

# PENNSYLVANIA BULLETIN

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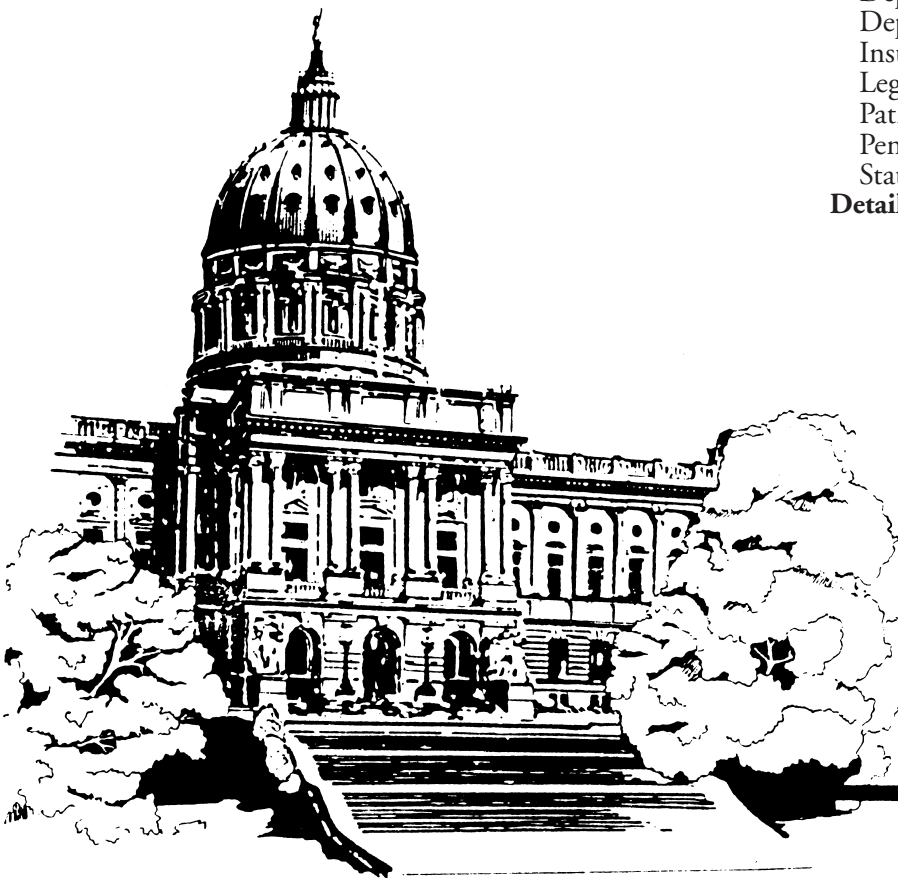
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**Latest Pennsylvania Code Reporters  
(Master Transmittal Sheets):**

**No. 437, April 2011**

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

*Bulletin* before it can take effect. If the agency wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, they must re-propose.

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

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

Search for your area of interest in the *Pennsylvania Code*.

The *Pennsylvania Code* contains, as Finding Aids, subject indexes for the complete *Code* and for each individual title, a list of Statutes Used As Authority for Adopting Rules and a list of annotated cases. Source Notes give you the history of the documents. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

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

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### Printing Format

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

### Fiscal Notes

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

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

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## List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2011.

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# THE GENERAL ASSEMBLY

## Director Sought for the Independent Fiscal Office

The members of the Pennsylvania Independent Fiscal Office Selection and Organization Committee, established by Act 120 of 2010, are accepting applications from any individual interested in serving as director of the Independent Fiscal Office.

The director, who shall be appointed to a term of six years, will be responsible for establishing the office, hiring personnel, and carrying out the duties of the office which include preparing revenue estimates, providing an annual assessment of the state's fiscal condition, developing performance measures for programs and departments, analyzing tax and revenue proposals submitted by the governor, establishing a web site, and analyzing various elements of state law impacting state finances. Additional detail regarding the duties of the director can be found in Act 120 of 2010.

The Selection and Organization Committee has established the following criteria to guide the process of choosing the IFO's first director.

The ideal candidate:

- Must be willing to work full-time at the State Capitol in Harrisburg.
- Holds an advanced degree in a field such as economics, public finance, management or other area that emphasizes quantitative analysis.
- Has professional experience related to public sector budget processes or public financial management.
- Has a proven ability to manage functions such as:
  - Interpretation and analysis of financial data, accounts and system processes.
  - Quantitative modeling techniques to develop state revenue and budget projections.
  - Evaluation of performance of public policy programs to improve the effective and efficient use of taxpayer dollars through performance measures.
- Submission of an operational budget request.

- Exhibits exceptional communication skills; specifically demonstrates that he or she will be able to communicate with the General Assembly, the press and the public.
- Has experience in managing personnel, policies and other issues and in submitting an operational budget request.
- Is knowledgeable about federal and state funding sources.
- Has experience in reviewing and analyzing government budgets and tax policies.
- Has integrity and good moral character and passes a standard executive-level background check.
- Will work to ensure diversity in hiring practices.

The salary for this position, which will be determined by the Selection and Organization Committee pursuant to the final 2011-12 state budget, shall be commensurate with the qualifications and experience of the selected candidate.

Individuals interested in being considered should send a resume, cover letter, and any other information they deem pertinent to:

Legislative Data Processing Center  
c/o Kathy Sullivan, Executive Director  
G-27 North Office Building  
Harrisburg, PA 17120

Submissions can also be sent via email to [fiscaloffice@palegislature.us](mailto:fiscaloffice@palegislature.us).

Applications should be received by Wednesday, May 4, 2011.

The bipartisan, bicameral Selection and Organization Committee includes the President Pro Tempore of the Senate, the Speaker of the House, the four caucus floor leaders, and the four Appropriations Committee chairs.

The appointment of a director shall be made without regard to political affiliation and solely on the basis of fitness to perform the duties of the office based on the qualifications listed above.

[Pa.B. Doc. No. 11-645. Filed for public inspection April 15, 2011, 9:00 a.m.]



# THE COURTS

## Title 210—APPELLATE PROCEDURE

### PART I. RULES OF APPELLATE PROCEDURE

[ 210 PA. CODE CH. 15 ]

#### Amendment of Explanatory Comment to Rule 1513 of the Rules of Appellate Procedure; No. 210 Appellate Procedural Rules Doc.

