stormwater outfall with endwall and riprap apron discharge; 2) a 106.0-foot long, 36.0-foot wide by 8.0-foot high arch culvert, 8,000.0 cubic yards of fill, and an 8.0-inch DIP waterline crossing; 3) a 6.0-foot wide, single span foot bridge having a span of 20.0 feet and an underclearance of 6.5 feet; 4) a 6.0-foot wide, single span foot bridge having a span of 20.0 feet and an underclearance of 6.5 feet; 5) an 8.0-inch diameter PVC waterline crossing; 6) an 8.0-inch DIP waterline in and across an unnamed tributary to Muddy Run (HQ-CWF); and 7) 2,311.0 linear feet of a 6.0-foot wide walking trail in the floodway. All impacts are to an unnamed tributary to Muddy Run (HQ-CWF). The project is located along Craig Road between State Route 11 and Williamson Road (Greencastle, PA Quadrangle; N: 10.54 inches, W: 14.58 inches; Latitude: 39°48'28.9", Longitude: -77°43'43.9") in Antrim Township, Franklin County. The purpose of the project is to construct a residential development.

**E50-250: Kenneth J. Brenneman**, 606 Robinson Road, Blain, Pennsylvania 17006, in Jackson Township, **Perry County**, ACOE Baltimore District

To construct and maintain: 1) a 35.0-foot long, 36.0-inch diameter, 6.0-inch uniformly depressed HDPE culvert in an unnamed tributary to Bull Run (HQ-CWF, MF); 2) a 35.0-foot long, 24.0-inch diameter, 6.0-inch uniformly depressed HDPE culvert in an unnamed tributary to Bull Run (HQ-CWF, MF), and 3) a 16.0-foot wide, single span steel beam bridge, having a normal span of 20.0 feet and an underclearance of 3.5 feet across an unnamed tributary to Bull Run (HQ-CWF, MF). The project is located at 606 Robinson Road (T-310) Andersonburg, PA Quadrangle; Latitude: 40°18'30"N, Longitude: -77°28'56"W) in Jackson Township, Perry County. The purpose of the project is to construct a relocated driveway.

**F38-180: Swatara Township**, 69 Supervisors Drive, Jonestown, Pennsylvania 17038, 2327, in Swatara Township, **Lebanon County**, ACOE Baltimore District

To remove the existing structure and restore the area to the pre-developed condition within the floodplain of Swatara Creek (WWF, MF) (Latitude: 40°24'4.2", Longitude: -76°29'31.7") in Swatara Township, Lebanon County. This project will affect 0.23 acre of the floodplain.

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

**E4129-064: Anadarko E&P Company LP**, 33 West Third Street, Suite 200, Williamsport, PA 17701, Pine Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain one 24-inch diameter, 30-foot-long culvert and associated fill for a permanent access road impacting 58 linear feet of an unnamed tributary to Bonnell Run (EV) and 738 square feet of adjacent palustrine emergent (PEM) wetland (English Center Quadrangle 41°28'55"N 77°16'38"W). The project will result in 58 linear feet of stream impacts and 0.02

acre of wetland impacts all for the purpose of installing access roadway for Marcellus well development.

**E0829-064: Appalachia Midstream, LLC**, 100 IST Center, Horseheads, NY 14845, Wilmot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. one 8 inch diameter natural gas line and a temporary timber mat bridge impacting 121 linear feet of an unnamed tributary to Sugar Run (CWF, MF) (Wyalusing, PA Quadrangle, Latitude: 41°37'35", Longitude: -76°15'28");

2. one 8 inch diameter natural gas line and a temporary timber mat bridge impacting 1,690 square feet of a Palustrine Emergent Wetland and 3,514 feet of a Palustrine Forested Wetland (Wyalusing, PA Quadrangle, Latitude: 41°37'35", Longitude: -76°15'31");

3. one 8 inch diameter natural gas line and a temporary timber mat bridge impacting 400 linear feet of a Palustrine Emergent Wetland and Palustrine Scrub-Shrub Wetland (Wyalusing, PA Quadrangle, Latitude: 41°37'37", Longitude: -76°15'43");

4. one 8 inch diameter natural gas line and a temporary timber mat bridge impacting 123 linear feet of an unnamed tributary to Sugar Run (CWF, MF) and impacting 933 square feet of an adjacent Palustrine Emergent Wetland (Wyalusing, PA Quadrangle, Latitude: 41°37'37", Longitude: -76°15'48");

5. one 8 inch diameter natural gas line and a temporary timber mat bridge impacting 3,976 square feet of a Palustrine Emergent Wetland (Wyalusing, PA Quadrangle, Latitude: 41°37'36", Longitude: -76°15'51");

6. one 6 inch diameter natural gas line and a temporary timber mat bridge impacting 700 square feet of a Palustrine Emergent Wetland (Wyalusing, PA Quadrangle, Latitude: 41°37'35", Longitude: -76°15'59");

The project will result in 244 linear feet or 1,733 square feet of temporary stream impacts and 7,709 square feet (0.18 acre) of PEM and 3,514 square feet (0.08 acre) of PFO wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development.

**E5829-048. Williams Field Services Company, LLC**; 1605 Coraopolis Heights Road, Moon Township, PA 15108; Gibson Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 16-inch natural gas pipeline and timber bridge crossing impacting 47 lineal feet of an unnamed tributary to Bell Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 05" Lat., W -75° 37' 35" Long.),

2) a timber bridge crossing impacting 43 lineal feet of an unnamed tributary to Bell Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 04" Lat., W -75° 37' 34" Long.),

3) a 16-inch natural gas pipeline and timber bridge crossing impacting 45 lineal feet of an unnamed tributary to Bell Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 05" Lat., W -75° 37' 30" Long.),

4) a 16-inch natural gas pipeline and timber bridge crossing impacting 50 lineal feet of Bell Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 04" Lat., W -75° 37' 29" Long.),

5) a 16-inch natural gas pipeline and timber bridge crossing impacting 132 lineal feet of an unnamed tributary to Bell Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 06" Lat., W -75° 37' 26" Long.),

6) a 16-inch natural gas pipeline and timber bridge crossing impacting 76 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 17" Lat., W -75° 36' 37" Long.),

7) a 16-inch natural gas pipeline and timber bridge crossing impacting 78 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 50" Lat., W -75° 36' 00" Long.),

8) a 16-inch natural gas pipeline and timber bridge crossing impacting 108 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 54" Lat., W -75° 35' 52" Long.),

9) a 16-inch natural gas pipeline and timber bridge crossing impacting 89 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 58" Lat., W -75° 35' 56" Long.),

10) a 16-inch natural gas pipeline and timber bridge crossing impacting 81 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 47' 10" Lat., W -75° 35' 55" Long.),

11) a 16-inch natural gas pipeline and timber bridge crossing impacting 75 lineal feet of Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 47' 39" Lat., W -75° 35' 12" Long.),

12) a 16-inch natural gas pipeline and timber bridge crossing impacting 121 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 47' 39" Lat., W -75° 35' 09" Long.),

13) a 16-inch natural gas pipeline and timber bridge crossing impacting 97 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 47' 39" Lat., W -75° 35' 08" Long.),

14) a 16-inch natural gas pipeline and timber mat crossing impacting 41,818 square feet (0.96 acre) of a PSS wetland (Thompson, PA Quadrangle; N 41° 46' 04" Lat., W -75° 37' 29" Long.),

15) a 16-inch natural gas pipeline and timber mat crossing impacting 2,178 square feet (0.05 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 46' 55" Lat., W -75° 35' 57" Long.),

16) a timber mat crossing impacting 871 square feet (0.02 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 46' 59" Lat., W -75° 35' 58" Long.),

17) a 16-inch natural gas pipeline and timber mat crossing impacting 16,117 square feet (0.37 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 47' 33" Lat., W -75° 35' 37" Long.),

18) a 16-inch natural gas pipeline and timber mat crossing impacting 1,307 square feet (0.03 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 47' 40" Lat., W -75° 35' 11" Long.),

19) a 16-inch natural gas pipeline and timber mat crossing impacting 21,780 square feet (0.50 acre) of a PFO wetland (Thompson, PA Quadrangle; N 41° 47' 39" Lat., W -75° 35' 08" Long.).

The project consists of constructing approximately 4.5 miles of 16" natural gas gathering line from the Reilly J. well pad routed to the Southwest to the Davis pipeline in Gibson Township, Susquehanna County. The project will result in 1,042 lineal feet of stream channel, 1.93 acres of



temporary wetland impact, and 1.46 acres of permanent wetland conversion impacts, all for the purpose of conveying Marcellus Shale natural gas to market.

*Wilkes-Barre: Environmental Program Manager, 2 Public Square, 5th Floor, Wilkes-Barre, PA 18701*

**EA5411-001. Pennsylvania Department of Environmental Protection, Bureau of Abandoned Mine Reclamation,** Wilkes-Barre Office, 2 Public Square, 5th Floor, Wilkes-Barre, PA 18701. Abandoned Mine Land Reclamation Project, in East Union Township, **Schuylkill County**, Baltimore ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 2,500 linear feet of dangerous highwall. The project will include the backfilling of 2.51 acres of wetland, and 1.48 acres of open water that has developed within the open surface mine pits. (Nuremberg Quadrangle N: 5.5 inches, W: 2 inches)

#### DAM SAFETY

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, P. O. Box 8460, Harrisburg, PA 17105-8460*

**D45-301. Thomas Dam, Marcia Thomas,** 373 Harrington Way, Souderton, PA 18964. To modify, operate,

and maintain Thomas Dam across an unnamed tributary to Stony Run (EV-MF), impacting 0 acres of wetlands (PEM) with no proposed impacts to the stream channel, for the purpose of rehabilitating the dam by flattening the slope and constructing a new spillway. (Skytop, PA Quadrangle Latitude: 41°09'40", Longitude: -75°12'04") in Price Township, **Monroe County**.

**D15-125. Hershey Mill Dam,** East Goshen Township, 1580 Paoli Pike, West Chester, PA 19380. To modify, operate, and maintain Hershey Mill Dam across Ridley Creek (HQ-TSF, MF), impacting 0 acres of wetlands (PEM) with no proposed impacts to the stream channel, for the purpose of rehabilitating the dam by constructing a new spillway. (Malvern, PA Quadrangle Latitude: 40.0132, Longitude: -75.5573) in East Goshen Township, **Chester County**.

**D52-200. Upper Birchwood Lake Dam,** Birchwood Lakes Community Association, Inc. (212 Aspen Road, Dingmans Ferry, PA 18328). To modify, operate and maintain the Upper Birchwood Lake Dam across Dingmans Creek (HQ-CWF, MF), impacting 0.30 acre of wetlands temporarily and 0.57 acre permanently, for the purpose of complying with the Commonwealth's regulations. (Lake Maskenozha, PA Quadrangle Latitude: 41.24861°, Longitude: -74.9147°) in Delaware Township, **Pike County**.

---

## ACTIONS

---

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

#### FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

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

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

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

### I. NPDES Renewal Permit Actions

*Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0023051 (Sewage)	Borough of Palmerton WWTP S Third Street End Palmerton, PA 18071	Carbon County Palmerton Borough	Aquashicola Creek (02B)	Y
PA0060186 (Sewage)	Elk Meadows Association STP Elk Road Uniondale, PA 18470	Susquehanna County Herrick Township	Unnamed Tributary of East Branch Tunkhannock Creek (4-F)	Y
PA0062316 (Sewage)	Blue Mountain Village STP (a.k.a. Chicola Lake MHP STP) 1249 Blue Mt. Circle Saylorsburg, PA 18353	Monroe County Ross Township	Aquashicola Creek (2-B)	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>
PA0217727 Sewage	Rices Landing Borough 137 Main Street Rices Landing, PA 15357	Greene County Rices Landing Borough	Monongahela River	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0035114 (IW)	Torpedo Specialty Wire 7065 Route 27 Pittsfield, PA 16340	Warren County Pittsfield Township	Gar Run (16-B)	Y

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

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

<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>
East Pikeland Township Chester County	PA0011631	Exelon Generation Co. LLC 200 Exelon Way Kennett Square, PA 19348	Schuylkill River and Stony Run—3-D	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Upper Uwchlan Township Chester County	PA0036374	Upper Uwchlan Township Municipal Authority 140 Pottstown Pike Chester Springs, PA 19425-9516	Unnamed Tributary to Marsh Creek—3-H	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

**NPDES Permit No. PAS212219**, Stormwater, SIC Code 3273, **Dale R. Koller**, 1870 Waldheim Road, Bethlehem, PA 18015.

This proposed facility is located in Weisenberg Township, **Lehigh County**.

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

**NPDES Permit No. PAS802228**, Storm Water, SIC Codes 5171 and 4226, **B & B Fuel LLC**, 921 Drinker Turnpike, Covington Township, PA 18444.

This proposed facility is located in Clifton Township, **Lackawanna County**.

Description of Proposed Action/Activity: Issuance of a new NPDES Permit for the discharge of treated storm water.

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

**NPDES Permit No. PA0102911**, Sewage, **Amendment No. 1, Miller Brothers Three, LLC**, 4177 Route 19, Cochran, PA 16314.

This existing facility is located in Sadsbury Township, **Crawford County**.

Description of Proposed Action/Activity: Transfer of permit.

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

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

**WQM Permit No. 4612409**, Sewage, **Horsham Water & Sewer Authority**, 617 Horsham Road, Horsham, PA 19044.

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

Description of Action/Activity: To expand capacity flow to 2.25 mgd annually.

**WQM Permit No. 1500416**, Sewage, **Amendment, East Marlborough Township**, 721 Unionville Road, Kennett Square, PA 19348.

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

Description of Action/Activity: To increase the Organic Loading Capacity.

**WQM Permit No. 1504412**, Sewage, **Amendment, Oxford Area Sewer Authority**, P. O. Box 379, 14 South Third Street, Oxford, PA 19363.

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

Description of Action/Activity: Construction and operation of Ross spray fields and wastewater treatment plant rerating.

**WQM Permit No. 1512416**, Sewage, **Westtown Township**, 1039 Wilmington Pike, West Chester, PA 19382.

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

Description of Action/Activity: To reduce phosphorus in the plant effluent water that is discharged to the east branch of Chester Creek.

**WQM Permit No. 1512415**, Sewage, **Oxford Borough Area Sewer Authority**, P. O. Box 380, Oxford, PA 19363-0380.

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

Description of Action/Activity: Construction and operation of a 1.25 mgd wastewater treatment plant.

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

**WQM Permit No. 4812403**, SIC Code 4952, **Borough Of Northampton**, 1401 Laubach Avenue, Northampton, PA 18067.

This proposed facility is located in Northampton Borough, **Northampton County**.

Description of Proposed Action/Activity: Replacement of the aging Smith Lane Pump Station

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

**WQM Permit No. WQG01672103**, Sewerage, **James C. & Debra W. Eberly**, 7268 Ironstone Hill Road, Dallastown, PA 17313.

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

Description of Proposed Action/Activity: Proposed small flow treatment facility for an existing six-bedroom house.

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

**WQM Permit No. 0311402-A2**, Sewerage, **Mahoning Township**, 987 State Route 1025, New Bethlehem, PA 16242

This existing facility is located in Mahoning Township, **Armstrong County**

Description of Proposed Action/Activity: Permit amendment issuance.

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

**WQM Permit No. 1612402**, Sewage, **PA American Water**, 800 West Hersheypark Drive Hershey, PA 17033.

This existing facility is located in Monroe Township, **Clarion County**.

Description of Proposed Action/Activity: Treatment plant expansion/upgrades.

**WQM Permit No. 4397411**, Sewage, **Amendment No. 1, John C. Chrzanowski d/b/a Hemlock Mobile Home Park**, 6 Pond Lane, Malvern, PA 19355-2927.

This existing facility is located in Wolf Creek Township, **Mercer County**.

Description of Proposed Action/Activity: Cancellation of permit amendment no. 1.

**WQM Permit No. 2087404**, Sewage, **Transfer No. 3, Miller Brothers Three, LLC**, 4177 Route 19, Cochranon, PA 16314.

This existing facility is located in Sadsbury Township, **Crawford County**.

Description of Proposed Action/Activity: Transfer of permit.

---

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

---

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

---

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

---

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023903037R(2)	Upper Macungie Twp. 8330 Schantz Rd. Breinigsville, PA 18031	Lehigh	Upper Macungie Twp.	UNT to Little Lehigh Creek, HQ-CWF, MF
PAI024012002	Presidential Land Company, LTD 435 W. Centre St. Mahanoy City, PA 17948	Luzerne	Rice Twp.	Big Wapwallopen Creek, HQ-CWF, MF
PAI023912021	Allentown DPP VII, LLC 9010 Overlook Blvd. Brentwood, TN 37027	Lehigh	City of Allentown	Little Lehigh Creek, HQ-CWF, MF

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone 717.705.4802.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033612005	Dwight Wagner Tanglewood Manor, Inc. PO Box 605 Quarryville, PA 17566	Lancaster	East Drumore Township	UNT to Conowingo Creek (HQ-CWF)

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

*Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10F106(6)R	Ian Salada Penn State University 101P Physical Plant Bldg University Park PA 16802	Centre	State College Borough	Slab Cabin Run CWF Thompson Run HQ-CWF

---

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

---

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

---

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

---

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site

PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges From the Application of Pesticides

*General Permit Type—PAG-02**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Orwigsburg Borough, Schuylkill County	PAG02005410009R	Orwigsburg Borough 209 N. Warren St. P. O. Box 128 Orwigsburg, Pa 17961	UNT to Mahannon Creek, CWF, MF	Schuylkill Co. Cons. Dist. 570-622-3742
Upper Saucon Twp., Lehigh County	PAG02003912012	Lou Gomes Orleans Homebuilders, Inc. 3333 Street Road Ste. 101 Bensalem, Pa 19020	Laurel Run, CWF, MF	Lehigh Co. Cons. Dist. 610-391-9583
City of Allentown, Lehigh County	PAG02003912015	J.B. Reilly Two City Center, OP, LP 702 Hamilton St. Ste. 300 Allentown, PA 18101	Jordan Creek, TSF, MF	Lehigh Co. Cons. Dist. 610-391-9583
Pittston Township, Luzerne County	PAG02004010005(1)	New Prime, Inc. Johnnie Madison 2740 North Mayfair Ave. Springfield, MO 65803	Mill Creek, CWF, MF	Luzerne Co. Cons. Dist. 570-674-7991

*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717.705.4802**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>
East Providence Township Bedford County	PAG02030506004R	Carl Dallmeyer 4775 North Sherman Street Ext. Mt. Wolf, PA 17347-9713	UNT to Shaffer Creek/ WWF	Bedford Co. Conservation Dist. 702 West Pitt Street Bedford, PA 15522 814.623.7900
Bedford Township Bedford County	PAG02000504008R	Bette Slayton One Corporate Drive, Suite 101 Bedford, PA 15522	UNT to Brush Run & Dunning Creek/WWF	Bedford Co. Conservation Dist. 702 West Pitt Street Bedford, PA 15522 814.623.7900
Oley Township Berks County	PAG02000604084R	Michelle Fessler Berks Career & Technology Center 1057 County Road Leesport, PA 19533	Monocacy Creek/ WWF, MF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Exeter Township Berks County	PAG02000612043	Chris MacMullen Trim Development Company 2024 Hoffmansville Road Frederick, PA 19435	Trout Run & Schuylkill River/WWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142

<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>
East Pennsboro Township Cumberland County	PAG02002107038	Mike Greene Floribunda Associates, LP 4075 Market Street Camp Hill, PA 17011	Conodoguinet Creek/ WWF	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
South Middleton Township Cumberland County	PAG02002108028	Andy Sitzer LIT Industrial Ltd. Partnership 2650 Cedar Springs Rd., Ste. 850 Dallas, TX 75201	Conodoguinet Creek/ WWF	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Upper Allen Township & Mechanicsburg Borough Cumberland County	PAG02002107003	Michael Beaver The Hollinger Group 4550 Lena Drive, Suite 225 Mechanicsburg, PA 17055	Cedar Run/CWF	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Derry Township Dauphin County	PAG02002212043	Musser Home Builders, Inc. Ten Barrens Church Road Dillsburg, PA 17019	Swatara Creek/WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Londonderry Township Dauphin County	PAG02002211001R	Charles B. Zeager Friends In Action, Intl.—USA PO Box 323 Elizabethtown, PA 17022	Lynch Run/TSF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Derry Township Dauphin County	PAG02002204044R	Ian Salada, PSU— Milton S. Hershey Medical Center 101P Office of Physical Plant University Park, PA 16802-1118	Swatara Creek/WWF & Spring Creek/WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Lower Swatara Township Dauphin County	PAG02002206066R	Doug Ferguson Phoenix Contact, Inc. 586 Fulling Mill Road Middletown, PA 17057	Swatara Creek/WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Hamilton Township Franklin County	PAG02002812030	Wes Martin 1046 Sollenberger Road Chambersburg, PA 17202	UNT to Dennis Creek/ CWF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Saint Thomas Township Franklin County	PAG02002812028	Andrew Papoutsis Apex Coating 200 Oregon Road Mercersburg, PA 17226	UNT to West Branch of Conococheague Creek/CWF, MF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Guilford Township Franklin County	PAG02002812023	Ed Peters New Franklin Elementary 435 Stanley Avenue Chambersburg, PA 17201	UNT to Conococheague Creek/WWF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499

<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>
Antrim Township Franklin County	PAG02002808005(3)R	Tim Hogan ATAPCO Properties, Inc. Ten E. Baltimore St., Suite 1501 Baltimore, MD 21202	UNT to Conococheague Creek/WWF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Lancaster Township Lancaster County	PAG02003607045R	JPM Development Group PO Box 291 Lititz, PA 17543	Conestoga River/WWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Manheim Township Lancaster County	PAG02003607085R	Vision Property Management/ Legacy Home 245 Centerville Road Lancaster, PA 17603	Little Conestoga Creek/ TSF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Earl Township Lancaster County	PAG02003610074R	Petra Christian Fellowship 565 Airport Road New Holland, PA 17557	UNT Mill Creek/CWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
East Donegal Township Lancaster County	PAG02003611019R	Joe Hess 488 Anderson Ferry Road Mount Joy, PA 17552	Donegal Creek/TSF, MF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Strasburg Borough Lancaster County	PAG02003612006R	Charter Homes at Strasburg, Inc. 114 Foxshire Drive Lancaster, PA 17601	UNT Pequea Creek/ WWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Manheim Township Lancaster County	PAG02003612069	SKL Properties, LP 255 Butler Avenue, Suite 203 Lancaster, PA 17601	UNT Little Conestoga Creek/WWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Conoy Township Lancaster County	PAG02003612097	Marek Sonta 40 North Spruce Street Elizabethtown, PA 17022	Conewago Creek/CWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Salisbury Township Lancaster County	PAG02003611002R	Gap Power 5399 Lincoln Highway Gap, PA 17527	UNT Pequea Creek/ CWF, MF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Spring Township Perry County	PAG02035012006	Wilson & Mabel Eberly 295 South Farmersville Road Ephrata, PA 17522	UNT to Montour Creek/ CWF	Perry Co. Conservation District 31 West Main St., PO Box 36 New Bloomfield, PA 17068 717.582.8988

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Penn Township & Hanover Borough York County	PAG02006704069R	Allen M. Smith Conewago N. Ridge Partners, LP 610 Edgegrove Rd., PO Box 688 Hanover, PA 17331	Slagle Run—Trib. of South Branch Conewago Creek/WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Windsor Township York County	PAG02006712057	Gemcraft Homes Forest Hill, LLC 2205-A Commerce Road Forest Hill, MD 21050	Kreutz Creek/WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
West Manheim Township York County	PAG02006712042	Scott Sager, St. David's United Church of Christ 142 Hobart Road Hanover, PA 17331 & Andy Brough Conewago Enterprises, Inc. 660 Edgegrove Road Hanover, PA 17331	Codorus Creek/WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Spring Garden Township York County	PAG02006711017R	Regent's Glen Building & Development, LLC 1190 Regent's Glen Boulevard York, PA 17403	Codorus Creek/WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Windsor Township York County	PAG02006707012(1)R	Hedgeford, LLC 227 Granite Run Drive, Suite 100 Lancaster, PA 17601	Kreutz Creek/WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Springettsbury Township York County	PAG02006712055	Mary Sabol County of York 28 East Market Street York, PA 17401-1588	Kreutz Creek/WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Maidencreek Township Berks County	PAG02000604033R	Peter Giorgi DiGiorgi Mushroom Corp., Willow Creek Realty Co., Ascoli Realty Corp. PO Box 96 Temple, PA 19560	Willow Creek/CWF, MF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Caernarvon Township Berks County	PAG02000611008R	Tim Kurtz Kurtland Farm 4350 Main Street Elverson, PA 19520	Conestoga River/WWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Caernarvon Township Berks County	PAG02000612029	Ronald Putt Morgantown Community Church PO Box 468 Morgantown, PA 19543	Conestoga River/WWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Birdsboro Boro. & Robeson Twp. Berks County	PAG02000608036(1)R	Martin Kendra Kendra Land Development, LLC Eight Hastings Lane Spring City, PA 19475	Schuylkill River/WWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142



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

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Manor Township Armstrong County	PAG02000312005	Armstrong School District 410 Main Street Ford City, PA 16226	UNT to Garrets Run (WWF) UNT to Allegheny River (WWF) Allegheny River (WWF-N)	Armstrong County CD Armsdale Administration Building 124 Armsdale Road Kittanning, PA 16201 (724) 548-3435
North Franklin Township Washington County	PAG02006307038R	Lewis Keith 2455 Park Avenue Washington, PA 15301	UNT to Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
North Strabane Township Washington County	PAG02006312021	SmartKids Child Care & Learning Center, Inc. 161 West Beau Street Washington, PA 15301	Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
North Strabane Township Washington County	PAG02006312040	Shree Amaya Inc. 101 Gosai Drive Bentleyville, PA 15314	UNT to Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098

*General Permit Type—PAG-03*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant's Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Telephone No.</i>
Trainer Borough Delaware County	PAR320001	Congoleum Corp 4401 Ridge Road Trainer, PA 19061-5094	Marcus Hook Creek—3G	Southeast Region Clean Water Program 484.250.5970
Philadelphia City Philadelphia County	PAR800064	Republic Service of PA LLC 3000 East Hedley Street Philadelphia, PA 19137	Frankford Creek—3J	Southeast Region Clean Water Program 484.250.5970
Philadelphia City Philadelphia County	PAR800146	Republic Service Inc. 4400 Mount Pisgah Road York, PA 17406	Delaware River—3J	Southeast Region Clean Water Program 484.250.5970
Philadelphia City Philadelphia County	PAR230092	Delavau LLC 10101 Roosevelt Boulevard Philadelphia, PA 19154	Walton Run—3J	Southeast Region Clean Water Program 484.250.5970
Strausstown Borough Berks County	PAR203599	Post Precision Castings Inc. 21 Walnut Street PO Box A Strausstown, PA 19559	Jackson Creek / CWF, MF	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Walker Township Juniata County	PAR223533	Energex American Inc. 95 Energex Drive Mifflintown PA 17059-7748	UNT to Cedar Spring Run / TSF, MF	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
South Waverly Borough Bradford County	PAR124819	Leprino Foods Co. 400 Leprino Avenue Waverly, NY 14892	Dry Brook—4-B	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant's Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Telephone No.</i>
Muncy Borough Lycoming County	PAR314841	Key Energy Services, LLC 95 Griffith Road Muncy, PA 17756	Muncy Creek—10-D	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Derry Township Westmoreland County	PAR206105	TechSpec. Inc. PO Box 69 718 Y Street Derry, PA 15627-0069	McGee Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Stowe Township Allegheny County	PAR806263	Axiom Automotive Technologies 1400 Fleming Avenue McKees Rocks, PA 15136	Ohio River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Somerset Borough Somerset County	PAR606224	Joseph Smith & Sons 2001 Kenilworth Avenue Capital Heights, MD 20743	Millers Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Chartiers Township Washington County	PAR116116	Caterpillar Global Mining America, LLC 2045 West Pike Street Houston, PA 15342	Chartiers Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Center Township Indiana County	PAR316102-A1	Haliburton Energy Services, Inc. 101 Lucerne Road Homer City, PA 15748-7415	Two Lick Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Unity Township Westmoreland County	PAR206147	Kennametal, Inc. 1600 Technology Way PO Box 231 Latrobe, PA 15650	UN Stream & UNT to Ninemile Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant's Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Telephone No.</i>
Neville Township Allegheny County	PAR806291	Lanxess Corporation 3499 Grand Avenue Pittsburgh, PA 15225-1507	Ohio River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000

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

<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>
Barkeyville Borough Venango County	PAR708324	Glenn O Hawbaker Inc. 711 E. College Avenue, Bellefonte, PA 16823	Unnamed Tributary to the North Branch Slippery Rock Creek 20-C	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Freehold Township Warren County	PAR228328	Briggs Transport, Inc. 24 Huntley Road, Bear Lake, PA 16402-3702	Mill Creek 16-B	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Washington Township Clarion County	PAR228304	Allegheny Wood Products International Inc. P. O. Box 30, Route 208 Marble, PA 16334.	Unnamed Tributary of East Sandy Creek 16-G	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Bradford City McKean County	PAR608350	Goodman Services, Inc. 286 High Street, Bradford, PA 16701.	East Branch Tunungwant Creek 16-C	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-4*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
West Caln Township Chester County	PAG040184	Owens Daniel J 218 Valley Green Drive Coatesville, PA 19320-1197	Unnamed Tributary of West Branch Brandywine Creek—3-H	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
York County Springfield Township	PAG043928	James C. & Debra W. Eberly 7268 Ironstone Hill Road Dallastown, PA 17313	UNT to East Branch Codorus Creek / CWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*General Permit Type—PAG-5**Facility Location:  
Municipality &  
County*City of Johnstown  
Cambria County*Permit No.*  
PAG056240*Applicant Name &  
Address*Billy Oil Company  
716 Clearfield Road  
Fenelton, PA 16034*Receiving  
Water/Use*

Falls Run

*Contact Office &  
Phone No.*Southwest  
Regional Office:  
Water Management  
Program Manager  
400 Waterfront Drive  
Pittsburgh PA  
15222-4745  
(412) 442-4000*General Permit Type—PAG-07**Facility Location:  
Municipality &  
County*Philadelphia  
Renewable Biofuels  
Philadelphia County  
City of Philadelphia*Permit No.*  
PAG070012*Applicant's Name &  
Address*Synagro-WWT, Inc.  
3501 Asiatic Avenue  
Balto, MD 21226*Contact Office &  
Phone No.*Southeast Region  
Clean Water Program  
484.250.5970Pottstown Borough  
Authority  
Wastewater Treatment  
Plant  
Pottstown Borough  
Montgomery County*Permit No.*  
PAG070011Pottstown Borough  
Authority  
100 East High Street  
Pottstown, PA 19464Southeast Region  
Clean Water Program  
484.250.5970*General Permit Type—PAG-8**Facility Location:  
Municipality &  
County*Johnstown Regional  
Sewage WWTP*Permit No.*  
PAG086106*Applicant Name &  
Address*Johnstown  
Redevelopment  
Authority  
Public Safety Building  
Fourth Floor  
401 Washington Street  
Johnstown, PA 15901*Facility Municipality  
and County*City of Johnstown  
Cambria County*Contact Office &  
Phone No.*Southwest  
Regional Office:  
Water Management  
Program Manager  
400 Waterfront Drive  
Pittsburgh PA  
15222-4745  
(412) 442-4000*General Permit Type—PAG-10**Facility Location:  
Municipality &  
County*Gilpin Township  
Armstrong County*Permit No.*  
PAG106156*Applicant Name &  
Address*NiSource Midstream  
Services, LLC  
5151 San Felipe  
Suite 2500  
Houston, TX 77056*Receiving  
Water/Use*

Allegheny River

*Contact Office &  
Phone No.*Southwest  
Regional Office:  
Water Management  
Program Manager  
400 Waterfront Drive  
Pittsburgh PA  
15222-4745  
(412) 442-4000**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.

**NUTRIENT MANAGEMENT PLAN  
PUBLIC NOTICE SPREADSHEET**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
D. Fred Miller & Sons 580 Church Road East Berlin, PA 17316	Adams	1292.7	894.09	Turkey and Beef	NA	Approved

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Permit No. 2812501**, Public Water Supply.  
 Applicant **Mercersburg Water Authority**  
 Municipality Peters Township  
 County **Franklin**

---

Responsible Official	Ed Twine, Authority Chairman 113 South Main Street Mercersburg, PA 17236
Type of Facility	Mud well expansion project to increase storage of filter backwash water at the Buck Run Water Treatment Facility.
Consulting Engineer	Lance S Kegerreis, P.E. Dennis E. Black Engineering Inc. 2400 Philadelphia Avenue Chambersburg, PA 17201
Permit to Construct Issued:	12/17/2012
<b>Permit No. 3612532 MA, Minor Amendment</b> , Public Water Supply.	
Applicant	<b>Red Maple Park Mobile Home</b>
Municipality	Clay Township
County	<b>Lancaster</b>
Responsible Official	Henry Nolt, Owner/Primary Licensed Operator 455 B Middle Creek Road Lititz, PA 17543-7303
Type of Facility	Installation of chlorine contact tanks
Consulting Engineer	Thomas W Schreffler, P.E. Light-Heigel & Associates Inc. 430 East Main Street Palmyra, PA 17078
Permit to Construct Issued:	12/18/2012
<b>Permit No. 3612533</b> , Public Water Supply.	
Applicant	<b>Knightscove Properties</b>
Municipality	Fulton Township
County	<b>Lancaster</b>
Responsible Official	Thomas P. Knight, Principal PO Box 274 Port Deposit, MD 21904

Type of Facility Installation of chlorine contact tanks, demonstration of 4-log treatment of viruses and authorization of nitrate treatment system.