##### Order

##### *Per Curiam*

*And Now*, this 31st day of March, 2011, upon the recommendation of the Appellate Court Procedural Rules Committee; the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3) in the interests of justice and efficient administration:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the Explanatory Comment to Rule 1513 of the Pennsylvania Rules of Appellate Procedure is amended in the following form.

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

##### Annex A

#### TITLE 210. APPELLATE PROCEDURE

#### PART I. RULES OF APPELLATE PROCEDURE

#### ARTICLE II. APPELLATE PROCEDURE

#### CHAPTER 15. JUDICIAL REVIEW OF GOVERNMENTAL DETERMINATIONS

#### PETITION FOR REVIEW

#### Rule 1513. Petition for Review.

\* \* \* \* \*

#### Explanatory Comment—2011

With respect to the general statement of objections in an appellate jurisdiction petition for review required in subdivision (d)(5), see *Maier v. Unemployment Comp. Bd. of Review*, 983 A.2d 1264, 1266 (Pa. Cmwlth. 2009).

[Pa.B. Doc. No. 11-646. Filed for public inspection April 15, 2011, 9:00 a.m.]

## Title 234—RULES OF CRIMINAL PROCEDURE

[ 234 PA. CODE CHS. 1 AND 9 ]

#### Order Revising the Comments to Rules 121 and 904 of the Rules of Criminal Procedure; No. 401 Criminal Procedural Rules Doc.

##### Order

##### *Per Curiam*

*And Now*, this 29th day of March, 2011, upon the recommendation of the Criminal Procedural Rules Committee; the proposal having been submitted without publi-

cation pursuant to Pa.R.J.A. No. 103(a)(3) in the interests of justice and efficient administration, and a Final Report to be published with this *Order*:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the revisions of the Comments to Pennsylvania Rules of Criminal Procedure 121 and 904 are approved in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective May 1, 2011.

##### Annex A

#### TITLE 234. RULES OF CRIMINAL PROCEDURE

#### CHAPTER 1. SCOPE OF RULES, CONSTRUCTION AND DEFINITIONS, LOCAL RULES

#### PART B. Counsel

#### Rule 121. Waiver of Counsel.

\* \* \* \* \*

##### Comment

Paragraph (A) recognizes that the right to self-representation is guaranteed by the sixth amendment to the Federal Constitution when a valid waiver is made, *Faretta v. California*, 422 U.S. 806 (1975).

In *Indiana v. Edwards*, 128 S.Ct. 2379, 2388 (2008), the Supreme Court recognized, as an exception to the right to self-representation, that, when a defendant is not mentally competent to conduct his or her own defense, the U. S. Constitution permits the judge to require the defendant to be represented by counsel.

The right of a defendant to waive counsel is not automatic. Under Pennsylvania's case law, the defendant's request must be clear and unequivocal. See, e.g., *Commonwealth v. Davido*, 582 Pa. 52, 64-65, 868 A.2d 431, 438, cert. denied, 546 U.S. 1020 (2005).

Concerning when "meaningful trial proceedings" commence for purposes of a request to waive counsel for a bench trial, see *Commonwealth v. El*, 602 Pa. 126, 977 A.2d 1158 (2009). In *El*, the Court held that "meaningful trial proceedings" commence "when a court has begun to hear motions which have been reserved for time of trial; when oral arguments have commenced; or when some other such substantive first step in the trial has begun." *Id.* at 139, 977 A.2d at 1165, citing *Commonwealth v. Dowling*, 598 Pa. 611, 959 A.2d 910 (2008) (trial commences, for purposes of the right to a trial by jury, when the trial judge determines that the parties are present and directs them to proceed to opening argument, or to the hearing of any motions that had been reserved for the time of trial, or to some other such first step in the trial).

Court decisions contain broad language in referring to the areas and matters to be encompassed in determining whether the defendant understands the full impact and consequences of his or her waiver of the right to counsel, but is nevertheless willing to waive that right. The appellate courts require, however, at a minimum, that the judge or issuing authority ask questions to elicit the information set forth in paragraph (A)(2).

Although it is advisable that the judge or issuing authority conduct the examination of the defendant, the rule does not prevent the attorney for the Commonwealth

or an already-appointed or retained defense counsel from conducting all or part of the examination of the defendant as permitted by the judge or issuing authority. See *Commonwealth v. McDonough*, 571 Pa. 232, 812 A.2d 504 (2002).

On the issue of waiver of counsel in general, see, e.g., *Commonwealth v. Tyler*, 468 Pa. 193, 360 A.2d 617 (1976); *Commonwealth ex rel. Fairman v. Cavell*, 423 Pa. 138, 222 A.2d 722 (1966) (mere execution of a waiver of counsel form, without more, is insufficient to establish a valid waiver); *Commonwealth ex rel. McCray v. Rundle*, 415 Pa. 65, 202 A.2d 303 (1964); *Commonwealth ex rel. O'Lock v. Rundle*, 415 Pa. 515, 204 A.2d 439 (1964).

On the issue of forfeiting the right to representation, see *Commonwealth v. Lucarelli*, 601 Pa. 185, 971 A.2d 1173 (2009), in which the Court held that Rule 121 and its colloquy requirements do not apply to situations in which forfeiture is found. The Court explained "where a defendant's course of conduct demonstrates his or her intention not to seek representation by private counsel, despite having the opportunity and financial wherewithal to do so, a determination that the defendant be required to proceed *pro se* is mandated because that defendant has forfeited the right to counsel." *Id.* at 195, 971 A.2d at 1179.

In referring to summary cases, paragraph (B) refers only to those summary cases in which there exists a right to counsel. See Rule 122.

\* \* \* \* \*

**Official Note:** Rule 318 adopted October 21, 1977, effective January 1, 1978; amended November 9, 1984, effective January 2, 1985; renumbered Rule 121 and amended March 1, 2000, effective April 1, 2001; amended December 19, 2007, effective February 1, 2008; **Comment revised March 29, 2011, effective May 1, 2011.**

*Committee Explanatory Reports:*

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. [ 1477 ] 1478 (March 18, 2000).