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

Permit to Construct Issued: 12/18/2012

**Permit No. 0612512 MA, Minor Amendment, Public Water Supply.**

Applicant **Berks Leisure Living**

Municipality Bern Township

County **Berks**

Responsible Official David J. Gettle, Operator  
PO Box 350  
Myerstown, PA 17067

Type of Facility Demonstration of 4-Log Treatment of Viruses for GWR. Installation of 80' of 12" contact pipe.

Consulting Engineer David J Gettle Kohl Bros., Inc.  
PO Box 350  
Myerstown, PA 17067

Permit to Construct Issued: 12/10/2012

**Permit No. 0612523 MA, Minor Amendment, Public Water Supply.**

Applicant **Keystone Mobile Homes, Inc.**

Municipality Exeter Township

County **Berks**

Responsible Official Michael J Boisson,  
Director of Operations  
6830 Perkiomen Ave.  
Birdsboro, PA 19508

Type of Facility Demonstration of 4-Log Treatment of Viruses for GWR. Installation of 71' of 10" contact pipe at Entry Point 101.

Consulting Engineer Keith R Showalter, P.E.  
Systems Design  
Engineering, Inc.  
1032 James Drive  
Leesport, PA 19533

Permit to Construct Issued: 12/10/2012

**Permit No. 3612547 MA, Minor Amendment, Public Water Supply.**

Applicant **Pineview Acres Mobile Home Park**

Municipality Penn Township

County **Lancaster**

Responsible Official Stuart Hess  
1546 Newport Road  
Manheim, PA 17545

Type of Facility Installation of chlorine contact tanks and the demonstration of 4-log treatment of viruses.

Consulting Engineer Not Available

Permit to Construct Issued: 12/18/2012

**Operations Permit issued to: The Borough of Hanover, 7670076, Hanover Borough, York County on 12/18/2012 for the operation of facilities approved under Construction Permit No. 6711506 MA.**

**Operations Permit issued to: Benner's Mobile Home Court, LLC, 4340006, Thompsontown Borough, Juniata County on 12/4/2012 for the operation of facilities submitted under Application No. 3412504 MA.**

**Operations Permit issued to: Miller Mobile Home Park, 3060068, Ontelaunee Township, Berks County on 12/4/2012 for the operation of facilities submitted under Application No. 0612525 MA.**

**Operations Permit issued to: Lazy K Campground, 3060105, Washington Township, Berks County on 12/10/2012 for the operation of facilities submitted under Application No. 0612524 MA.**

**Operations Permit issued to: American Legion Post 272, 7220424, Lower Paxton Township, Dauphin County on 11/5/2012 for the operation of facilities submitted under Application No. 2212510 MA.**

**Operations Permit issued to: Valco Companies, Inc., 7361010, East Lampeter Township, Lancaster County on 12/17/2012 for the operation of facilities approved under Construction Permit No. 3612515.**

**Operations Permit issued to: Possum Valley Municipal Authority, 7010034, Menallen Township, Adams County on 12/18/2012 for the operation of facilities approved under Construction Permit No. 0112506 MA.**

**Operations Permit issued to: Sunny Crest Home, Inc., 7360061, Caernarvon Township, Lancaster County on 12/18/2012 for the operation of facilities submitted under Application No. 3612545 MA.**

**Operations Permit issued to: Irvin Manheim Mobile Home Park, 7360074, Penn Township, Lancaster County on 12/18/2012 for the operation of facilities submitted under Application No. 3612546 MA.**

**Operations Permit issued to: Hi-Land MHP, 7220025, Londonderry Township, Dauphin County on 12/18/2012 for the operation of facilities submitted under Application No. 2212508 MA.**

**Operations Permit issued to: Myerstown Water Authority, 7380025, Myerstown Borough, Lebanon County on 12/18/2012 for the operation of facilities submitted under Application No. 3810510 MA.**

**Operations Permit issued to: Hillside Terrace Mobile Home Park, 4050009, Bedford Township, Bedford County on 12/18/2012 for the operation of facilities submitted under Application No. 0512512 MA.**

**Operations Permit issued to: The Union Township Municipal Authority of Berks Co., Penna, 3060136, Union Township, Berks County on 12/18/2012 for the operation of facilities submitted under Application No. 0612527 MA.**

**Operations Permit issued to: Misty Meadows Apts., 3060131, Caernarvon Township, Berks County on 12/18/2012 for the operation of facilities submitted under Application No. 0612521 MA.**

**Operations Permit** issued to: **Sittler's Mobile Home Park**, 3060044, Maxatawny Township, **Berks County** on 12/18/2012 for the operation of facilities submitted under Application No. 0612522 MA.

**Operations Permit** issued to: **The Yowk Water Company**, 7010033, Carrol Valley Borough, **Adams County** on 12/20/2012 for the operation of facilities submitted under Application No. 0112515 MA.

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

**Interim Operation Permit** issued to **Albion Borough**, PWSID #6250007, Albion Borough, **Erie County**. Permit Number 2512503 Interim Operation issued December 21, 2012 for the interim operation of the sodium hypochlorite feed systems at the Gage Road treatment facility. This permit is issued in response to a request to operate the newly installed sodium hypochlorite feed systems at Gage Road Treatment facility. An inspection of the constructed facilities was performed by the Department of Environmental Protection personnel on December 21, 2012.

**Construction/Operation Permit** issued to **Polk Center**, PWSID #6610010, Polk Borough, **Venango County**, December 21, 2012, for the construction/operation of Spring 5, Spring 5A and Spring 6 at the Polk Center Water Treatment Plant. Construction and Operation authorized simultaneously under permit number 6112502 issued December 21, 2012.

**Cancellation of Permit** issued to **Kirby R. Litzenberg, High View Estates Mobile Home Park**, PWSID #5100142, Washington Township, **Butler County** on December 21, 2012. This action represents the cancellation of Permit Number 1000501 issued January 2, 2001. This action is a result of High View Estates Mobile Home Park no longer being a Public Water Supply.

**Cancellation of Permit** issued to **Michael and Kurt Edwards, Wintergreen Acres Mobile Home Park**, PWSID #6250045, Girard Township, **Erie County** on December 26, 2012. This action represents the cancellation of Permit Number 2502501 issued June 25, 2004. This action is a result of Wintergreen Acres Mobile Home Park no longer being a Public Water Supply.

**Transfer of Operation Permit** issued to **Matt Hinkle d/b/a Majors Mobile Home Park**, PWSID #6370016, Slippery Rock Township, **Lawrence County** on December 20, 2012. Action is for change in ownership; the potable water supplier will do business as Majors Mobile Home Park. The new permit number is 3788507-T1.

**Permit No. 1012507** Public Water Supply  
 Applicant **Borough of Mars**  
 Township or Borough Adams Township  
 County **Butler**  
 Type of Facility Public Water Supply  
 Consulting Engineer Steven H. Greenberg, P.E.  
 KLH Engineers, Inc. 5173 Campbells Run Road  
 Pittsburgh, PA 15205  
 Permit to Construct December 28, 2012  
 Issued

## SEWAGE FACILITIES ACT PLAN APPROVAL

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

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

#### Plan Location:

Borough or Township	Borough or Township Address	County
Nuangola Borough	5150 Nuangola Road Mountain Top, PA 18707	Luzerne

*Plan Description:* The Component 3M Module proposes the construction of a low-pressure wastewater collection and conveyance system to serve an additional 5 properties located in the Williams Street, Blytheburn Road North End Road and Storm Street areas within the Borough as described in the Module's project narrative and illustrated on the Module's plot plan and other drawings. The Module's selected alternative alters the layout of the Borough's proposed wastewater collection system within the corporate boundaries of Nuangola Borough. The original layout of the proposed collection and conveyance systems was previously included in the Official Sewage Facilities Plan Update Revision submissions approved by the Department on May 13, 2005 and March 19, 2012. This Module submission modifies the approved wastewater collection system layout as previously described in this correspondence. Wastewater from the additional properties will be conveyed through the previously approved and proposed wastewater conveyance systems of the Nuangola Borough Sewer Authority and the Mountaintop Area Joint Sanitary Authority (MAJSA) to the MAJSA Wastewater Treatment Facility for treatment. Discharge of the treated wastewater from the MAJSA Wastewater Treatment Facility will be to Big Wapwallopen Creek.

Implementation of the selected wastewater disposal alternative and operation of the proposed facilities will be performed by the Nuangola Borough Sewer Authority in conjunction with the MAJSA.

This approval covers only the wastewater planning aspects of the selected wastewater disposal alternative as it relates to Nuangola Borough's Official Sewage Facilities Plan. Implementation of the selected wastewater disposal alternative requires a Water Quality Management Part II Permit for the construction and operation of the proposed sewage facilities. Water Quality Management Part II Permit No. 4012401, issued on March 19, 2012 to the Nuangola Borough Sewer Authority satisfies the Water Quality Management Part II Permit requirements for the wastewater collection facilities proposed in this Module.

Financing of the proposed wastewater collection and conveyance system is to be provided by the United States Department of Agriculture's Rural Development Program.

In accordance with the provisions of the Pennsylvania Sewage Facilities Act, 35 P. S. §§ 750.1—750.20(a) (Act 537), and Chapter 71 of the Department's regulations (25 Pa. Code Ch. 71), the Department will hold Nuangola Borough responsible for the complete and timely implementation of the Module's selected wastewater disposal alternative as listed in the Module's Project Narrative and its corresponding schedule of implementation.

Any additional wastewater-related improvements, additions, deletions or changes outside of those explicitly

described in the Module and its correspondence, must be in compliance with the Department's regulations and be submitted to and approved by the Department in writing.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 2

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

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

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

The Department has received the following plans and reports:

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

3088 Dunchurch Drive, Lehman Township, **Pike County, James P. Cinelli, Liberty Environmental, Inc.**, has submitted a Final Report on behalf of his client, Courtney Green, GMAC ResCap, 2711 North Haskell Avenue, Suite 900, Dallas, Texas, (serving Bank of New York Foreclosure), concerning the remediation of soil from a spill of used motor oil which occurred in the crawlspace of the residence. The applicant proposes to remediate the site to meet the Residential Statewide Health Standards for soil. The intended future use of the site is residential. A public notice regarding the submission of the Final

Report and the Notice of Intent to remediate were both published in *The Pocono Record* on November 11/16/12.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

**Frank Tire Center**, Douglass Township **Montgomery County**. Andrew R. Fetterman, P.G., Synergy Environmental, Inc. 155 Railroad Plaza, 1st Floor, Royersford, PA



19468 on behalf of James M. Brunner, Franks Tire Center, 1493 East Philadelphia Venue, Gilbertville, PA 19525 has submitted a Remedial Investigation Report/Final Report concerning the remediation of site groundwater contaminated with unleaded gasoline. The Remedial Investigation Report/Final Report was disapproved by the Department on November 26, 2012.

**Toppi Residence**, West Bradford Township **Chester County**. Richard D. Trimpi, Trimpi Associates, Inc. 1635 Old Plains Road, Pennsburg, PA 18073, Frank Lynch, Envirolink, Inc. 165 Daleville Road, Cochranville, PA 19330 on behalf of Pamela Toppi, 561 Northbrook Road, West Chester, PA 19382 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 21, 2012.

**311 East Lancaster Avenue LLC**, Lower Merion Township **Montgomery County**. Joseph Diamadi, Jr. Marshall Geoscience, Inc., 170 East First Avenue, Collegeville, PA 19426 on behalf of William J. Higginson, 311 East Lancaster Avenue, LLC, 790 Township Line Road, Suite 300, Yardley, PA 19426 has submitted a Final Report concerning the remediation of site soil contaminated with chlorinated solvents. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 28, 2012.

**Waterford Walk**, Lower Merion Township **Montgomery County**. Lawrence W. Bily, RT Environmental Service Inc., 215 West Church Road, King of Prussia, PA 19072 on behalf of D. Charles Houder, Hardy Houder Real Estate Group, LLC, 134 North Narberth Avenue, Narberth, PA 19072 has submitted a Final Report concerning the remediation of site soil contaminated with lead. The Final report demonstrated attainment of the Statewide Health Standards and was approved by the Department on November 28, 2012.

**Maple Glen Dry Cleaners**, Upper Dublin Township **Montgomery County**. Gloria Hunsberger, Kleinfelder, East Inc., 180 Sheree Blvd, Suite 3800, Exton, PA 19341 on behalf of Jeffery Brow, Genuardi's Family Markets, LP, 5918 Stoneridge Mall Road, Pleasanton, CA 94588 has submitted a Final Report concerning the remediation of site soil contaminated with tetrachloroethylene and trichloroethylene. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 19, 2012.

**Rhodia**, Falls Township **Bucks County**. Ryan Fitzpatrick, ARCADIS, 10 Friends Lane, Suite 200, Newtown, PA 18940 on behalf of Mike Shatynski, Rhodia, Inc., 8 Cedar Brook, Drive Cranbury, NJ 08512 has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with inorganics. The Final report demonstrated attainment of the Site Specific Standard and was approved by the Department on November 27, 2012.

**Vincent Schultz Residence**, Upper Moreland Township **Bucks County**. John C. Lydzinski, P.G., Marshall Miller & Associates, Inc. 2 Gunpowder Road, Mechanicsburg, PA 17050, John Asta, Big Oak Landscape and Supplies, Inc., Fuel Oil Division, 2 Viaduct Lane, Levittown, PA 19054 on behalf of Vincent Schultz, 2025 Franklin Street, West Chester, PA 19090 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 20, 2012.

**PECO**, Borough of Phoenixville, **Chester County**. Bruce Middleman, Stantec Consulting Services, Inc., 40 Davis Drive, Suite 400, Plymouth Meeting, PA 19462 on behalf of George Horvat, Peco Energy Company, 2301 Market Street, S7-2, Philadelphia, PA 19103 has submitted a 90 day Final Report concerning the remediation of site soil contaminated with PCB. The Final report demonstrated attainment of the Statewide Health Standard and was approved or by the Department on November 1, 2012.

**Jiffy Lube # 946**, Montgomery Township, **Montgomery County**. Richard P. Cerbone, Sovereign Consulting, Inc. 111-A North Gold Drive, Robbinsville, NJ 08691, Rob Rule, Shell Oil Products, US 3139 Village Drive, Waynesboro, VA 22980 on behalf of Mark H. Rhee, Midlantic Lubes, Inc., 3 Corporate Park, Suite 240, Irvine, CA 92606 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with btex, mtbe, naphatlalen, cumene and the trimethylbenzene compounds. The Final report demonstrated attainment of the Statewide Health Standard and was approved or by the Department on November 7, 2012.

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

**Camp Rock Hill Facility**, Route 739 (Dingman's Turnpike), Dingman Township, **Pike County**. Phillip Getty, Boucher & James, Inc., 2738 Rim Rock Road, Stroudsburg, PA 18360 has submitted a combined Remedial Investigation Report/Risk Assessment Report/Cleanup Plan (on behalf of his client, Boy Scouts of America, P. O. Box 670, Oakland, NJ 07436), concerning the remediation of soil found to have been impacted by lead as a result of historical rifle range activities at the Boy Scout camp. The combined report was submitted in partial fulfillment of the Site-Specific Standard for soil and was approved on December 20, 2012.

**Avalon Cleaners**, 511 Pierce Street, Kingston Borough, **Luzerne County**. Martin Gilgallon, Pennsylvania Tectonics, Inc., 826 Main Street, Peckville, PA 18452 has submitted a Combined Remedial Investigation Report/Cleanup Plan/Final Report (on behalf of his client, David T. Andes, 348 Pierce Street, Kingston, PA 18704), concerning the remediation of soil and groundwater found to have been impacted by PCE as a result of historical operations at this former dry cleaning establishment. The combined report was submitted to meet the Site-Specific Standard for soil and groundwater and was approved on December 3, 2012.

**D Grosvenor 1H/2V Well Site**, 122 Willagrove Road, Dimock Township, **Susquehanna County**. Dawn Washo, Resource Environmental, 36 Taylor Lane, Montrose, PA 18801 has submitted a Final Report, (on behalf of her client, Cabot Oil & Gas Corporation, 5 Penn Center West, Suite 401, Pittsburgh, PA 15276), concerning the remediation of soil found to have been impacted by ethylene glycol due to when a stray bullet broke the sight glass on a gas production unit. The report documented attainment of the Residential Statewide Health Standard for soils and was approved on December 18, 2012. The report was originally submitted within 90 days of the release.

**Lehigh Carbon Intermediate Unit, Mauch Chunk Road Diesel Fuel Spill**, Mauch Chunk Road between Linden Drive and Gallagher Road, Whitehall Township, **Lehigh County**. Thomas Martinelli, JMT Environmental, 3353-C Gun Club Road, Nazareth, PA 18064, has submitted a Final Report (on behalf of his client, PA DOT

Engineer District 5-0, Mr. Michael Rebert, 1002 W Hamilton Street, Allentown, PA 18101), concerning the remediation of soil found to have been impacted by diesel fuel due to an accident involving a Lehigh County Intermediate Unit School Bus. The report documented attainment of the Residential Statewide Health Standard for soils and was approved on December 18, 2012. The report was originally submitted within 90 days of the release.

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

**Calumet Lubricants Rouseville Plant 1 (Fmr. PQS Rouseville Refinery Plant 1)**, Rouseville Borough, **Venango County**. URS Corporation, 12420 Milestone Center Drive, Suite 150, Germantown, MD 20876 on behalf of Pennzoil-Quaker State Company, 910 Louisiana OSP 687, Houston, TX 77002 has submitted a Risk Assessment/Final Report concerning the remediation of site soil contaminated with 1,2,4-trimethylbenzene, Benzene, Toluene, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, bis[2-chloroethyl]ether, Dibenz[a,h]anthracene, Indeno[1,2,3-cd]pyrene, Naphthalene, Aluminum, Antimony, Arsenic, Cobalt, Iron, Lead, Manganese, Mercury, Thallium and groundwater contaminated with 1,2,4-trichlorobenzene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, 2-butanone, 2-hexanone, Acetone, Benzene, Ethylbenzene, Toluene, Xylenes (total), 2-methylnaphthalene, 2-methylphenol, 3&4-methylphenol, 4-methylphenol, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Benzo[k]fluoranthene, bis[2-chloroethyl]ether, bis[2-chloroisopropyl]ether, bis[2-ethylhexyl]phthalate, Butylbenzyl phthalate, Chrysene, Dibenz[a,h]anthracene, Dibenzofuran, Fluoranthene, Fluorene, Indeno[1,2,3-cd]pyrene, Naphthalene, Phenanthrene, Pyrene, Aluminum, Antimony, Arsenic, Barium, Beryllium, Boron, Cadmium, Cobalt, Copper, Iron, Lead, Manganese, Mercury, Nickel, Selenium, Silver, Thallium, Vanadium, and Zinc. The Risk Assessment/Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on December 26, 2012.

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

**Permits issued, suspended, expired, denied, revoked, reinstated or returned 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.**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**PA6213820503, Letterkenny Army Depot**, 1 Overcash Drive, Chambersburg, PA 17201 A Class 1 hazardous waste permit modification was approved for Letterkenny Army Depot, 1 Overcash Drive, Chambersburg, PA in Greene, Hamilton, and Letterkenny Townships in **Franklin County** for the installation of eight (8) additional rocket motor static firing tubes at the Open Burning Unit No. 2 area of the Letterkenny Army Depot and the replacement of six (6) of the original static tubes with larger tubes. The Class I permit modification was issued on December 31, 2012.

## 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*

**GP2-23-0228: Eddystone Rail Co., LLC** (5 Industrial Highway, Eddystone, PA 19022) on December 26, 2012, was authorized to operate a (one) 1 unit of crude oil storage tank in Eddystone Borough, **Delaware County**.

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

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

**GP3-08-375: Meshoppen Stone, Inc.** (PO Box 127, Meshoppen, PA 18630) on December 17, 2012, to construct and operate a portable McCloskey J50 stone 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-GPA/GP-3) at their Bill Johnson Quarry in Stevens Township, **Bradford County**.

**GP9-08-375: Meshoppen Stone, Inc.** (PO Box 127, Meshoppen, PA 18630) on December 17, 2012, to construct and operate one 286 brake horsepower, CAT C9 diesel-fired engine pursuant to the General Plan Approval And/OR General Operating Permit (BAQ-GPA/GP-9): Diesel or #2 Fuel-fired Internal Combustion Engines at the Bill Johnson Quarry in Stevens Township, **Bradford County**.

**GP5-41-626A: Anadarko Marcellus Midstream LLC** (1201 Lake Robbins Drive, The Woodlands, TX 77380-1176) on December 21, 2012, to construct and operate one 1380 bhp Caterpillar model G3516ULB compressor engine equipped with an oxidation catalyst to replace the 690 bhp Caterpillar model G3508TA-ULB compressor engine equipped with an oxidation catalyst under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane Or Gob Gas Production Or Recovery Facilities (BAQ-GPA/GP-5) at the COP Tract 289 Compressor Station in McHenry Township, **Lycoming County**.

**GP3-08-337A: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on December 20, 2012, to authorize the relocation of a Kolberg model FT4250 portable crushing unit to the Greens Landing facility pursuant to the General Plan Approval And/OR General Operating Permit for Portable Nonmetallic Mineral Processing Plant (BAQ-GPA/GP-3) in Athens Township, **Bradford County**.

**GP11-08-337A: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on December 20, 2012, to authorize relocation of a 400 bhp Cummins model QSM11-C diesel-fired engine to their Greens Landing facility pursuant to the General Plan Approval And/OR General Operating Permit for Nonroad Engines (BAQ-GPA/GP-11) in Athens Township, **Bradford County**.

**GP5-08-04E: PVR NEPA Gas Gathering, L.L.C.** (100 Penn Tower, Suite 201 & 202, 25 West Third Street, Williamsport, PA 17701) on December 24, 2012, to construct and operate a 60 million standard cubic feet per day glycol dehydrator with 1.0 MMBtu/hr reboiler, to incorporate only those sources that were previously authorized and actually constructed, and to incorporate different emission rate limitations for the existing compressor engines under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane Or Gob Gas Production Or Recovery Facilities (BAQ-GPA/GP-5) at the Bradford West Compressor Station in West Burlington Township, **Bradford County**.

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

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

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

**15-0027J: Johnson Matthey, Inc.—Catalytic Systems Division** (456 Devon Park Drive, Wayne, PA 19087) on December 26, 2012, to modify condition language in the existing Plan Approval 15-0027J to revise the pH operating limits for the Line 14 Ammonia Scrubber (Source ID: C018) and the Line 15 Ammonia Scrubber (Source ID: C019) for their facility in Atglen Township, **Chester County**. The provisions of the modified plan approval will subsequently be incorporated into the existing Title V Operating Permit No. 15-00027 through an administrative amendment in accordance with 25 Pa. Code § 127.450. The Plan Approval will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**15-0141: Carriage Pennsylvania Holdings, Inc.—d/b/a Green Earth Cremation** (736 East Lancaster Avenue, Downingtown, PA 19335) on December 26, 2012, to allow repositioning of a charge during the cremation cycle at their facility in Downingtown Borough, **Chester County**. The provisions of this plan approval will subsequently be incorporated into a State Only Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450. The Plan Approval will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**15-0060G: Southeastern Chester County Refuse Authority—SECCRA** (PO Box 221 Kennett Square, PA 19348) on December 26, 2012, for expansion of their existing landfill in London Grove Township, **Chester County**. The facility is a non-Title V facility and will remain so after the expansion. The expansion will increase the total capacity of the landfill to 4,046,364 tons of municipal solid waste (MSW). Emissions of nitrogen oxides (NO<sub>x</sub>), volatile organic compounds (VOC) and carbon monoxide (CO) will not increase above existing permitted levels in tons/year. Emissions of volatile organic compounds (VOC) and hazardous air pollutants (HAPs) will be controlled by a landfill gas collection system, with 90% capture efficiency at closure of the landfill. Landfill gas collected will be combusted in any combination of two existing internal combustion (IC) engines, and used to produce power, or an existing enclosed flare. The engines and flares have already been

permitted and will maintain their emissions limits. The expansion will make the landfill subject to the provisions of Standard of Performance for Municipal Solid Waste Landfills, 40 CFR Part 60 Subpart WWW. SECCRA will follow the monitoring, recordkeeping and reporting requirements written in the Plan Approval as well as provisions of the NSPS, Subpart WWW.

**46-0035H: SmithKline Beecham Corp.—dba Glaxo-SmithKline** (709 Swedeland Road, King of Prussia, PA 19406) on December 27, 2012, to install oxidation catalyst on 5 existing non-emergency generators to comply with the CO emission reduction required by 40 C.F.R. Part 63 Subpart ZZZZ. GlaxoSmithKline is a Title V Facility. The Plan Approval will contain monitoring, recordkeeping and operating restrictions designed to minimize emissions and keep the facility operating within all applicable air quality requirements.

**46-0031E: SmithKline Beecham Corp.—dba Glaxo-SmithKline** (1250 South Collegeville Road, Collegeville, PA 19420) on December 27, 2012, to install oxidation catalyst on 7 existing non-emergency generators to comply with the CO emission reduction required by 40 C.F.R. Part 63 Subpart ZZZZ. GlaxoSmithKline is a Title V Facility. The Plan Approval will contain monitoring, recordkeeping and operating restrictions designed to minimize emissions and keep the facility operating within all applicable air quality requirements.

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

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

**48-399-073: Dixie Consumer Products LLC** (605 Kuebler Road, Easton, PA 18040-9281) on December 10, 2012, to install new cup forming machines at their facility in Forks Borough, **Northampton County**.

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

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

**19-00028B: White Pines Landfill** (515 State Route 442, Millville, PA 17846) on December 18, 2012 for plan approval to expand the landfill operation at their residual waste landfill located in Pine Township, **Columbia County**.

**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.**

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

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

**23-0108C: Barry Callebaut U.S.A., LLC.** (903 Industrial Highway, Eddystone, PA 19022) on December 20, 2012, to operate a regenerative thermal oxidizer in Eddystone Borough, **Delaware County**.

**46-0054B: Abington Memorial Hospital** (1200 Old York Road, Abington, PA 19001) on December 20, 2012, to operate (1) one unit natural gas-fired cogeneration system in Abington Township, **Montgomery County**.

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

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

**19-00028A: White Pines Landfill** (515 State Route 442, Millville, PA 17846) on December 17, 2012 to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from December 2, 2012 to May 31, 2013 in Pine Township, **Columbia County**. The plan approval has been extended.

**19-00006D: Del Monte Foods** (6670 Low Street, Bloomsburg, PA 17815) on December 5, 2012, to authorize construction of two (2) vertical coolers and install independent wet centrifugal collectors to control the air contaminant emissions from the coolers to June 13, 2013 in Bloomsburg, **Columbia County**. The plan approval has been extended.

**08-00003F: CraftMaster Manufacturing, Inc.** (PO Box 311, Towanda, PA 18848-0311) on December 16, 2012, to extend authorization to operate two regenerative thermal oxidizers; one on the Line 1 pressurized refiners and first stage dryers, and one on the Line 2 pressurized refiners and first stage dryers, each preceded by a water dropout box, at their facility in Wysox Township, **Bradford County** on a temporary basis to June 14, 2013. The plan approval has been extended.

**08-00003G: CraftMaster Manufacturing, Inc.** (PO Box 311, Towanda, PA 18848-0311) on December 16, 2012, to extend the authorization to exhaust the refiner reject emissions from Source IDs 141P and 142P to scrubbers (IDs D41 and E42) at their facility in Wysox Township, **Bradford County** on a temporary basis to June 14, 2013. The plan approval has been extended.

**18-315-001: First Quality Tissue, LLC** (904 Woods Avenue, Lock Haven, PA 17702-7428) on December 14, 2012, to extend the authorization to operate a paper towel and tissue manufacturing operation at their facility in Castanea Township, **Clinton County** on a temporary basis to June 12, 2013. The plan approval has been extended.

**19-304-008E: Benton Foundry Inc.** (5297 State Route 487 Benton, PA 17814-6711) on December 21, 2012, to extend the authorization to operate their iron foundry facility in Sugarloaf Township, **Columbia County** on a temporary basis to June 25, 2013. The plan approval has been extended.

**08-00044B: Barefoot Pellets Co.** (PO Box 96 Troy, PA 16947) on December 13, 2012, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days to June 14, 2013 in Troy Borough, **Bradford County**. The plan approval has been extended.

**08-00043A: Glenn O Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days until July 13, 2013 at their Greens Landing facility in Athens Township, **Bradford County**. The plan approval has been extended.

**18-315-001C: First Quality Tissue, LLC** (904 Woods Avenue, Lock Haven, PA 17702-7428) on December 25, 2012, to extend the authorization to operate two natural gas-fired boilers at their facility in Castanea Township, **Clinton County** on a temporary basis to June 23, 2012. The plan approval has been extended.

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

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

**30-00195: Equitrans, LP** (625 Liberty Ave, Pittsburgh, PA) on December 28, 2012, to extend the period of temporary operation and modify the Plan Approval Contact Person and Responsible Official for the Jefferson Compressor Station located in Jefferson Township, **Greene County**. Pursuant to 25 Pa. Code 127.12b(d), this temporary operation period is valid for a limited time, not to exceed 180 days, but may be extended for additional limited periods, each not to exceed 180 days. The plan approval will expire on June 28, 2013. The Jefferson Compressor Station is a natural gas transmission station located in Jefferson Township, **Greene County**. This plan approval has been extended.

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

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

**42-028B: Saint-Gobain** (1 Railroad Avenue, Port Allegany, PA 16743) on December 18, 2012, effective January 31, 2013, for plan approval to rebrick and to install an Oxygen Enriched Air Staging System on Furnace No. 1 at the container glass manufacturing facility in Port Allegany Borough, **McKean County**. This is a Title V facility, Permit No. 42-00028. The Plan Approval has been extended.

---

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

---

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

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

**46-00061: SCI Graterford—PA Department of Corrections** (1920 Technology Parkway, Mechanicsburg, PA 17050) on December 26, 2012, for renewal of the Title V Operating Permit in Skippack Township, **Montgomery County**. The initial permit was issued on December 19, 2001. SCI Graterford is a state prison. The facility is a major source for nitrogen oxides (NO<sub>x</sub>) and sulfur oxides (SO<sub>x</sub>). NO<sub>x</sub> is limited to 249.77 tons per year. SO<sub>x</sub> are limited to 453.11 tons per year. All other pollutants will remain under major source thresholds, including hazardous air pollutants. Potential emissions from the facility have not increased as a result of this permit renewal. Under this permit renewal, Source ID 102 (Parts Washer) is being removed from Section D of the permit and being listed under Section G as an insignificant source. Individual limits apply to the various sources at the facility. The facility is not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64. The operating permit contains requirements to keep the facility operating within all applicable air quality requirements for this source.

---

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

---

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

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

**15-00009: AGC Chemicals Americas, Inc.** (255 South Bailey Road, Downingtown, PA 19335) on December 26, 2012, to renew the State Only Operating Permit, which was issued on December 26, 2007, and amended on February 26, 2009 in Caln Township, **Chester County**. This proposed renewal of the State Only Operating permit does not authorize any increase in air emissions of regulated pollutants above previously approved levels. AGC manufactures polymer products using a fluidized bed dryer and drying ovens, which are controlled by the scrubber & cyclone/fabric collector. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**15-00098: Cephalon, Inc.** (383 Phoenixville Pike, Malvern, PA 19355) on December 26, 2012, to renew a State Only Operating Permit in Charlestown Township, **Chester County**. Cephalon operates a pharmaceutical research and development, pilot plant facility. The primary sources of emission at this facility are two (2) 100-gallon reactors, and two (2) 50-gallon reactors. Each reactor is equipped with its own process condenser. A secondary condenser and scrubbing system are used as control devices. No new changes have taken place and no new sources have been added since the last operating permit issuance. The primary pollutants of concern are VOC and HAP, each with a limit of 4.5 tons per year based on a 12-month rolling sum. The facility is categorized as a natural minor facility. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

**09-00089: American Cremation Services, Inc.** (1859 Stout Drive, Warminster, PA 18974) on December 27, 2012, to operate two units of propane-fired human crematories located in Warwick Township, **Bucks County**. The permit is for a non-Title V (State only) facility. The renewal contains conditions including monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**08-00021: Masco Cabinetry, LLC** (217 Lamoka Road, Sayre, PA 18840) on December 27, 2012, to issue a state only (synthetic minor) operating permit for their facility in Athens Township, **Bradford County**. The facility's main sources include two (2) wood/natural gas fired boilers, nineteen (19) lumber drying kilns, two (2) emergency diesel-fired engines, a product finishing (surface coating) operation, various woodworking operations and a wood waste storage silo. The State Only (synthetic minor)

operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**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.**

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

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

**53-00016: Tennessee Gas Pipeline Co., LLC** (1001 Louisiana Street, Houston, TX 77002), issued a revised air quality operating permit on December 18, 2012 for their facility located in Genesee Township, **Potter County**. State Only Operating Permit 53-00016 has been revised to incorporate the change in the name of the company and the responsible official of the facility in accordance with the provisions of 25 Pa. Code § 127.450. The State Only operating permit contains monitoring, recordkeeping and reporting conditions to ensure compliance with applicable regulatory requirements.

**47-00005A: Geisinger Medical Center** (100 North Academy Avenue, Danville, PA 17822), issued a revised air quality operating permit on December 3, 2012 for their facility located in Mahoning Township, **Montour County**. The State Only (Synthetic Minor) Operating Permit 47-00005 has been revised to incorporate the combined heat and power process including the respective conditions from Plan Approval 47-00005A for the process in accordance with the provisions of 25 Pa. Code § 127.450. The State Only operating permit contains monitoring, recordkeeping and reporting conditions to ensure compliance with applicable regulatory requirements.