Final Report explaining the December 19, 2007 changes to paragraph (A) concerning areas of inquiry for waiver colloquy published with the Court's Order at 38 Pa.B. 62 (January 5, 2008).

Final Report explaining the March 29, 2011 changes to the Comment adding citations to recent case law concerning right to counsel, time for withdrawal of waiver, and forfeiture of right to counsel published with the Court's Order at 41 Pa.B. 2000 (April 16, 2011).

**CHAPTER 9. POST-CONVICTION COLLATERAL PROCEEDINGS**

**Rule 904. Entry of Appearance and Appointment of Counsel; In Forma Pauperis.**

\* \* \* \* \*

**Comment**

\* \* \* \* \*

Pursuant to paragraphs (F)(2) and (H)(2)(b), appointed counsel retains his or her assignment until final judgment, which includes all avenues of appeal through the Supreme Court of Pennsylvania. In making the decision whether to file a petition for allowance of appeal, counsel must (1) consult with his or her client, and (2) review the

standards set forth in Pa.R.A.P. 1114 (Considerations Governing Allowance of Appeal) and the note following that rule. If the decision is made to file a petition, counsel must carry through with that decision. See *Commonwealth v. Liebel*, 573 Pa. 375, 825 A.2d 630 ([ Pa. ] 2003). Concerning counsel's obligations as appointed counsel, see *Jones v. Barnes*, 463 U.S. 745 (1983). See also *Commonwealth v. Padden*, 783 A.2d 299 (Pa. Super. 2001).

Paragraph (H) was added in 2000 to provide for the appointment of counsel for the first petition for post-conviction collateral relief in a death penalty case at the conclusion of direct review.

**Paragraph (H)(1)(a) recognizes that a defendant may proceed *pro se* if the judge finds the defendant competent, and that the defendant's election is knowing, intelligent, and voluntary. In *Indiana v. Edwards*, 128 S.Ct. 2379, 2388 (2008), the Supreme Court recognized that, when a defendant is not mentally competent to conduct his or her own defense, the U. S. Constitution permits the judge to require the defendant to be represented by counsel.**

An attorney may not represent a defendant in a capital case unless the attorney meets the educational and experiential requirements set forth in Rule 801 (Qualifications for Defense Counsel in Capital Cases).

**Official Note:** Previous Rule 1504 adopted January 24, 1968, effective August 1, 1968; rescinded December 11, 1981, effective June 27, 1982; rescission vacated June 4, 1982; rescinded February 1, 1989, effective July 1, 1989, and replaced by Rule 1507. Present Rule 1504 adopted February 1, 1989, effective July 1, 1989; amended August 11, 1997, effective immediately; amended January 21, 2000, effective July 1, 2000; renumbered Rule 904 and amended March 1, 2000, effective April 1, 2001; amended February 26, 2002, effective July 1, 2002; Comment revised March 12, 2004, effective July 1, 2004; Comment revised June 4, 2004, effective November 1, 2004; amended April 28, 2005, effective August 1, 2005; **Comment revised March 29, 2011, effective May 1, 2011.**

*Committee Explanatory Reports:*

\* \* \* \* \*

**Final Report explaining the March 29, 2011 revision of the Comment concerning right to counsel published with the Court's Order at 41 Pa.B. 2000 (April 16, 2011).**

**FINAL REPORT<sup>1</sup>**

***Revisions of the Comments to Pa.Rs.Crim.P. 121 and 904***

**Qualified Right to Proceed *Pro Se*; Forfeiture of Right to Counsel; Timeliness of Request to Proceed *Pro Se***

On March 29, 2011, effective May 1, 2011, upon the recommendation of the Criminal Procedural Rules Committee, the Court approved the revision of the Comments to Rules of Criminal Procedure 121 (Waiver of Counsel) and 904 (Entry of Appearance and Appointment of Counsel; *In Forma Pauperis*). The revisions add citations to recent case law that address the defendant's right to proceed *pro se*, defendant's forfeiture of the right to appointed counsel by his or her behavior, and the timeliness of a defendant's request to proceed *pro se*.

<sup>1</sup> The Committee's Final Reports should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the Committee's explanatory Final Reports.

In *Indiana v. Edwards*, 128 S.Ct. 2379, 2388 (2008), the United States Supreme Court held that “the Constitution permits judges to take realistic account of the particular defendant’s mental capacities by asking whether a defendant who seeks to conduct his own defense at trial is mentally competent to do so. That is to say, the Constitution permits States to insist upon representation by counsel for those competent enough to stand trial under *Dusky*<sup>2</sup> but who still suffer from severe mental illness to the point where they are not competent to conduct trial proceedings by themselves.”

In *Commonwealth v. Lucarelli*, 601 Pa. 185, 971 A.2d 1173 (2009), the Court held that “where a defendant’s course of conduct demonstrates his or her intention not to seek representation by private counsel, despite having the opportunity and financial wherewithal to do so, a determination that the defendant be required to proceed *pro se* is mandated because that defendant forfeited the right to counsel.” The Court further held that Rule 121 “and its colloquy requirements do not apply to situations where forfeiture is found.” *Id.* at 195, 971 A.2d at 1179.

In *Commonwealth v. El*, 602 Pa. 126, 977 A.2d 1158 (2009), the Court, in determining whether a defendant’s request to proceed *pro se* was timely, clarifies what is meant by “meaningful trial proceedings” in the context of the timeliness of a request to proceed *pro se*. The Court explains

While this Court’s holding in *Dowling* is not controlling, its rationale is persuasive. The *Dowling* Court held that in the context of the right to a trial by jury, trial commences “when a court has begun to hear motions which have been reserved for time of trial; when oral arguments have commenced; or when some other such substantive first step in the trial has begun.” *Dowling*, 959 A.2d at 915. We hold that these same events constitute the beginning of “meaningful trial proceedings” in the context of the right to self-representation. Just as this Court observed in *Dowling* we likewise observe that meaningful trial proceedings should be “marked by a substantive, rather than a *pro forma*, event.” *Id.* at 139, 977 A.2d at 1165.