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

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

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

**42-00193: Allegheny Bradford Corporation** (P. O. Box 200 Bradford PA, 16701), for its Lewis Run Plant located at 1522 South Avenue, Lewis Run PA, 16738, in Lewis Run Borough, **McKean County**. The de minimis increase is a result of the application of Thurmalox 70 to stainless steel parts. VOC emissions are estimated to be 0.0447 tons per year. The Department has started a list of de minimis increases as prescribed in 25 PA Code 127.449(i).

Since the October 31, 2012 State Only Permit issuance date, Allegheny Bradford Corporation has notified the Department of the following de minimis emission increases at the Lewis Run Plant:

Date	Source	PM <sub>10</sub> (tons)	SO <sub>x</sub> (tons)	NO <sub>x</sub> (tons)	VOC (tons)	CO (tons)
12-14-12	Application of Thurmalox 70.				0.0447	
Total Reported Increases					0.0447	
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

**43-00034: Dunbar Asphalt Products, Inc., Wheatland Asphalt Plant** (P. O. Box 477, Wheatland, PA 16161), for its facility located at 4877 West State Street, in Hillsville, PA (16132). This site is located in Wheatland Borough, **Mercer County**. The de minimis emission increase is due to the addition of two (2) material handling conveyors, a product hopper and a product shaker (4x12) on Source 201 (Rotary Dryer Barber Greene Plant 2 BMA Plant). The Department has started a list of de minimis increases as prescribed in 25 PA Code 127.449(i).

Since the October 7, 2011 Synthetic Minor Permit issuance date, Dunbar Asphalt LLC has notified the Department of the following de minimis emission increases at the Wheatland Asphalt Plant:

Date	Source	PM <sub>10</sub> (tons)	SO <sub>x</sub> (tons)	NO <sub>x</sub> (tons)	VOC (tons)	CO (tons)
11-26-12	Addition of two (2) conveyors, a hopper and a shaker.	0.102				
Total Reported Increases		0.102				
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

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).**

### Coal Permits Actions

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

**49871602R4. Lenig & Kosmer Coal Washery**, (2993 Lower Road, Shamokin, PA 17872), renewal of an existing anthracite coal preparation plant operation in West Cameron Township, **Northumberland County** affecting 3.6 acres, receiving stream: Mahanoy Creek. Application received: August 2, 2011. Renewal issued: December 20, 2012.

**49871602GP104. Lenig & Kosmer Coal Washery**, (2993 Lower Road, Shamokin, PA 17872), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 49871602 in West Cameron Township, **Northumberland County**, receiving stream: Mahanoy Creek. Application received: August 2, 2011. Permit issued: December 20, 2012.

### Noncoal Permits Actions

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

**26050401 and NPDES Permit No. PA0250643. Laurel Aggregates, Inc.** (300 Dents Run Road, Morgantown, WV 26501). Permit renewal issued for an existing large

noncoal surface mine, located in Springhill Township, **Fayette County**, affecting 107 acres. Receiving streams: unnamed tributaries to Rubles Run. Application received: August 16, 2010. Permit issued: December 24, 2012.

**26050401 and NPDES Permit No. PA0250643. Laurel Aggregates of Delaware, LLC** (1600 Market Street, 38th Floor, Philadelphia, PA 19102). Transfer permit issued from Laurel Aggregates, Inc. for an existing large noncoal surface mine, located in Springhill Township, **Fayette County**, affecting 107 acres. Receiving streams: unnamed tributaries to Rubles Run. Application received: June 12, 2012. Permit issued: December 26, 2012.

**26970401 and NPDES Permit No. PA0202100. Laurel Aggregates of Delaware, LLC** (1600 Market Street, 38th Floor, Philadelphia, PA 19102). Transfer permit issued from Laurel Aggregates, Inc. for an existing large noncoal surface mine, located in Springhill Township, **Fayette County**, affecting 871.8 acres. Receiving streams: unnamed tributaries to Rubles Run and Rubles Run. Application received: June 12, 2012. Permit issued: December 26, 2012.

## ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

### Blasting Permits Actions

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

**02124005. T.A. Ward Constructors, Inc.** (1406 McLaugh Run Road, Pittsburgh, PA 15241). Blasting activity permit for the construction of the Oxford Office Complex, located in Ohio Township, **Allegheny County**. The duration of blasting is expected to last nine months. Blasting permit issued: December 20, 2012.

**02124006. The Meitage Group** (772 Pine Valley Drive, Pittsburgh, PA 15239). Blasting activity permit for the construction of the Cobblestone Site Development, located in Green Tree Borough, **Allegheny County**. The duration of blasting is expected to last one year. Blasting permit issued: December 20, 2012.

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

**42124008. Minard Run Oil Company** (609 South Avenue, P. O. Box 18, Bradford, PA 16701-3977) Blasting activity permit for stone removal in Corydon Township, **McKean County**. This blasting activity permit will expire on July 1, 2013. Permit Issued: December 21, 2012.

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

**41124011. Demtech, LLC** (200 Noah Drive, Saxonburg, PA 16056). Blasting for bridge demolition located in Duboistown Township and Williamsport Borough, **Lycoming County**. Permit issued December 11, 2012. Permit expires December 24, 2012.

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

**35124106. Explosive Services, Inc.**, (7 Pine Street, Bethany, PA 18431), construction blasting for a single dwelling in Dunmore Borough, **Lackawanna County** with an expiration date of December 15, 2013. Permit issued: December 20, 2012.

**54124103. Pact Construction, Inc.**, (P. O. Box 74, Ringoes, NJ 08551), construction blasting for Deer Lake Sanitary Sewer Collection System Contract H in West Brunswick Township, **Schuylkill County** with an expiration date of January 3, 2015. Permit issued: December 20, 2012.

**38124130. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for a single dwelling in North Cornwall Township, **Lebanon County** with an expiration date of March 31, 2013. Permit issued: December 24, 2012.

**54124104. Schlouch, Inc.**, (PO Box 69, Blandon, PA 19510), construction blasting for the Deer Lake Route 61 Project in West Brunswick Township and Deer Lake Borough, **Schuylkill County** with an expiration date of December 20, 2013. Permit issued: December 24, 2012.

**581241102. Meshoppen Blasting, Inc.**, (PO Box 127, Meshoppen, PA 18630), construction blasting for Borek Pad in Auburn Township, **Susquehanna County** with an expiration date of March 31, 2013. Permit issued: December 24, 2012.

**581241103. Doug Wathen, LLC**, (11934 Fairway Lakes Drive, Ft. Myers, FL 33913), construction blasting for McLean Gas Pad and Tank Farm in Lenox and Lathrop Townships, **Susquehanna County** with an expiration date of December 18, 2013. Permit issued: December 24, 2012.

**581241104. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Bridgewater Pipeline Project in Bridgewater Township, **Susquehanna County** with an expiration date of December 19, 2013. Permit issued: December 24, 2012.

**581241105. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Deckertown Pipeline in Lathrop Township, **Susquehanna County** with an expiration date of December 19, 2013. Permit issued: December 24, 2012.

**581241106. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Horton Pipeline in Lathrop Township, **Susquehanna County** with an expiration date of December 19, 2012. Permit issued: December 24, 2012.

**581241107. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Molner Pipeline in Brooklyn Township, **Susquehanna County** with an expiration date of December 19, 2012. Permit issued: December 24, 2012.

**581241108. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Quarry Pipeline in Bridgewater and Brooklyn Townships, **Susquehanna County** with an expiration date of December 19, 2013. Permit issued: December 24, 2012.

**64124108. Hayduk Enterprises, Inc.**, (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Susquehanna Roseland 500k V T Line in South Canaan, Lake and Palmyra Townships, **Wayne and Pike Counties** with an expiration date of December 31, 2014. Permit issued: December 24, 2012.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

---

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

---

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717.705.4802.*

**E01-304: Rick Fuller, Mid-Atlantic Soaring Association**, 5257 Buckeystown Pike, PO Box 181, Frederick, Maryland 21704, in Liberty Township, **Adams County**, ACOE Baltimore District

To place and maintain fill in 0.02 acre of PEM wetland in the watershed of Flat Run (WWF) for the purpose of expanding an existing airport facility. The project is located south of Cessna Trail, approximately 1,500.0 feet east of the intersection of Cessna Trail and Pecher Road (Fairfield, PA Quadrangle; Latitude: 39°45'24.3", Longitude: -77°21'01"), in Liberty Township, Adams County. The amount of wetland impact is considered a de minimus impact of 0.02 acre and wetland mitigation is not required.

**E05-365: Kevin Scheurich, Pennsylvania Turnpike Commission**, PO Box 67676, Harrisburg, Pennsylvania 17106-7676, in Juniata Township, **Bedford County**, ACOE Baltimore District

To: 1) remove the existing overpass bridge and 102.0-foot, 24.0-inch diameter culvert and relocate and place fill within 223.0 feet of an Unnamed Tributary to the Raystown Branch of the Juniata River (WWF, MF), 2) place and maintain 47.0 feet of R-4 riprap in and along the bed and banks of the relocated portion of the Unnamed Tributary to the Raystown Branch of the Juniata, 3) install and maintain a 196.0-foot long stream enclosure utilizing 107.0 feet of 24.0-inch circular RCP pipe and 89.0 feet of 22.0-inch by 34.0-inch elliptical concrete pipe within the relocated section of the Unnamed Tributary to the Raystown Branch of the Juniata River, 4) place and maintain 10.0 feet linear feet of R-4 riprap for scour protection at the outfall of the stream enclosure in and along the bed and banks of the Unnamed Tributary to the Raystown Branch of the Juniata River, and 5) place and maintain fill on the right floodway with average dimensions of 74.3 feet wide x 130.0 feet long x 3.8 feet high. The project proposes to directly affect a total of 253.0 linear feet of stream channel and 0.22 acre of floodway.

**E22-557: Ronald Burkholder, Old Reliance Partnership**, 1403 Farmhouse Lane, Middletown, Pennsylvania 17057, in Lower Swatara Township, **Dauphin County**, ACOE Baltimore District

To: 1) construct and maintain a proposed roadway and associated utility lines, impacting 215.0 feet of an unnamed tributary to the Swatara Creek (WWF) and a 0.15-acre of palustrine emergent (PEM) wetland; 2) install and maintain a 62.0-foot long, 49.0-inch by 33.0-inch CMP, with concrete endwalls and an associated R-5 riprap energy dissipater in PEM wetlands, impacting 0.02-acre of wetland; and 3) install and maintain a 50.0-foot long, 6.0-inch depressed, 51.0-inch by 31.0-inch reinforced concrete pipe with endwalls and R-5 riprap apron in an unnamed tributary to Swatara Creek (WWF) and PEM wetlands, impacting 0.04-acre of wetland, all for the purpose of providing access and utilities to a residential subdivision. The project is located at the intersection of Longview Drive and Strites Road (Steelton,

PA Quadrangle; Latitude: 40°14'43", Longitude: -76°45'34"), in Lower Swatara Township, Dauphin County. To compensate for the wetland impacts, the permittee is required to provide 0.21 acre of replacement wetlands onsite.

**E36-899: John Hogan, Landis Valley Holdings, LP**, 616 Paxton Place, Suite 100, Lititz, Pennsylvania 17543, in Manheim Township, **Lancaster County**, ACOE Baltimore District

To remove 309.0 cubic yards of sediment from the floodway and floodplain of an unnamed tributary to Landis Run, impacting 0.23 acre of palustrine emergent/scrub shrub wetlands, and construct and maintain a 31.0-foot wide by 143.0-foot long single span bridge having an underclearance of 3.18 feet and associated riprap apron in and across an unnamed tributary to Landis Run (WWF), permanently impacting 0.01 acre of Palustrine Emergent/Palustrine Scrub Shrub wetland, and install and maintain: 1) two 8.0-inch PVC sanitary sewer line crossings under an unnamed tributary to Landis Run (WWF), 2) an 8.0-inch DI waterline crossing under an unnamed tributary to Landis Run (WWF) and associated floodplain wetlands, temporarily impacting 0.01 acre of wetland, and 3) a 15.0-foot wide temporary construction crossing impacting 0.01 square foot of wetland; all for the purpose of constructing a residential subdivision. The project is located north of the intersection of Bonnie Drive and Trena Avenue (Lancaster, PA Quadrangle; Latitude: 40°05'16.00", Longitude: -76°17'43.26") in Manheim Township, Lancaster County. To compensate for the wetland impacts, the permittee is required to create 0.24-acre of replacement wetland onsite.

**E36-911: Jean Christophe Sibileau, Fleur de Lait East, LLC**, 400 South Custer Avenue, New Holland, Pennsylvania 17557-9220, in Earl Township and New Holland Borough, **Lancaster County**, ACOE Baltimore District

To install and maintain a 48.0-inch high by 76.0-inch wide elliptical reinforced concrete pipe stormwater outfall and riprap outfall protection in an unnamed tributary to Mill Creek (WWF) (Latitude: 40°05'48", Longitude -76°05'21"). The project is proposed to provide more efficient stormwater management and alleviate flooding along West Jackson Street and South Custer Avenue in New Holland. Approximately 40.0 lineal feet of streambank will be permanently impacted. No wetlands will be disturbed.

**E67-899: Ronald Heuston, Muddy Creek Chapter, Trout Unlimited**, PO Box 211, Dallastown, Pennsylvania 17313, in Chanceford and Windsor Townships, **York County**, ACOE Baltimore District

To: 1) construct and maintain a cross rock vane, ten J-hook log vanes, a J-hook vane, a cross log vane, ten modified mud sills, 13 toe wood habitat structures, 30.0 feet of streambank rock-toe protection and 26.0 feet of streambank stabilization in Pine Run (CWF, MF); 2) construct and maintain a 15.0-foot x 40.0-foot agricultural crossing in Pine Run (CWF, MF); 3) construct and maintain a log vane, two toe wood habitat structures and 225.0 feet of streambank stabilization in an unnamed tributary to Pine Run (CWF, MF); 4) construct and maintain a 15.0-foot x 21.0-foot agricultural crossing in an unnamed tributary to Pine Run (CWF, MF); and 5)



relocate and maintain 201.0 feet of Pine Run (CWF, MF), all for the purpose of improving fish habitat and restoring 1,766.0 feet of Pine Run (CWF, MF) and an unnamed tributary to Pine Run (CWF, MF). The project location runs parallel to Blouse Road and is located at the northwest corner of the intersection of Blouse Road and Brownton Road (York, PA Quadrangle; beginning at Latitude: 39°52'25.2", Longitude: -76°33'50.0" and terminates at Latitude: 39°52'23.5", Longitude: -76°33'50.5") in Chanceford and Windsor Townships, York County.

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

**E59-514. I-99 Commerce Park, LLC**, 3000 Atrium Way, Suite 261, Mount Laurel, NJ, 08054-3926. I-99 Commerce Park land development project in Mansfield Borough, **Tioga County**, ACOE Baltimore District (Mansfield, PA Quadrangle Latitude: 41° 48' 05.20"; Longitude: 77° 05' 12.58").

The Department is giving the applicant consent to construct, operate and maintain 0.316 acre of wetland fill for the purpose of developing five commercial/industrial lots. The detailed summary of the isolated wetland encroachments are as follows:

Wetland ID	Location	Impact Acreage	Resource	Activity
E	Lot 4	0.018	PEM—isolated	Fill/Grade
F—Ag Ditch	Lot 9	0.170	PEM—isolated	Fill/Grade
G	Lot 9	0.025	PEM—isolated	Fill/Grade
Q	Lot 9	0.020	PEM—isolated	Fill/Grade
J	Lot 18	0.024	PEM—isolated	Fill/Grade
K	Lots 17 & 18	0.059	PEM—isolated	Fill/Grade

The permanent wetland encroachments will be mitigated on-site with a 1:1 ratio through the creation of a minimum of 0.235 acre PEM wetlands. The balance of 0.081 acre has already been established and accounted for in a previous expired permit, E59-482. The project is located at the southeast corner of SR 15 and SR 6 interchange in the Borough of Mansfield.

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

**E5829-035: Williams Field Services Company, LLC**, 1605 Coraopolis Heights Road, Moon Township, PA 15108, Harford Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. a 6 inch diameter natural gas gathering pipeline crossing impacting 75 lineal feet of Partners Creek (CWF-MF) (Lenoxville, PA Quadrangle; Lat. 41° 44' 10", Long. -75° 42' 39");
2. a 6 inch diameter natural gas gathering pipeline crossing impacting 100 lineal feet of an unnamed tributary to Partners Creek (CWF-MF) (Lenoxville, PA Quadrangle; Lat. 41° 44' 35", Long. -75° 42' 31");
3. a 6 inch diameter natural gas gathering pipeline and timber mat crossing impacting 6,910 square feet (0.16 acre) of a PEM wetland (Lenoxville, PA Quadrangle; Lat. 41° 44' 35", Long. -75° 42' 32").

The Orphan natural gas gathering line (13,249 feet) project will convey natural gas from the Carey and Adams well sites to the Williams - Zupp Pipeline located in Harford Township, Susquehanna County. The project will result in 175 linear feet (4,950 square feet) of temporary stream impacts and 0.16 acre (6,910 square feet) of temporary wetland impacts all for the purpose of constructing, operating, and maintaining a natural gas gathering line.

**E5829-037: Williams Field Services Company, LLC**, 1605 Coraopolis Heights Road, Moon Township, PA 15108, Lathrop Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. an 8 - inch diameter natural gas gathering pipeline and timber mat crossing impacting 7,342 square feet (0.17 acre) of a PEM wetland (Hop Bottom SE, PA Quadrangle; Lat. 41° 40' 15", Long. -75° 48' 50");
2. an 8 - inch diameter natural gas gathering pipeline and timber mat crossing impacting 5,382 square feet (0.12 acre) of a PSS wetland (Hop Bottom SE, PA Quadrangle; Lat. 41° 40' 19", Long. -75° 48' 44");
3. an 8 - inch diameter natural gas gathering pipeline bored crossing impacting 85 lineal feet (57 square feet, 0.001 acre) of a PFO wetland (Hop Bottom SE, PA Quadrangle; Lat. 41° 40' 16", Long. -75° 48' 39").

The Horton natural gas gathering line project will convey natural gas, for approximately 1.3 miles, from the R. Mackey well site to the Williams - Deckertown Pipeline and Springville Gathering Line. The project will result in no stream impacts and a total of 0.29 acre (12,724 square feet) of temporary wetland impacts all for the purpose of constructing, operating, and maintaining a natural gas gathering line for conveyance to market.

**E0829-059: Angelina Gathering Company, LLC**, 2350 N. Sam Houston Parkway Houston, TX 77032, Stevens Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. A 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 12,807 square feet of a Palustrine Emergent Wetland (PEM) (Le Raysville, PA Quadrangle, Latitude: 41° 45'20", Longitude: -76° 10'39");
2. A 16 inch and a 12 inch diameter natural gas line, and a 16 inch diameter water line impacting 438 linear feet of Wyalusing Creek (WWF, MF) (Le Raysville, PA Quadrangle, Latitude: 41°45'26", Longitude: -76°10'48");
3. A 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 44 square feet of a Palustrine Emergent

Wetland (PEM) (Le Raysville, PA Quadrangle, Latitude: 41° 45'30", Longitude: -76° 10'54");

4. A 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 5,532 square feet of a Palustrine Emergent Wetland (PEM) (Le Raysville, PA Quadrangle, Latitude: 41° 46'12", Longitude: -76° 11'20");

5. A 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 523 square feet of a Palustrine Emergent Wetland (PEM) (Le Raysville, PA Quadrangle, Latitude: 41° 46'17", Longitude: -76° 11'24");

The project will result in 438 linear feet and 4,818 square feet of temporary stream impacts and 18,906 square feet (0.43 acre) of temporary PEM wetland impacts all for the purpose of installing a natural gas pipeline and a water line with associated access roadways for Marcellus shale development.

**E4129-040 EQT Production Company**, 455 Race-track Road, Suite 101, Washington, PA 15301, Porter Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a surface water withdrawal impacting 199 square feet of Pine Creek (EV) (Jersey Shore Quadrangle 41°12'38"N 77°18'35"W). The proposed withdrawal will include a removable hose and intake screen placed on the stream bed;

2) an 8 inch above ground waterline, impacting 5 linear feet of an unnamed tributary to Pine Creek (HQ-CWF) (Jersey Shore Quadrangle 41°12'38"N 77°18'35"W);

3) a 56,520 square foot water tank pad within the floodway of Pine Creek (EV) (Jersey Shore Quadrangle 41°12'42"N 77°18'31"W).

The project will result in 18 linear square feet of stream impact and 1.3 acres of additional floodway impacts all for the purpose of obtaining water for use to develop multiple Marcellus Shale wells.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA01-008: Michael Hanson, Lake Heritage Property Owners Association**, 1000 Heritage Drive, Gettysburg, Pennsylvania 17325, in Mount Pleasant Township, **Adams County**, ACOE Baltimore District

To: 1) install a single channel deflector, a single log vane, and excavate 0.51 acre of floodway of Plum Run (WWF) (Gettysburg, PA Quadrangle; N: 12.61 inches, W: 6.50 inches; Latitude: 39°49'9.9", Longitude: -77°10'46.6"), and 2) install a single channel deflector and excavate 0.14 acre of floodway in an unnamed tributary to Plum Run (WWF) (Gettysburg, PA Quadrangle; N: 12.33 inches, W: 7.41 inches; Latitude: 39°49'4.4", Longitude: -77°10'40.0"), all for the purpose of establishing a lower floodway and capturing sediment during high flows. The project is located at the upstream inlets of the Lake Heritage community (Mount Pleasant Township, Adams County).

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335*

ESCGP-1 #ESX12-019-0171- Caporali Pad  
Applicant Swepi LP

Contact James Sewell

Address 190 Thorn Hill Road

City Warrendale State PA Zip Code 15086

County Butler Township(s) Clay(s)

Receiving Stream(s) and Classification(s) UNT to Glade Run (CFW) and Findlay Run (CWF)

ESCGP-1 #ESX12-121-0018-W.L. Harris Project 1 Oil Lease

Applicant Vista Operating Inc

Contact Joel Hoffman

Address 61 McMurray Road, Suite 300

City Pittsburgh State PA Zip Code 15241

County Venango Township(s) Richland(s)

Receiving Stream(s) and Classification(s) Bear Run—CWF, Pine Run—CWF

ESCGP-1 #ESX12-019-0175-Bame Well Pad

Applicant R.E. Gas Development LLC

Contact Michael Endler

Address 310 Seven Fields Blvd, Suite 151

City Seven Fields State PA Zip Code 16046

County Butler Township(s) Jackson(s)

Receiving Stream(s) and Classification(s) Connoquenessing Creek (WWF), Slippery Rock Creek Watershed

ESCGP-1 #ESX12-053-0037-Tionesta Creek Water Intake for Well WT 5236

Applicant Swepi LP

Contact James Sewell

Address 190 Thorn Hill Road

City Warrendale State PA Zip Code 15086

County Forest Township(s) Kingsley(s)

Receiving Stream(s) and Classification(s) Tionesta Creek (CWF)

**OIL AND GAS MANAGEMENT**

The following Well Permits have been issued with a waiver under 58 Pa.C.S. § 3215(b)(4) (relating to well location restrictions).

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

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

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

*Northwest Region District Oil and Gas Operations, Program Manager, 230 Chestnut St., Meadville, PA 16335*

Well Permit #: 113-20192-00-00  
Well Farm Name Ronmary N Sul 2H  
Applicant Name: Chesapeake Appalachia, LLC.  
Contact Person: Eric Haskins  
Address: 101 North Main Street, Athens, PA 18810  
County: Sullivan  
Municipality Elkland Township:  
Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Shunk, Unnamed Tributary of Elks Creek.

[Pa.B. Doc. No. 13-58. Filed for public inspection January 11, 2013, 9:00 a.m.]

**Bid Opportunity**

**OOGM 12-4, Cleaning Out and Plugging Four Abandoned and Orphan Gas Wells (Mr. and Mrs. David A. Hollein, Mr. and Mrs. Derek K. Johncour, Stephanie M. Antaki and Mr. and Mrs. James B. Krebs Properties), Ohio Township and Franklin Park Borough, Allegheny County.** The principal items of work and approximate quantities are to clean out and plug four abandoned and orphan gas wells, estimated to be 3,000 feet in depth, to Department of Environmental Protection specifications; to prepare and restore well sites; and to mobilize and demobilize plugging equipment. This project issues on January 11, 2013, and bids will be opened on February 14, 2013, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has

been received. A prebid conference is planned for January 17, 2013, at 10 a.m. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@pa.gov for more information on this bid.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 13-59. Filed for public inspection January 11, 2013, 9:00 a.m.]

**DEPARTMENT OF GENERAL SERVICES****Real Estate for Lease  
Lycoming County**

The Department of General Services (Department) will accept bids for the lease of 181.56 acres of farmland located on the grounds of the State Correctional Institute Muncy. Bids are due Friday, February 15, 2013. Interested parties wishing to receive a copy of Solicitation No. 94462 should view the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Lisa Kettering at (717) 787-1321.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 13-60. Filed for public inspection January 11, 2013, 9:00 a.m.]

**DEPARTMENT OF LABOR AND INDUSTRY****Current Prevailing Wage Act Debarments**

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these contractors, or either one of them, or any firms, corporations or partnerships in which either one of these contractors has an interest, shall be awarded no contract for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Havoc Corporation and Ray A. Rhoden, individually FEIN: 26-2341191	6165 Reach Street Philadelphia, PA 19111-5923	11/8/2012

JULIA K. HEARTHWAY,  
*Secretary*

[Pa.B. Doc. No. 13-61. Filed for public inspection January 11, 2013, 9:00 a.m.]

**DEPARTMENT OF REVENUE****Pennsylvania Extreme Green 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 Extreme Green.

2. *Price:* The price of a Pennsylvania Extreme Green instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania Extreme Green instant game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions printed in green ink and located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions printed in black ink and located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions printed in green ink and located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), 10X (10TIMES) symbol and an EXTREME (EXTGRN) symbol. The play symbols and their captions printed in black ink and located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY).

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$15.00 (FIFTN), \$20.<sup>00</sup> (TWENTY), \$30.<sup>00</sup> (THIRTY), \$50.<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$150 (ONEHUNFTY), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$25,000 (TWYFIVTHO) and \$300,000 (THRHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$30, \$50, \$100, \$150, \$200, \$400, \$500, \$1,000, \$10,000, \$25,000 and \$300,000. A player can win up to 15 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 7,200,000 tickets will be printed for the Pennsylvania Extreme Green instant game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$300,000 (THRHUNTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$25,000 (TWYFIVTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$10,000 (TEN THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an EXTREME (EXTGRN) symbol, with the symbol and caption printed in green ink, and a prize symbol of \$1,000 (ONE THO) appears under the EXTREME (EXTGRN) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in green ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in green ink, and a prize symbol of \$200 (TWO HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, with the symbol and caption printed in green ink, and a prize symbol of \$100 (ONE HUN) appears under the 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.



(aa) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in green ink, matches any of the “WINNING NUMBERS” play symbols, with the symbol and caption printed in green ink, and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(bb) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a 10X (10TIMES) symbol, with the symbol and caption printed in green ink, and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears under the 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$50.

(cc) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “WINNING NUMBERS” play symbols with the symbol and caption printed in black ink, and a prize symbol of \$30<sup>.00</sup> (THIRTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(dd) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is an EXTREME (EXTGRN) symbol, with the symbol and caption printed in green ink, and a prize symbol of \$30<sup>.00</sup> (THIRTY) appears under the EXTREME (EXTGRN) symbol, on a single ticket, shall be entitled to a prize of \$30.

(ee) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “WINNING NUMBERS” play symbols with the symbol and caption printed in black ink, and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(ff) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is an EXTREME

(EXTGRN) symbol, with the symbol and caption printed in green ink, and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears under the EXTREME (EXTGRN) symbol, on a single ticket, shall be entitled to a prize of \$20.

(gg) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “WINNING NUMBERS” play symbols with the symbol and caption printed in black ink, and a prize symbol of \$15<sup>.00</sup> (FIFTN) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(hh) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “WINNING NUMBERS” play symbols with the symbol and caption printed in black ink, and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(ii) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is an EXTREME (EXTGRN) symbol, with the symbol and caption printed in green ink, and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears under the EXTREME (EXTGRN) symbol, on a single ticket, shall be entitled to a prize of \$10.

(jj) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “WINNING NUMBERS” play symbols with the symbol and caption printed in black ink, and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

*When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:*

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 7,200,000 Tickets</i>	
\$10 w/ EXTREME	\$10	15	480,000
\$10	\$10	12	600,000
\$10 + \$5	\$15	30	240,000
\$15	\$15	30	240,000
\$10 × 2	\$20	200	36,000
(\$10 w/ EXTREME) × 2	\$20	60	120,000
\$20 w/ EXTREME	\$20	60	120,000
\$20	\$20	200	36,000
\$15 × 2	\$30	200	36,000
(\$10 w/ EXTREME) × 3	\$30	200	36,000
\$30 w/ EXTREME	\$30	200	36,000
\$30	\$30	300	24,000
\$5 w/10X	\$50	300	24,000
\$10 w/ GREEN MATCH	\$50	300	24,000
\$50 w/ EXTREME	\$50	200	36,000
\$50	\$50	200	36,000
\$50 × 2	\$100	600	12,000
\$10 w/ 10X	\$100	300	24,000
\$20 w/ GREEN MATCH	\$100	600	12,000
\$100 w/ EXTREME	\$100	600	12,000
\$100	\$100	600	12,000
\$50 × 3	\$150	12,000	600
\$15 w/ 10X	\$150	3,429	2,100

When Any Of Your Numbers Match  
Any Winning Number, Win Prize  
Shown Under The Matching  
Number. Win With:

Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 7,200,000 Tickets	
\$30 w/ GREEN MATCH	\$150	3,429	2,100
(\$50 w/ EXTREME) × 3	\$150	3,429	2,100
\$150 w/ EXTREME	\$150	3,429	2,100
\$150	\$150	12,000	600
\$50 × 4	\$200	12,000	600
\$100 × 2	\$200	12,000	600
\$20 w/ 10X	\$200	6,000	1,200
(\$10 w/ GREEN MATCH) × 4	\$200	6,000	1,200
\$200 w/ EXTREME	\$200	6,000	1,200
\$200	\$200	12,000	600
\$100 × 4	\$400	15,000	480
(\$20 w/ 10X) × 2	\$400	8,000	900
(\$10 w/ GREEN MATCH) × 8	\$400	8,000	900
\$400 w/ EXTREME	\$400	8,571	840
\$400	\$400	15,000	480
\$100 × 5	\$500	24,000	300
\$50 w/ 10X	\$500	8,000	900
\$100 w/ GREEN MATCH	\$500	8,000	900
\$500 w/ EXTREME	\$500	12,000	600
\$500	\$500	24,000	300
(\$100 × 5) + (\$50 × 10)	\$1,000	30,000	240
\$500 × 2	\$1,000	60,000	120
\$100 w/ 10X	\$1,000	30,000	240
\$200 w/ GREEN MATCH	\$1,000	30,000	240
\$1,000 w/ EXTREME	\$1,000	30,000	240
\$1,000	\$1,000	60,000	120
\$1,000 × 10	\$10,000	225,000	32
\$10,000	\$10,000	225,000	32
\$25,000	\$25,000	225,000	32
\$300,000	\$300,000	900,000	8

When matching numbers are green, win 5 times the prize shown under the matching number.  
Reveal a "10X" (10TIMES) symbol, win 10 times the prize shown under it.  
Reveal an "EXTREME" (EXTGRN) symbol, win the prize under it automatically.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Extreme Green instant 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 Extreme Green instant game, prize money from Pennsylvania Extreme Green instant 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 Extreme Green instant 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 Extreme Green instant game or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 13-62. Filed for public inspection January 11, 2013, 9:00 a.m.]

## Pennsylvania Pot O' Gold '13 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Pot O' Gold '13.

2. *Price:* The price of a Pennsylvania Pot O' Gold '13 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Pot O' Gold '13 instant lottery game ticket will contain one play area featuring 15 play symbols and their captions. The play symbols and their captions located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVEN), 12 (TWELVE), 13 (THIRTEEN), 14 (FOURTEEN), 15

(FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), Rainbow (RAINBOW) symbol, Leprechaun (LEPCH) symbol and a Pot of Gold (PTGOLD) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$20<sup>.00</sup> (TWENTY), \$25<sup>.00</sup> (TWY FIV), \$40<sup>.00</sup> (FORTY), \$50<sup>.00</sup> (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$300 (THR HUN), \$500 (FIV HUN), \$600 (SIX HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$250, \$300, \$500, \$600, \$1,000, \$5,000 and \$50,000. The player can win up to 10 times on the ticket.

6. *Second-Chance Drawings:* The Pennsylvania Lottery will conduct one St. Patrick's Day Payout second-chance drawing for which non-winning Pennsylvania Pot O' Gold '13 instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 5,400,000 tickets will be printed for the Pennsylvania Pot O' Gold '13 instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets with a Rainbow (RAINBOW) symbol in the play area and a prize symbol of \$50,000 (FTY THO) in the "prize" area under that Rainbow (RAINBOW) symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets with a Rainbow (RAINBOW) symbol in the play area and a prize symbol of \$5,000 (FIV THO) in the "prize" area under that Rainbow (RAINBOW) symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$1,000 (ONE THO) in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets with a Rainbow (RAINBOW) symbol in the play area and a prize symbol of \$1,000 (ONE THO) in the "prize" area under that Rainbow (RAINBOW) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets with a Rainbow (RAINBOW) symbol in the play area and a prize symbol of \$600 (SIX HUN) in the "prize" area under that Rainbow (RAINBOW) symbol, on a single ticket, shall be entitled to a prize of \$600.

(f) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$100 (ONE HUN) in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets with a Rainbow (RAINBOW) symbol in the play area and a prize symbol of \$500 (FIV HUN) in the "prize" area under that Rainbow (RAINBOW) symbol, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets with a Rainbow (RAINBOW) symbol in the play area and a prize symbol of \$300 (THR HUN) in the "prize" area under that Rainbow (RAINBOW) symbol, on a single ticket, shall be entitled to a prize of \$300.