Rule 121 sets forth the criteria for waiver of counsel and for proceeding *pro se*. Both *Edwards* and *Lucarelli* apply substantive procedures that are new to Pennsylvania law. These decisions impact defendants’ rights to counsel and right to waive counsel by (1) permitting a judge to deny a defendant’s request to waive counsel when the judge determines the defendant is not competent to do so, and (2) permitting a judge to find that a defendant has forfeited his or her right to appointed counsel by his or her behavior. In view of this, the Committee agreed that these two cases should be cited in the Rule 121 Comment to alert to the bench and bar to the application of the new substantive procedures.

The *El* Court is clarifying the time for making a request to waive counsel, not making new law *per se*. However, the Committee reasoned that because the time for making a waiver request has been the subject of confusion in the case law, this case also should be cited in the Rule 121 Comment to alert the bench and bar to this clarification.

A reference to the *Edwards* case also has been added to the Rule 904 Comment. Rule 904(H)(1)(a) allows a judge to permit a defendant to proceed *pro se* if the judge finds the defendant competent and the waiver of counsel is

<sup>2</sup> *Dusky v. United States*, 362 U.S. 402 (1960).

voluntary, knowing, and intelligent. Although Rule 904 is not a waiver of counsel rule, because this paragraph addresses waiver of counsel in death penalty cases in the context of the PCRA, the Committee agreed the *Edwards* cross-reference is important for the bench and bar.

[Pa.B. Doc. No. 11-647. Filed for public inspection April 15, 2011, 9:00 a.m.]

## Title 25—LOCAL COURT RULES

### BERKS COUNTY

#### Administrative Order Relative to Amendment of Rules of Civil Procedure and Judicial Administration; No. 11-38 Prothonotary; No. CP-06-AD- 000011-2011 Clerk of Courts

##### Order

And Now, this 9th day of March, 2011, the undersigned Judges of the Berks County Court of Common Pleas hereby adopt the Amended Berks County Rules of Civil Procedure and Rules of Judicial Administration last revised January 7, 2005, as the Rules of this Court. All prior Berks County Rules of Civil Procedure and Judicial Administration are rescinded as of the effective date of the new Rules. *It Is Further Ordered* that these Rules shall take effect thirty (30) days after publication in the *Pennsylvania Bulletin*.

The District Court Administrator of Berks County is further *Ordered* and *Directed* to provide copies to the appropriate offices and departments as stated in the Rules.

1. File ten (10) certified copies of this Order with the Administrative Office of Pennsylvania Courts for distribution in accordance with Pa. R.J.A. 103(c);
2. File two (2) certified copies of this Order with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
3. File one (1) certified copy of this Order with the Civil Procedural Rules Committee;
4. File one (1) certified copy of this Order with the Berks County Law Library;
5. File one (1) certified copy of this Order with the Berks County Prothonotary; and
6. File one (1) certified copy of this Order with the Clerk of Courts.

By the Court

JEFFREY L. SCHMEHL,  
President Judge

[Pa.B. Doc. No. 11-648. Filed for public inspection April 15, 2011, 9:00 a.m.]

### DAUPHIN COUNTY

#### Promulgation of Local Rules; No. 1989 CV 1793

##### Order

And Now, this March 30, 2011, Dauphin County Local Rules 206.1(a) and 206.4(c) are amended as follows:

**Rule 206.1(a). Petitions.**

(1) The only applications designated to proceed as petitions are:

- (a) Petitions to Open Judgment;
- (b) Non Pros Petitions;

(c) **Applications filed to commence an action where it is not appropriate to file a writ of summons or a complaint;** and

(d) Any other applications so designated by statute or rule of court.

All other applications shall proceed as motions. If an application is designated by statute or rule of court to proceed as a petition, the statutory basis or specific rule must be specifically set forth in the petition.

(2) All issues relating to the administration, filing and processing of judicial assignments relating to petitions shall be under the direction and supervision of the Civil Calendar Judge.

**Rule 206.4(c). Applications Designated to Proceed as Petitions—Rules to Show Cause**

(1) Except for Petitions in Forfeiture under 42 Pa.C.S.A. § 6801 and § 6802, an original and one copy of a Petition [ **to Open Judgment or a Non Pros Petition or other application designated by statute or rule of court to proceed as a petition** ] shall be filed with the Prothonotary and a copy shall be served on all other parties.

(a) The Prothonotary shall forward the original petition to the Court Administrator's Office and shall retain the copy in the file. The petition shall be assigned to a judge for disposition by the Court Administrator's Office.

(b) The assigned judge may issue a rule to show cause pursuant to Pa.R.C.P. 206.5 (Discretionary Issuance). The judge may also issue a scheduling order, which may include any discovery deadlines, briefing schedule, argument or hearing dates and a stay of proceedings as the judge deems necessary upon review of the petition.

(c) Parties shall provide a copy of all subsequent pleadings, filings, briefs and memoranda related to the petition to the Court Administrator's Office for distribution to the assigned judge. No cover letter is necessary.

(2) Petitions in Forfeiture filed pursuant to 42 Pa.C.S.A. § 6801 and § 6802 shall be filed with the Prothonotary.

(a) Petitions in Forfeiture shall contain a notice as set forth in 42 Pa.C.S.A. § 6802(b). No rule to show cause should be attached. The Caption shall include a cross-reference by defendant name and docket number to any criminal action. The case shall thereafter proceed in accordance with the procedures set forth in 42 Pa.C.S.A. § 6802.

(b) If a response is not filed within thirty (30) days, the moving party shall file a Motion for Default Judgment with the Prothonotary. The Motion for Default Judgment will be assigned by the Court Administrator's Office to the Motions Judge for review.

(c) If a response is filed within thirty (30) days, either party may thereafter file a Certificate of Readiness listing the case for arbitration pursuant to Dauphin County Local Rule 1301 et seq. Arbitration shall be applicable to all actions in forfeiture.

These amendments shall be effective upon posting on the UJS portal.

*By the Court*

TODD A. HOOVER,  
*President Judge*

[Pa.B. Doc. No. 11-649. Filed for public inspection April 15, 2011, 9:00 a.m.]

**MONROE COUNTY****Amendment of R.C.P. 212.5—Mediation****Order**

And Now, this 22nd day of March, 2011, it is hereby Ordered and Directed that the Monroe County Rule of Civil Procedure 212.5, governing the mediation program for civil cases in the Court of Common Pleas of Monroe County, shall be amended as follows. (New material is in bold face text; material to be deleted is in brackets and in bold face text.)

It is further Ordered and Directed that the District Court Administrator shall:

a. Shall file seven (7) certified copies of the within Order and Local Rule with the Administrative Office of Pennsylvania Courts.

b. Distribute two (2) certified paper copies and one (1) computer diskette or CD-ROM copy to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

c. File one (1) certified copy with the Civil Procedural Rules Committee of the Supreme Court of Pennsylvania.

d. One (1) copy shall be forwarded to the Monroe County *Legal Reporter* for publication.

e. Copies shall be kept continuously available for public inspection in the Office of the Monroe County Prothonotary, the Office of the Court Administrator and the Monroe County Law Library.

f. Revisions shall become effective thirty (30) days after the publication of this order in the *Pennsylvania Bulletin*.

*By the Court*

RONALD E. VICAN,  
*President Judge*

**212.5. Mediation.**

(a) *Certification of Mediators*

(1) The President Judge shall certify as many mediators as determined to be necessary. It is anticipated that 10 to 15 mediators shall be initially certified.

(2) All mediators will be members of the Monroe County Bar Association.

(3) An attorney may be certified at the discretion of the President Judge as a mediator if:

(i) he or she has been a member of the Pennsylvania bar for a minimum of ten (10) years;

(ii) he or she has been admitted to practice before the Monroe County Court of Common Pleas; and

(iii) he or she has been determined by the President Judge to be competent to perform the duties of a mediator;

(iv) he or she has professional liability insurance in the minimum amount \$100,000 per occurrence and \$300,000 in the aggregate per year; and

(v) he or she has successfully completed a mediation training program approved by the Monroe County Court of Common Pleas.

(vi) The training requirement may be waived by the President Judge when the qualifications and experience of the applicant are deemed sufficient.

(4) The court shall solicit qualified individuals to serve as mediators.

(5) Each individual certified as a mediator shall take the oath or affirmation prescribed by 42 Pa.C.S.A. § 3151 before serving as a mediator.

(6) A list of all persons certified as mediators shall be maintained in the office of the court administrator.

(7) A member of the bar certified as a mediator may be removed from the list of certified mediators by the President Judge for any reason.

(b) *Mediator Training*

Unless waived by the President Judge, all mediators shall take at least six hours of instruction in alternative dispute resolution in a program that is eligible for Continuing Legal Education Credit (CLE) for members of the Pennsylvania bar.

(c) *Payment of Mediators*

(1) All terms and conditions of the mediator's fee agreement must be set forth in writing. The parties shall pay the mediator directly. The court assumes no responsibility for the supervision or enforcement of the parties' agreement to pay for mediation services.

(2) Any charges relating to the mediator's services shall be shared equally by the parties.

(3) The mediator shall be paid on an hourly basis at the mediator's regular hourly rate or, in the absence of a standard hourly rate, at the rate of \$200.00 per hour. The mediator shall disclose to the parties and/or their attorneys the rate at which his/her charges will be billed.

(4) Prior to the beginning of mediation, the parties shall pay to the mediator a non-refundable fee representing three hours of the mediator's time. This shall be the minimum fee for the mediator's time regardless of whether the mediation is concluded before three hours of time have been expended.

(5) Except as provided herein, a mediator shall not accept anything of value from any source for services provided under the court-annexed mediation program.

(d) *Types of Cases Eligible for Mediation*

Every civil action filed in the Monroe County Court of Common Pleas is eligible for mediation except any case which the assigned judge determines, after application by any party or by the mediator, is not suitable for mediation.

(e) *Mediation Conference Scheduling*

(1) When the court makes a determination that referral to mediation is appropriate, it shall issue an order referring the case to mediation, appointing the mediator, directing the mediator to establish the date, time and place for the mediation session and setting forth the name, address, and telephone number of the mediator. The order will also direct the mediator to fix the date for the initial mediation session to be a date within sixty (60) days from the date of the order of referral unless otherwise extended by the court.

(2) The mediation session shall be held before a mediator selected by the assigned judge from the list of mediators certified by the President Judge.

(3) The [ **court administrator** ] **Prothonotary/Clerk of Courts** shall provide the mediator with a current docket sheet.

(4) The mediator shall advise the [ **court administrator** ] **Prothonotary/Clerk of Courts** as to which documents in the case file the mediator desires copies of for the mediation session. The [ **clerk** ] **Prothonotary/Clerk of Courts** shall provide the mediator with all requested copies at no charge to the mediator. However, the assigned Judge, in his or her discretion, may require that the parties share in the cost of providing the necessary copies.

(5) Any continuance of the mediation session beyond the period prescribed in the referral order must be approved by the assigned judge.

(6) A person selected as a mediator shall be disqualified for bias or prejudice as if he or she were a district justice or judge. A party may assert the bias or prejudice of an assigned mediator by filing an affidavit with the assigned judge stating that the mediator has a personal bias or prejudice. The judge may in his or her discretion end alternative dispute resolution efforts, refer the case to another mediator, refer the case back to the original mediator or initiate another alternative dispute resolution mechanism.

(f) *The Mediation Session and Confidentiality of Mediation Communications.*

(1) The mediation session shall take place as directed by the court and the assigned mediator. The mediation session shall take place in a neutral setting designated by the mediator.

(2) To the extent that space is available and the Executive Board of the Monroe County Bar Association agrees, the mediator may schedule the mediation at the offices of the Monroe County Bar Association, which shall be entitled to charge a reasonable fee for use of its facilities.

(3) The parties shall not contact or forward documents to the mediator except as directed by the mediator or the court.

(4) Prior to the Mediation, the parties and/or their attorneys shall be required to prepare and submit a Confidential Position Paper disclosed only to the mediator in the format attached or as modified by the mediator or the assigned judge. The Confidential position paper shall not become a part of the court record and shall be destroyed at the conclusion of the mediation.

(5) If the mediator determines that no settlement is likely to result from the mediation session, the mediator shall terminate the session and promptly thereafter file a report with the assigned Judge stating that there has been compliance with the requirements of mediation in accordance with the local rules, but that no settlement has been reached.