(i) Holders of tickets with a Rainbow (RAINBOW) symbol in the play area and a prize symbol of \$250 (TWOHUNFTY) in the "prize" area under that Rainbow (RAINBOW) symbol, on a single ticket, shall be entitled to a prize of \$250.

(j) Holders of tickets with a Rainbow (RAINBOW) symbol in the play area and a prize symbol of \$100 (ONE HUN) in the "prize" area under that Rainbow (RAINBOW) symbol, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$20<sup>.00</sup> (TWENTY) in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets with a Rainbow (RAINBOW) symbol in the play area and a prize symbol of \$50<sup>.00</sup> (FIFTY) in the "prize" area under that Rainbow (RAINBOW) symbol, on a single ticket, shall be entitled to a prize of \$50.

(m) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$10<sup>.00</sup> (TEN DOL) in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$50.

(n) Holders of tickets with a Rainbow (RAINBOW) symbol in the play area and a prize symbol of \$40<sup>.00</sup> (FORTY) in the "prize" area under that Rainbow (RAINBOW) symbol, on a single ticket, shall be entitled to a prize of \$40.

(o) Holders of tickets with a Rainbow (RAINBOW) symbol in the play area and a prize symbol of \$25<sup>.00</sup> (TWY FIV) appears in the "prize" area under that Rainbow (RAINBOW) symbol, on a single ticket, shall be entitled to a prize of \$25.

(p) Holders of tickets with a Pot of Gold (PTGOLD) symbol in the play area and a prize symbol of \$25<sup>.00</sup> (TWY FIV) appears in the "prize" area under that Pot of Gold (PTGOLD) symbol, on a single ticket, shall be entitled to a prize of \$25.

(q) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$5<sup>.00</sup> (FIV DOL) in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$25.

(r) Holders of tickets with a Rainbow (RAINBOW) symbol in the play area and a prize symbol of \$20<sup>.00</sup> (TWENTY) in the "prize" area under that Rainbow (RAINBOW) symbol, on a single ticket, shall be entitled to a prize of \$20.

(s) Holders of tickets with a Rainbow (RAINBOW) symbol in the play area and a prize symbol of \$10<sup>.00</sup> (TEN DOL) in the "prize" area under that Rainbow (RAINBOW) symbol, on a single ticket, shall be entitled to a prize of \$10.

(t) Holders of tickets with a Rainbow (RAINBOW) symbol in the play area and a prize symbol of \$5<sup>.00</sup> (FIV DOL) in the "prize" area under that Rainbow (RAINBOW) symbol, on a single ticket, shall be entitled to a prize of \$5.

9. *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 "RAINBOW" (RAINBOW)  
Symbol, Win Prize Shown Under  
That Symbol. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 5,400,000 Tickets
\$5	\$5	8.57	630,000
\$5 × 2	\$10	30	180,000
\$10	\$10	30	180,000
\$5 × 4	\$20	200	27,000
\$10 × 2	\$20	200	27,000
\$20	\$20	150	36,000
\$5 w/ LEPRECHAUN	\$25	200	27,000
\$25 w/ POT OF GOLD	\$25	200	27,000
\$25	\$25	300	18,000
\$5 × 8	\$40	300	18,000
\$10 × 4	\$40	600	9,000
\$20 × 2	\$40	600	9,000
\$40	\$40	600	9,000
\$10 × 5	\$50	600	9,000
\$10 w/ LEPRECHAUN	\$50	300	18,000
(\$25 w/ POT OF GOLD) × 2	\$50	300	18,000
\$50	\$50	600	9,000
\$20 × 5	\$100	3,000	1,800
\$25 × 4	\$100	3,000	1,800
\$50 × 2	\$100	3,000	1,800
\$20 w/ LEPRECHAUN	\$100	1,000	5,400
(\$25 w/ POT OF GOLD) × 4	\$100	1,000	5,400
\$100	\$100	3,000	1,800
(\$100 × 2) + \$50	\$250	17,143	315
(\$10 w/ LEPRECHAUN) × 5	\$250	6,667	810
(\$25 w/ POT OF GOLD) × 10	\$250	6,667	810
\$250	\$250	17,143	315
\$100 × 5	\$500	60,000	90
\$250 × 2	\$500	60,000	90
(\$100 × 2) + \$250 + \$50	\$500	60,000	90
(\$10 w/ LEPRECHAUN) × 10	\$500	15,000	360
\$500	\$500	60,000	90
\$100 × 10	\$1,000	120,000	45
\$600 + \$300 + \$100	\$1,000	120,000	45
(\$100 w/ LEPRECHAUN) × 2	\$1,000	30,000	180
\$1,000	\$1,000	60,000	90
\$1,000 w/ LEPRECHAUN	\$5,000	257,143	21
\$5,000	\$5,000	257,143	21
\$50,000	\$50,000	360,000	15

Reveal a "LEPRECHAUN" (LEPCH) symbol, win 5 times the prize shown under it.  
Reveal a "POT OF GOLD" (PTGOLD) symbol, win \$25 automatically.

Prizes, including top prizes, are subject to availability at the time of purchase.

*10. Pennsylvania Lottery's St. Patrick's Day Payout Second-Chance Drawing Requirements:*

(a) To be eligible for the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing, players must enter non-winning PA-1017 Tic-Tac-Luck (\$2) or PA-1016 Pot O' Gold '13 (\$5) instant lottery tickets via the Lottery's website (palottery.com). To enter qualifying non-winning tickets players must visit the Lottery's website, click on the St. Patrick's Day Payout promotional link, follow the instructions to establish an entry account and enter the identifying information from at least one non-winning PA-1017 Tic-Tac-Luck (\$2) or PA-1016 Pot O' Gold '13 (\$5) instant ticket.

(1) Players must be members of the Pennsylvania Lottery VIP Players Club to submit entries.

(2) The contents of the entry account must be accurate and complete. Incomplete entry accounts cannot be submitted.

(3) Only one claimant per entry allowed.

(4) Claimant must be 18 years of age or older.

(5) Entries will be limited to players that indicate, at the time of submitting an entry, that their entry is being submitted from an internet connected device located within Pennsylvania.

(6) The only entry method for the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing is via the Lottery's website. Entries mailed to the Pennsylvania Lottery will be disqualified.

(b) The purchase price of each non-winning PA-1017 Tic-Tac-Luck (\$2) or PA-1016 Pot O' Gold '13 (\$5) instant ticket entered will determine the number of entries a player will receive in the Pennsylvania Lottery's St. Patrick's Day Payout drawing. Accordingly, entering a non-winning PA-1017 Tic-Tac-Luck (\$2) ticket will entitle the player to two entries and entering a non-winning PA-1016 Pot O' Gold '13 (\$5) will entitle the player to five entries.

11. *Pennsylvania Lottery's St. Patrick's Day Payout Second-Chance Drawing:*

(a) The Lottery will conduct one second-chance drawing as part of the Pennsylvania Lottery's St. Patrick's Day Payout promotion. All time references in this section are Eastern Time.

(1) All Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing entries received after 11:59:59 p.m. January 27, 2013, through 11:59:59 p.m. March 11, 2013, will be entered in the Pennsylvania Lottery's St. Patrick's Day Payout drawing, which will be held between March 12, 2013 and March 16, 2013.

(2) The winners of the Pennsylvania Lottery's St. Patrick's Day Payout drawing will be announced during the Pennsylvania Lottery's live drawing show on March 16, 2013 and after the live drawing show via social media.

(3) The odds of an entry being selected in the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing depend upon the number of entries received for that drawing.

(b) To be eligible to participate in the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing, entries must have complied with the requirements of section 10.

(c) The Lottery assumes no responsibility for late, lost or misdirected entries not entered into the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing.

(d) The Lottery assumes no responsibility for entries that are not entered into the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing because of incompatible internet browsers or other technical issues related to the internet connected device used to make entry.

(e) If a Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing entry is rejected during or following the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing, the sole remedy is to select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(f) A computer-generated randomizer will be used to select the winners.

(g) A player may only win the prize for which they are first selected in the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing. Subsequent entries, from the same individual, selected in the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing will be disqualified and a replacement entry will be selected.

(h) If any discrepancy exists between the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing rules and any material describing the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing, the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing rules shall govern.

(i) Employees of the Pennsylvania Lottery, MARC Advertising, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing. Offer void where prohibited or restricted.

(j) If, for any reason, the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing is not capable of running as planned due to, without limitation, errors in these rules or advertising, tampering, unauthorized intervention, fraud, technical failures, human error or any other cause beyond the control of the Pennsylvania Lottery that, in the sole judgment of the Pennsylvania Lottery, could corrupt or affect the administration, security, fairness, integrity or proper conduct of the drawing, the Pennsylvania Lottery reserves the right, at its sole discretion, to cancel, terminate, modify or suspend the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing.

(k) All entries shall be subject to verification by the Pennsylvania Lottery.

(l) The Pennsylvania Lottery's St. Patrick's Day Payout drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(m) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won.

(n) Determination of winners will be made by the Secretary, whose judgment will be final and binding.

(o) The payment of a prize awarded in the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

12. *Description of Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing prizes:* The first through the tenth winner selected in the Pennsylvania Lottery's St. Patrick's Day Payout drawing, held between March 12, 2013 and March 16, 2013, shall each be entitled to a prize of \$17,000.00, less required federal withholding. This prize shall be paid as a lump-sum cash payment.

13. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Pot O' Gold '13 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

14. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Pot O' Gold '13, prize money from winning Pennsylvania Pot O' Gold '13 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Pot O' Gold '13 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

15. *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.

16. *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 Pot O' Gold '13 or through normal communications methods.

DANIEL MEUSER  
Secretary

[Pa.B. Doc. No. 13-63. Filed for public inspection January 11, 2013, 9:00 a.m.]

### Pennsylvania Tic-Tac-Luck 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 Tic-Tac-Luck.

2. *Price:* The price of a Pennsylvania Tic-Tac-Luck instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Tic-Tac-Luck instant lottery game ticket will contain two play areas known as "GAME 1" and "GAME 2." Each play area is played separately. The play symbols and their captions located in the play areas for "GAME 1" and "GAME 2" are: X (XXXX) symbol, Horseshoe (SHOE) symbol and a Shamrock (WIN10) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the "PRIZE BOX" area for "GAME 1" and "GAME 2" are: FREE (TICKET), \$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), \$30.<sup>00</sup> (THIRTY), \$50.<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$1,000 (ONE THO) and \$25,000 (TWYFIVTHO).

5. *Prizes:* The prizes that can be won in this game are: Free \$2 Ticket, \$2, \$4, \$5, \$10, \$20, \$30, \$50, \$100, \$200, \$400, \$1,000 and \$25,000. The player can win up to 2 times on the ticket.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct one St. Patrick's Day Payout second-chance drawing for which non-winning Pennsylvania Tic-Tac-Luck instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 6,960,000 tickets will be printed for the Pennsylvania Tic-Tac-Luck instant lottery game.

#### 8. *Determination of Prize Winners:*

(a) Holders of tickets with three matching Horseshoe (SHOE) symbols in a row, column or diagonal in "GAME 1" or "GAME 2" and a prize symbol of \$25,000 (TWYFIVTHO) in the "PRIZE BOX" area to the left of that "GAME," on a single ticket, shall be entitled to a prize of \$25,000.

(b) Holders of tickets with three matching Horseshoe (SHOE) symbols in a row, column or diagonal in "GAME 1" or "GAME 2" and a prize symbol of \$1,000 (ONE THO) in the "PRIZE BOX" area to the left of that "GAME," on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with three matching Horseshoe (SHOE) symbols in a row, column or diagonal in "GAME 1" or "GAME 2" and a prize symbol of \$400 (FOR HUN)

in the "PRIZE BOX" area to the left of that "GAME," on a single ticket, shall be entitled to a prize of \$400.

(d) Holders of tickets with three matching Horseshoe (SHOE) symbols in a row, column or diagonal in "GAME 1" or "GAME 2" and a prize symbol of \$200 (TWO HUN) in the "PRIZE BOX" area to the left of that "GAME," on a single ticket, shall be entitled to a prize of \$200.

(e) Holders of tickets with three matching Horseshoe (SHOE) symbols in a row, column or diagonal in "GAME 1" or "GAME 2" and a prize symbol of \$100 (ONE HUN) in the "PRIZE BOX" area to the left of that "GAME," on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets with three matching Horseshoe (SHOE) symbols in a row, column or diagonal in "GAME 1" or "GAME 2" and a prize symbol of \$50.<sup>00</sup> (FIFTY) in the "PRIZE BOX" area to the left of that "GAME," on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets with three matching Horseshoe (SHOE) symbols in a row, column or diagonal in "GAME 1" or "GAME 2" and a prize symbol of \$30.<sup>00</sup> (THIRTY) in the "PRIZE BOX" area to the left of that "GAME," on a single ticket, shall be entitled to a prize of \$30.

(h) Holders of tickets with three matching Horseshoe (SHOE) symbols in a row, column or diagonal in "GAME 1" or "GAME 2" and a prize symbol of \$20.<sup>00</sup> (TWENTY) in the "PRIZE BOX" area to the left of that "GAME," on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets with three matching Horseshoe (SHOE) symbols in a row, column or diagonal in "GAME 1" or "GAME 2" and a prize symbol of \$10.<sup>00</sup> (TEN DOL) in the "PRIZE BOX" area to the left of that "GAME," on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets with a Shamrock (WIN10) symbol in "GAME 1" or "GAME 2," on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets with three matching Horseshoe (SHOE) symbols in a row, column or diagonal in "GAME 1" or "GAME 2" and a prize symbol of \$5.<sup>00</sup> (FIV DOL) in the "PRIZE BOX" area to the left of that "GAME," on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets with three matching Horseshoe (SHOE) symbols in a row, column or diagonal in "GAME 1" or "GAME 2" and a prize symbol of \$4.<sup>00</sup> (FOR DOL) in the "PRIZE BOX" area to the left of that "GAME," on a single ticket, shall be entitled to a prize of \$4.

(m) Holders of tickets with three matching Horseshoe (SHOE) symbols in a row, column or diagonal in "GAME 1" or "GAME 2" and a prize symbol of \$2.<sup>00</sup> (TWO DOL) in the "PRIZE BOX" area to the left of that "GAME," on a single ticket, shall be entitled to a prize of \$2.

(n) Holders of tickets with three matching Horseshoe (SHOE) symbols in a row, column or diagonal in "GAME 1" or "GAME 2" and a prize symbol of FREE (TICKET) in the "PRIZE BOX" area to the left of that "GAME," on a single ticket, shall be entitled to a prize of one Pennsylvania Tic-Tac-Luck instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

9. *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 Three "HORSESHOE"  
(SHOE) Symbols In A Row,  
Column, or Diagonal, Win Prize  
Shown In The Prize Box For  
That Game. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 6,960,000 Tickets
FREE	FREE \$2 TICKET	13.64	510,400
\$2	\$2	25	278,400
\$2 × 2	\$4	37.5	185,600
\$4	\$4	37.5	185,600
\$5	\$5	37.5	185,600
\$5 × 2	\$10	750	9,280
\$10 w/ SHAMROCK	\$10	93.75	74,240
\$10	\$10	750	9,280
\$10 × 2	\$20	500	13,920
(\$10 w/ SHAMROCK) + \$10	\$20	150	46,400
\$20	\$20	750	9,280
\$20 + \$10	\$30	1,200	5,800
(\$10 w/ SHAMROCK) + \$20	\$30	524.02	13,282
\$30	\$30	1,200	5,800
\$30 + \$20	\$50	1,200	5,800
\$50	\$50	1,200	5,800
\$50 × 2	\$100	3,000	2,320
\$100	\$100	3,000	2,320
\$100 × 2	\$200	15,000	464
\$200	\$200	15,000	464
\$200 × 2	\$400	30,000	232
\$400	\$400	30,000	232
\$1,000	\$1,000	30,000	232
\$25,000	\$25,000	464,000	15

Reveal one "SHAMROCK" (WIN10) symbol, in either game, win \$10 automatically.

Prizes, including top prizes, are subject to availability at the time of purchase.

**10. Pennsylvania Lottery's St. Patrick's Day Payout Second-Chance Drawing Requirements:**

(a) To be eligible for the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing, players must enter non-winning PA-1017 Tic-Tac-Luck (\$2) or PA-1016 Pot O' Gold '13 (\$5) instant lottery tickets via the Lottery's website (palottery.com). To enter qualifying non-winning tickets players must visit the Lottery's website, click on the St. Patrick's Day Payout promotional link, follow the instructions to establish an entry account and enter the identifying information from at least one non-winning PA-1017 Tic-Tac-Luck (\$2) or PA-1016 Pot O' Gold '13 (\$5) instant ticket.

(1) Players must be members of the Pennsylvania Lottery VIP Players Club to submit entries.

(2) The contents of the entry account must be accurate and complete. Incomplete entry accounts cannot be submitted.

(3) Only one claimant per entry allowed.

(4) Claimant must be 18 years of age or older.

(5) Entries will be limited to players that indicate, at the time of submitting an entry, that their entry is being submitted from an internet connected device located within Pennsylvania.

(6) The only entry method for the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing is via the Lottery's website. Entries mailed to the Pennsylvania Lottery will be disqualified.

(b) The purchase price of each non-winning PA-1017 Tic-Tac-Luck (\$2) or PA-1016 Pot O' Gold '13 (\$5) instant

ticket entered will determine the number of entries a player will receive in the Pennsylvania Lottery's St. Patrick's Day Payout drawing. Accordingly, entering a non-winning PA-1017 Tic-Tac-Luck (\$2) ticket will entitle the player to two entries and entering a non-winning PA-1016 Pot O' Gold '13 (\$5) will entitle the player to five entries.

**11. Pennsylvania Lottery's St. Patrick's Day Payout Second-Chance Drawing:**

(a) The Lottery will conduct one second-chance drawing as part of the Pennsylvania Lottery's St. Patrick's Day Payout promotion. All time references in this section are Eastern Time.

(1) All Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing entries received after 11:59:59 p.m. January 27, 2013, through 11:59:59 p.m. March 11, 2013, will be entered in the Pennsylvania Lottery's St. Patrick's Day Payout drawing, which will be held between March 12, 2013 and March 16, 2013.

(2) The winners of the Pennsylvania Lottery's St. Patrick's Day Payout drawing will be announced during the Pennsylvania Lottery's live drawing show on March 16, 2013 and after the live drawing show via social media.

(3) The odds of an entry being selected in the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing depend upon the number of entries received for that drawing.

(b) To be eligible to participate in the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing, entries must have complied with the requirements of section 10.

(c) The Lottery assumes no responsibility for late, lost or misdirected entries not entered into the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing.

(d) The Lottery assumes no responsibility for entries that are not entered into the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing because of incompatible internet browsers or other technical issues related to the internet connected device used to make entry.

(e) If a Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing entry is rejected during or following the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing, the sole remedy is to select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(f) A computer-generated randomizer will be used to select the winners.

(g) A player may only win the prize for which they are first selected in the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing. Subsequent entries, from the same individual, selected in the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing will be disqualified and a replacement entry will be selected.

(h) If any discrepancy exists between the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing rules and any material describing the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing, the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing rules shall govern.

(i) Employees of the Pennsylvania Lottery, MARC Advertising, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing. Offer void where prohibited or restricted.

(j) If, for any reason, the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing is not capable of running as planned due to, without limitation, errors in these rules or advertising, tampering, unauthorized intervention, fraud, technical failures, human error or any other cause beyond the control of the Pennsylvania Lottery that, in the sole judgment of the Pennsylvania Lottery, could corrupt or affect the administration, security, fairness, integrity or proper conduct of the drawing, the Pennsylvania Lottery reserves the right, at its sole discretion, to cancel, terminate, modify or suspend the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing.

(k) All entries shall be subject to verification by the Pennsylvania Lottery.

(l) The Pennsylvania Lottery's St. Patrick's Day Payout drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(m) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won.

(n) Determination of winners will be made by the Secretary, whose judgment will be final and binding.

(o) The payment of a prize awarded in the Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

12. *Description of Pennsylvania Lottery's St. Patrick's Day Payout second-chance drawing prizes:* The first through the tenth winner selected in the Pennsylvania Lottery's St. Patrick's Day Payout drawing, held between March 12, 2013 and March 16, 2013, shall each be entitled to a prize of \$17,000.00, less required federal withholding. This prize shall be paid as a lump-sum cash payment.

13. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Tic-Tac-Luck instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

14. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Tic-Tac-Luck, prize money from winning Pennsylvania Tic-Tac-Luck 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 Tic-Tac-Luck 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.

15. *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.

16. *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 Tic-Tac-Luck or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 13-64. Filed for public inspection January 11, 2013, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Requests for Modification or Inclusion of Funding for Public Use Airport Projects in the 2014 Four Year Plan

Airport development funding requests submitted by public use airports to the Department of Transportation, Bureau of Aviation (Bureau) for inclusion in the Twelve Year Plan or Four Year Plan will be eligible for consideration if submitted by December 1, 2013.

The Bureau will accept funding requests by public use airports for inclusion in the Twelve Year Plan or Four Year Plan through the close of business on December 1, 2013. Requests must be submitted to the Bureau electronically through the Joint Automated Capital Improvement Program database after May 31, 2013, but no later than December 1, 2013. All requests must be submitted by the deadline to be eligible for grant funding consideration.

Each year, under 74 Pa.C.S. §§ 6121 and 6122 (relating to tax on aviation fuels; and allocation of funds) and 67

Pa. Code §§ 473.5a and 473.5b (relating to project selection process and criteria; and important dates and notification procedure), the Bureau will select projects to maintain a balanced Four Year Plan from Twelve Year Plan/Four Year Plan projects on file by the submission deadline.

More detailed Twelve or Four Year Program information is available at [www.dot.state.pa.us](http://www.dot.state.pa.us) or by contacting the Bureau at (717) 705-1260.

BARRY J. SCHOCH, P.E.,  
*Secretary*

[Pa.B. Doc. No. 13-65. Filed for public inspection January 11, 2013, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Request to Surrender a Certificate of Authority to Provide a Continuing Care Retirement Community by SHP III East Norriton, LLC

SHP III East Norriton, LLC has submitted a request to surrender their Certificate of Authority to operate a Continuing Care Retirement Community at Brightview East Norriton in East Norriton, PA. The request was received on December 20, 2012, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the surrender of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 15 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 to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or [syerger@pa.gov](mailto:syerger@pa.gov).

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-66. Filed for public inspection January 11, 2013, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has 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 insured's 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 James Tezak; file no. 12-188-131245; 21st Century Indemnity Insurance Company; Doc. No. P12-12-012; February 12, 2013, 9:30 a.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. 13-67. Filed for public inspection January 11, 2013, 9:00 a.m.]

## PATIENT SAFETY AUTHORITY

### Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.303), announces a meeting of the Authority's Board to be held at the Conference Center, Central Penn College, 600 Valley Road, Summerdale, PA 17093, at 10 a.m. on Tuesday, January 22, 2013.

Individuals having questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

MICHAEL C. DOERING,  
*Executive Director*

[Pa.B. Doc. No. 13-68. Filed for public inspection January 11, 2013, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by January 28, 2013. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Application of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under the application.**

**A-2012-2326082. A Limousine Service, Inc.** (30 Prager Street, Pittsburgh, Allegheny County, PA 15215)—inter alia—persons, in group and party service, seating 11-15 passengers, including the driver, from points in the Counties of Westmoreland and Butler, to points in Pennsylvania, and return, and from points in the County of Allegheny to other points in Pennsylvania, and return; *So as to Permit* the transportation of persons in group and party service, seating 11-15 passengers, including the driver, between points in the County of Allegheny. *Attorney:* John A. Pillar, 265 Merion Drive, Pittsburgh, PA 15228.

**Application of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.**

**A-2012-2326390. J & J Leasing & Rentals, Inc.** (445 Business Park Lane, Allentown, PA 18109) for the additional right to transport as a common carrier, persons in Group and Party service in vehicles seating 11-15 passengers, including the driver, between points in Lehigh, Northampton, Monroe, Carbon, Berks, Schuylkill, Luzerne, Lackawanna, Bucks, Montgomery and Philadelphia Counties, and from points in said counties, to points in Pennsylvania, and return, excluding areas under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* Kenneth A. Olsen, Esquire, 33 Philhower Road, Lebanon, NJ 08833.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-69. Filed for public inspection January 11, 2013, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Actions Taken at December Meeting

As part of its regular business meeting held on December 14, 2012, in Annapolis, MD, the Susquehanna River Basin Commission (Commission) took the following actions: 1) approved settlement involving a water resources project; 2) approved or tabled the applications of certain water resources projects; 3) rescinded approvals for two projects and tabled a rescission for another project; and 4) took additional actions as set forth in the Supplementary Information section as follows.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436, rcairo@srbc.net; or regular mail inquiries may be sent to Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391. See also the Commission web site at [www.srbc.net](http://www.srbc.net).

#### *Supplementary Information*

In addition to the actions taken on projects identified in the previous summary and the following listings, the following items were also presented or acted upon at the business meeting: 1) recognized former Maryland Alternate Commissioner Herbert M. Sachs for his service to the Commission and established an SRBC Lifetime Achievement Award in Watershed Management in his name; 2) heard a presentation on eel collection, stocking and research by United States Fish and Wildlife Service Fisheries Biologist Ian Park; 3) adopted a resolution urging adequate funding for the Susquehanna Flood Forecast and Warning System, the Advanced Hydrologic Prediction Services Program and the National Streamflow Information Program; 4) adopted a Low Flow Protection Policy; 5) authorized publication of notice of proposed rulemaking; 6) approved two grant amendments and authorized execution of a Feasibility Cost Sharing Agreement under terms negotiated by staff and subject to subsequent ratification, for Phase II of the Susquehanna River Basin Ecological Flow Management Study; and 7) denied a request for an administrative hearing of the Municipal Authority of the Township of East Hempfield.

#### *Compliance Matter*

The Commission approved a settlement instead of civil penalty for the following project:

1. Chobani, Inc.; South Edmeston Facility, Town of Columbus, Chenango County, NY—\$130,000.

#### *Rescission of Project Approvals*

The Commission rescinded approvals for the following projects:

1. Project Sponsor and Facility: Cinram Manufacturing, Borough of Olyphant, Lackawanna County, PA (Docket Nos. 19960701 and 19960701-1).

2. Project Sponsor and Facility: Woolrich, Inc., Gallagher Township, Clinton County, PA (Docket No. 20050305).

#### *Rescission of Project Approval Tabled*

The Commission tabled a rescission for the following project:

1. Project Sponsor and Facility: Clark Trucking, LLC Northeast Division (Lycoming Creek), Lewis Township, Lycoming County, PA (Docket No. 20111207).

*Project Applications Approved*

The Commission approved the following project applications:

1. Project Sponsor and Facility: Aqua Infrastructure, LLC (Source Approval), Piatt, Mifflin, Watson, Cummings, Anthony, Lycoming and Cogan House Townships, Lycoming County, PA. Modification to expand regional pipeline system (Docket No. 20120604).

2. Project Sponsor and Facility: Cabot Oil & Gas Corporation (Bowman Creek), Eaton Township, Wyoming County, PA. Renewal of surface water withdrawal of up to 0.290 mgd (peak day) (Docket No. 20080929).

3. Project Sponsor and Facility: Cabot Oil & Gas Corporation (Meshoppen Creek), Lemon Township, Wyoming County, PA. Renewal of surface water withdrawal of up to 0.054 mgd (peak day) (Docket No. 20080920).

4. Project Sponsor and Facility: Cabot Oil & Gas Corporation (Tunkhannock Creek), Lenox Township, Susquehanna County, PA. Renewal of surface water withdrawal of up to 0.250 mgd (peak day) (Docket No. 20080918).

5. Project Sponsor and Facility: Centura Development Company, Inc., Old Lycoming Township, Lycoming County, PA. Groundwater withdrawal of up to 0.250 mgd (30-day average) from Well 1.

6. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Wyalusing Creek), Rush Township, Susquehanna County, PA. Renewal of surface water withdrawal of up to 0.715 mgd (peak day) (Docket No. 20110607).

7. Project Sponsor and Facility: Chief Oil & Gas, LLC (Sugar Creek), Burlington Borough and Burlington Township, Bradford County, PA. Surface water withdrawal of up to 0.099 mgd (peak day).

8. Project Sponsor and Facility: EQT Production Company, Duncan Township, Tioga County, PA. Groundwater withdrawal of up to 0.072 mgd (30-day average) from Antrim Well 1 and groundwater withdrawal of up to 0.072 mgd (30-day average) from Antrim Well 2.

9. Project Sponsor and Facility: EQT Production Company (Pine Creek), Porter Township, Lycoming County, PA. Surface water withdrawal of up to 1.000 mgd (peak day).

10. Project Sponsor and Facility: EXCO Resources (PA), LLC (Little Muncy Creek), Franklin Township, Lycoming County, PA. Surface water withdrawal of up to 0.999 mgd (peak day).

11. Project Sponsor and Facility: Borough of Patton, Clearfield Township, Cambria County, PA. Groundwater withdrawal of up to 0.316 mgd (30-day average) from Well 2 and groundwater withdrawal of up to 0.316 mgd (30-day average) from Well 3.

12. Project Sponsor and Facility: Pennsylvania General Energy Company, LLC (First Fork Sinnemahoning Creek), Wharton Township, Potter County, PA. Renewal of surface water withdrawal of up to 0.231 mgd (peak day) (Docket No. 20080928).

13. Project Sponsor and Facility: Southwestern Energy Production Company (Lycoming Creek-Bodines), Lewis Township, Lycoming County, PA. Request for extension of Docket No. 20091207.

14. Project Sponsor and Facility: Southwestern Energy Production Company (Lycoming Creek-Ralston), McIntyre Township, Lycoming County, PA. Request for extension of Docket No. 20091210.

15. Project Sponsor and Facility: Southwestern Energy Production Company (Middle Lake), New Milford Township, Susquehanna County, PA. Surface water withdrawal of up to 0.070 mgd (peak day).

16. Project Sponsor and Facility: Talisman Energy USA, Inc. (Tamarack Lake), Armenia Township, Bradford County, PA. Surface water withdrawal of up to 0.040 mgd (peak day).

17. Project Sponsor and Facility: West Cocalico Township Authority, West Cocalico Township, Lancaster County, PA. Renewal of groundwater withdrawal of up to 0.259 mgd (30-day average) from Well 2 (Docket No. 19780101).

18. Project Sponsor and Facility: York County Solid Waste and Refuse Authority, Hopewell Township, York County, PA. Modification to replace a remediation well source with no increase in the total system withdrawal limit (Docket No. 19970506).

*Project Applications Tabled*

The Commission tabled the following project applications:

1. Project Sponsor and Facility: Black Bear Waters, LLC (Lycoming Creek), Lewis Township, Lycoming County, PA. Modification to increase surface water withdrawal by an additional 0.500 mgd (peak day), for a total of 0.900 mgd (peak day) (Docket No. 20120303).

2. Project Sponsor and Facility: Caernarvon Township Authority, Caernarvon Township, Berks County, PA. Application for renewal of groundwater withdrawal of up to 0.035 mgd (30-day average) from Well 6 (Docket No. 19820912).

3. Project Sponsor and Facility: Carrizo (Marcellus), LLC (Silver Creek), Silver Lake Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.720 mgd (peak day).

4. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Athens Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 1.440 mgd (peak day) (Docket No. 20080906).

5. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Mehoopany Township, Wyoming County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20080923).

6. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Wysox Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20080914).

7. Project Sponsor and Facility: Citrus Energy (Susquehanna River), Washington Township, Wyoming County, PA. Application for renewal of surface water withdrawal of up to 1.994 mgd (peak day) (Docket No. 20081205).

8. Project Sponsor and Facility: Equipment Transport, LLC (Pine Creek), Gaines Township, Tioga County, PA. Application for surface water withdrawal of up to 0.467 mgd (peak day).



9. Project Sponsor and Facility: Falling Springs Water Works, Inc. (Falling Springs Reservoir), Ransom Township, Lackawanna County, PA. Application for surface water withdrawal of up to 0.800 mgd (peak day).

10. Project Sponsor and Facility: Galeton Borough Water Authority, Galeton Borough, Potter County, PA. Application for groundwater withdrawal of up to 0.288 mgd (30-day average) from the Germania Street Well.

11. Project Sponsor and Facility: Houtzdale Municipal Authority (Beccaria Springs), Gulich Township, Clearfield County, PA. Application for surface water withdrawal of up to 5.000 mgd (peak day).

12. Project Sponsor and Facility: Mark Manglaviti & Scott Kresge (Tunkhannock Creek), Tunkhannock Township, Wyoming County, PA. Application for surface water withdrawal of up to 0.999 mgd (peak day).

13. Project Sponsor and Facility: Mountain Energy Services, Inc. (Tunkhannock Creek), Tunkhannock Township, Wyoming County, PA. Modification to increase surface water withdrawal by an additional 0.499 mgd (peak day), for a total of 1.498 mgd (peak day) (Docket No. 20100309).

*Project Applications Withdrawn*

The following project applications were withdrawn by the project sponsors:

1. Project Sponsor and Facility: EXCO Resources (PA), LLC (Pine Creek), Watson Township, Lycoming County, PA. Application for surface water withdrawal of up to 1.500 mgd (peak day).

2. Project Sponsor and Facility: Gaberseck Brothers (Odin Pond 2), Keating Township, Potter County, PA. Application for surface water withdrawal of up to 0.249 mgd (peak day).

*Authority:* Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

*Dated:* December 21, 2012.

PAUL O. SWARTZ,  
*Executive Director*

[Pa.B. Doc. No. 13-70. Filed for public inspection January 11, 2013, 9:00 a.m.]