(6) In the event that a settlement is achieved at the mediation session, the mediator shall file a report with the assigned Judge stating that a settlement has been achieved. The order of referral may direct the mediator to file the report in a specific form.

(7) Unless stipulated in writing by all parties and the mediator or except as required by law or otherwise ordered by the court, all discussions which occur during mediation shall remain strictly confidential and no communication at any mediation session (including, without

limitation, any verbal, nonverbal or written communication which refers to or relates to mediation of the pending litigation) shall be disclosed to any person not involved in the mediation process, and no aspect of the mediation session shall be used by anyone for any reason.

(8) No one shall have a recording or transcript made of the mediation session, including the mediator.

(9) The mediator shall not be called to testify as to what transpired in the mediation.

(10) Prior to the beginning of the mediation, all parties and their attorneys shall be required to sign a form developed by the Court in which the parties agree:

(i) to the terms of the mediation; and

(ii) to waive any professional liability claims that they might assert against the mediator, the assigned Judge, the Court of Common Pleas of the 43rd Judicial District, or Monroe County, as a result of their participation in the mediation process.

(g) *Duties of Participants at the Mediation Session.*

(1) *Parties.* All named parties and their counsel are required to attend the mediation session, participate in good faith and be prepared to discuss all liability issues, all defenses and all possible remedies, including monetary and equitable relief. Those in attendance shall possess complete settlement authority, independent of any approval process or supervision, except as set forth in subparagraphs (A) and (B) below.

Unless attendance is excused under paragraph (d), willful failure to attend the mediation session will be reported by the mediator to the court and may result in the imposition of sanctions.

(A) *Corporation or Other Entity.* A party other than a natural person (e.g. a corporation or association) satisfies this attendance requirement if represented by a person (other than outside counsel) who either has authority to settle or who is knowledgeable about the facts of the case, the entity's position, and the policies and procedures under which the entity decides whether to accept proposed settlements.

(B) *Government Entity.* A unit or agency of government satisfies this attendance requirement if represented by a person who either has authority to settle or who is knowledgeable about the facts of the case, the government unit's position, and the policies and procedures under which the governmental unit decides whether to accept proposed settlements. If the action is brought by or defended by the government on behalf of one or more individuals, at least one such individual also shall attend.

(2) *Counsel.* Each party shall be accompanied at the mediation session by the attorney who will be primarily responsible for handling the trial of the matter.

(3) *Insurers.* Insurer representatives are required to attend in person unless excused under paragraph (d), below, if their agreement would be necessary to achieve a settlement. Insurer representatives shall possess complete settlement authority, independent of any approval process or supervision.

(4) *Request to be Excused.* A person who is required to attend a mediation session may be excused from attending in person only after a showing that personal attendance would impose an extraordinary or otherwise unjustifiable hardship. A person seeking to be excused must submit, no fewer than ten (10) days before the date set for the mediation, a written request to the mediator, simultaneously copying all counsel. The written request shall set forth all considerations that support the request and shall indicate whether the other party or parties join

in or object to the request. A proposed order prepared for the signature of the Judge shall be submitted to the mediator with the request. The mediator shall promptly consider the request and shall submit the proposed order to the Judge with a recommendation that the request be granted or denied. In the absence of an order excusing attendance, the person must attend.

Where an individual requests to be excused from personal participation at the mediation, a preference shall be given to attending by telephone at the expense of the excused party rather than complete excusal from the mediation.

(h) *Use of mediators for Private Employment*

The Monroe County Bar Association shall maintain a copy of the list of mediators certified by the President Judge. To the extent agreed to by the individual mediators, the list of mediators may be made available to litigants to hire for alternative dispute resolution including arbitrations and mediations. To the extent that the certified mediators are privately hired, the mediators shall make direct arrangements for compensation with the hiring litigants and the work they perform shall not be governed by the rules of the court-annexed mediation program.

#### **Appendix A: Form for Confidential Position Paper Confidential Position Paper**

Case Caption:

Docket #:

Assigned Judge:

Date of Report:

A. Summary of Critical Facts

B. Insurance Coverage

C. Prior demands and offers of settlement

D. Issues That May Assist The Mediator

[Pa.B. Doc. No. 11-650. Filed for public inspection April 15, 2011, 9:00 a.m.]

## **DISCIPLINARY BOARD OF THE SUPREME COURT**

### **Notice of Hearing**

A Petition for Reinstatement to the active practice of law has been filed by Rupert A. Hall, Jr. and will be the subject of a hearing on May 11, 2011, before a hearing committee designated by the Board. Anyone wishing to be heard in reference to this matter should contact the District I Office of the Disciplinary Board of the Supreme Court of Pennsylvania, 16th Floor, Seven Penn Center, 1635 Market Street, Philadelphia, PA 19103, (215) 560-6296, on or before April 29, 2011. In accordance with Board Rule § 89.274(b), since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,

*Secretary*

*The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 11-651. Filed for public inspection April 15, 2011, 9:00 a.m.]

# SUPREME COURT

## Modification of the Magisterial Districts Within the Eighth Judicial District; No. 275 Magisterial Rules Doc.

### Amended Order

*Per Curiam*

*And Now*, this 1st day of March, 2011, upon consideration of the Request of the President Judge of Northumberland County to eliminate Magisterial District 08-3-01 and reconfigure Magisterial Districts 08-2-01, 08-3-02, 08-3-03 and 08-3-04 of the Eighth Judicial District (Northumberland County) of the Commonwealth of Pennsylvania, it is hereby *Ordered* and *Decreed* that the Request is granted. This Order is effective March 1, 2011. The vacancy for District 08-3-01 shall not appear on the ballot for the primary or general election in 2011.

Said Magisterial Districts shall be as follows:

Magisterial District 08-2-01: Kulpmont Borough  
Magisterial District Judge Marion Heights Borough  
Hugh A. Jones Mount Carmel Borough  
Mount Carmel Township  
Riverside Borough  
East Cameron Township  
Ralpho Township  
Rush Township  
West Cameron Township

Magisterial District 08-3-02: McEwensville Borough  
Magisterial District Judge Delaware Township  
Robert J. Bolton East Chilisquaque  
Township  
Lewis Township  
Milton Borough  
Point Township  
Turbot Township  
Turbotville Township  
Watsonstown Borough  
West Chilisquaque  
Township

Magisterial District 08-3-03: Snyderstown Borough  
Magisterial District Judge Shamokin City  
John Gembic Coal Township  
Shamokin Township  
Zerbe Township

Magisterial District 08-3-04:  
Magisterial District Judge  
Carl B. Rice

Herndon Borough  
Northumberland Borough  
Sunbury City  
Jackson Township  
Jordan Township  
Little Mahanoy Township  
Lower Augusta Township  
Lower Mahanoy Township  
Rockefeller Township  
Upper Augusta Township  
Upper Mahanoy Township  
Washington Township

[Pa.B. Doc. No. 11-652. Filed for public inspection April 15, 2011, 9:00 a.m.]

## Modification of the Magisterial Districts Within the Twenty-First Judicial District; No. 276 Magisterial Rules Doc.

### Amended Order

*And Now*, this 1st day of April, 2011, the Order dated February 15, 2011 that eliminated Magisterial District 21-3-02 and reconfigured Magisterial Districts 21-2-01, 21-3-01, 21-3-03, 21-3-04, 21-3-06 and 21-3-07 of the Twenty-first Judicial District (Schuylkill County) of the Commonwealth of Pennsylvania, is hereby *Amended* as follows: The effective date of the elimination and reconfiguration is April 1, 2011. Union Township shall be added to the list of municipalities contained in Magisterial District 21-2-01 and Landingville Borough shall be added to the municipalities contained in Magisterial District 21-3-03. The order of February 15, 2011 shall remain in effect in all other respects.

RONALD D. CASTILLE,  
*Chief Justice of Pennsylvania*

[Pa.B. Doc. No. 11-653. Filed for public inspection April 15, 2011, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF BANKING

### Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending March 29, 2011.

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

### BANKING INSTITUTIONS

#### Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-22-2011	Edward S. Crooks Brian D. Selby  Application for approval to collectively acquire up to 84.0% of the voting shares of Counsel Trust Company, York.	Filed

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-24-2011	e3holdings, inc. Malvern Chester County  Application for approval to acquire 100% of American Eagle Savings Bank, Boothwyn.	Approved
3-24-2011	Norwood Financial Corp. Honesdale Wayne County  Application for approval to acquire 100% of North Penn Bancorp, Inc., Scranton, and thereby indirectly acquire 100% of North Penn Bank, Scranton.	Approved

#### Consolidations, Mergers, and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-24-2011	Wayne Bank Honesdale Wayne County  Application for approval to merge North Penn Bank, Scranton, with and into Wayne Bank, Honesdale.	Approved

### Branch Applications

#### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-21-2011	Northwest Savings Bank Warren Warren County	1441 Monroe Avenue Brighton Monroe County, NY	Filed
3-22-2011	Somerset Trust Company Somerset Somerset County	2095 Quaker Valley Road Fishertown Bedford County	Filed

#### Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-29-2011	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	6244 Bustleton Avenue Philadelphia Philadelphia County	Filed



**NOTICES**

2007

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-29-2011	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	7124 Ridge Avenue Philadelphia Philadelphia County	Filed
3-29-2011	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	352 High Street Burlington Burlington County, NJ	Filed
3-29-2011	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	1703 Highland Avenue Cinnaminson Burlington County, NJ	Filed
3-29-2011	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	801 Burlington Avenue Delanco Burlington County, NJ	Filed
3-29-2011	Elderton State Bank Elderton Armstrong County	121 North McKean Street Kittanning Armstrong County	Filed

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

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

PAUL WENTZEL,  
*Acting Secretary*

[Pa.B. Doc. No. 11-654. Filed for public inspection April 15, 2011, 9:00 a.m.]

**Actions on Applications**

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending April 5, 2011.

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

**BANKING INSTITUTIONS****Holding Company Acquisitions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-31-2011	GNB Financial Services, Inc. Gratz Dauphin County	Filed
	Application for approval to acquire 100% of The Herndon National Bank, Herndon.	

**Consolidations, Mergers, and Absorptions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
4-5-2011	Luzerne Bank Luzerne Luzerne County	Filed
	Application for approval to purchase assets and assume liabilities of one branch of First Columbia Bank & Trust Co., Bloomsburg, located at:	

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
	10 Dessen Drive Hazle Township West Hazleton Luzerne County	

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

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
7-1-2010	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	2000 Penny Lane Jeanette Westmoreland County	Opened
7-1-2010	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	2001 Lincoln Way White Oak Allegheny County	Opened
3-8-2011	Centric Bank Harrisburg Dauphin County	1625 Market Street Camp Hill Cumberland County	Opened
3-21-2011	Northwest Savings Bank Warren Warren County	1441 Monroe Avenue Brighton Monroe County, NY (Correction from week ending March 29, 2011)	Opened

**Branch Relocations**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-31-2011	Royal Asian Bank Philadelphia Philadelphia County	<i>To:</i> 449 Broad Avenue Palisades Park Bergen County, NJ  <i>From:</i> 232 Broad Avenue Palisades Park Bergen County, NJ	Approved
3-31-2011	Royal Asian Bank Philadelphia Philadelphia County	<i>To:</i> 154-04 Northern Boulevard Flushing Queens County, NY  <i>From:</i> 136-52 39th Avenue Flushing Queens County, NY	Approved

**Branch Discontinuances**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-31-2011	Royal Asian Bank Philadelphia Philadelphia County	7001 West Chester Pike Upper Darby Delaware County	Approved
4-5-2011	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	345 East Beaver Avenue State College Centre County	Filed

**Articles of Amendment**

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
4-5-2011	New Century Bank Phoenixville Chester County	Approved and Effective

Articles of Incorporation amended and restated in their entirety to change the name of the institution to "Customers Bank," increase the number of authorized shares of the institution's common stock, and designate the terms of Class B Non-Voting Common Stock.

## SAVINGS INSTITUTIONS

No activity.

## CREDIT UNIONS

## Consolidations, Mergers, and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
4-5-2011	Belco Community Credit Union Harrisburg Dauphin County	Filed
	Application for approval to merge LEBCO Educators Federal Credit Union, Lebanon, with and into Belco Community Credit Union, Harrisburg.	

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

GLENN E. MOYER,  
*Acting Secretary*

[Pa.B. Doc. No. 11-655. Filed for public inspection April 15, 2011, 9:00 a.m.]

### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of May 2011

The Department of Banking (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of May, 2011, is 6 1/4%.

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

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 3.84 to which was added 2.50 percentage points for a total of 6.34 that by law is rounded off to the nearest quarter at 6 1/4%.

GLENN E. MOYER,  
*Acting Secretary*

[Pa.B. Doc. No. 11-656. Filed for public inspection April 15, 2011, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Bureau of Adult Basic and Literacy Education; Availability of Funds

The Department of Education (Department) announces the availability of approximately \$14 million in grant funds to be awarded under section 231 of the Workforce Investment Act of 1998 (WIA) (20 U.S.C.A. § 9241) as well as approximately \$12 million in grant funds to be

awarded under the Pennsylvania Adult and Family Literacy Education Act (PAFLE) (24 P. S. §§ 6401—6409) for adult basic education and family programs in this Commonwealth. This announcement also serves as notice of availability of approximately \$1.5 million for integrated English literacy and civics education programs (EL/Civics) as authorized by the Consolidated Appropriations Act of 2010.

Activities to be conducted under these grants are to create partnerships among the Federal government, the Commonwealth, and local entities to provide, on a voluntary basis, adult education and family literacy services. The intent of adult education and family literacy services is to assist adults to become literate; to obtain the knowledge and skills necessary for employment and self-sufficiency; to become full partners in the education and development of their children; and to complete their secondary school education.

Priorities for WIA Section 231 funds include:

- Adult education programs as previously described
- A Statewide distance learning program

Priorities for PAFLE funds include:

- Adult education and family literacy programs as previously described
- A Statewide family literacy technical assistance program
- A Statewide technical assistance program for training volunteer adult literacy education instructors

Eligible applicants for funds authorized under these sources are:

- Local education agencies
- Community-based organizations of demonstrated effectiveness
- Volunteer literacy organizations of demonstrated effectiveness
- Institutions of higher education
- Public or private nonprofit agencies
- Libraries
- Public housing authorities

- Nonprofit institutions not previously described that have the ability to provide literacy services to adults and families
- Consortia of the agencies, organizations, institutions, libraries or authorities previously described

The closing date for receipt of applications under this announcement is May 22, 2011. Applications must be submitted through the Department's e-grants system no later than 4 p.m. E-grants records the time of submission. This recorded time will be used to determine submission time. Any applications received after the deadline will not be scored and will be ineligible for a grant.

Applications must be completed online and submitted by means of the e-grants web site at <http://egrants.ed.state.pa.us> to the Bureau of Adult Basic and Literacy Education (ABLE). Instructions for the use of the e-grants system and the Adult Education and Family Literacy Guidelines for PY 2011-12 are available at [www.education.state.pa.us](http://www.education.state.pa.us) and through the e-grant web site. Eligible providers should submit Federal WIA Section 231 and State PAFLE applications in coordination as part of a full-service adult education/family literacy program. Eligible providers are also encouraged to submit an EL/Civics application if they propose to provide service in a local community that has a demonstrated need for additional English literacy programs.

The grant period will be for a term of 3 years—July 1, 2011, through June 30, 2014, except that the grant might be terminated earlier upon either implementation of a new WIA State Plan or reauthorization of the WIA. Funding for years 2 and 3 of the 3-year grant period will be provided through annual contract renewals. Renewal will occur provided that sufficient progress is made toward meeting performance measures set forth by ABLE. At the end of the grant period, grantees will be authorized to reapply and compete with other applicants for another multiyear term. These grants will be funded by riders to a Master Agreement executed between the Department and the funded agency. Agencies not currently funded will be given instructions on execution of the Master Agreement once grant applications are approved by ABLE.

In awarding grants and contracts under WIA Section 231, PAFLE and EL/Civics, the Department will consider:

- The degree to which the eligible provider will establish measurable goals for participant outcomes.
- The past effectiveness of an eligible provider in improving the literacy skills of adults and families and after the first year of the grant period, the success of an eligible provider receiving funding in meeting or exceeding performance measures set by ABLE, especially with respect to those adults with the lowest levels of literacy.
- The commitment of the eligible provider to serve individuals in the community who are most in need of literacy services, including individuals who are low-income or have minimal literacy skills.
- Whether or not the program:
  - Is of sufficient intensity and duration for participants to achieve substantial learning gains.
  - Uses instructional practices such as phonemic awareness, systematic phonics, fluency and reading

comprehension that research has proven to be effective in teaching individuals to read.

- Whether the activities are built on a strong foundation of research and effective educational practice.
- Whether the activities effectively employ advances in technology, as appropriate, including the use of computers.
- Whether the activities are provided in real life contexts to ensure that an individual has the skills needed to compete in the workplace and exercise the rights and responsibilities of citizenship.
- Whether the activities are staffed by well-trained instructors, counselors and administrators.
- Whether the activities coordinate with other available resources in the community, such as by establishing strong links with elementary and secondary schools, postsecondary education institutions, PA CareerLink® offices, job training programs and social service agencies.
- Whether the activities offer flexible schedules and support services (such as child care and transportation) that are necessary to enable individuals, including individuals with disabilities or other special needs, to attend and complete programs.
- Whether the activities maintain a high-quality information management system that has the capacity to report participant outcomes and to monitor program performance against ABLE performance measures.
- Whether the local communities have a demonstrated need for additional English literacy programs.

Further, in awarding grants and contracts under the PAFLE, the Department shall also consider:

- The percentage of adults expected to be enrolled for instruction who are receiving either State or Federal public assistance.
- The percentage of adults in any local area who do not have a certificate of graduation from a secondary school and who are not enrolled in adult or family literacy education programs.
- The percentage of eligible adults expected to be enrolled who are members of minority groups.
- The percentage of adults with less than a fifth grade reading level to be served.

Applicants for WIA Section 231 must fund 25% of total grant project costs through local match. Other Federal funds may not be used for the local match unless specifically identified as eligible for use as matching funds. In addition, funds awarded to eligible providers through the PAFLE may not be used for the 25% local match.

Applicants should note that both the WIA and EL/Civics grants include a cap on the amount of the grant that may be used toward administrative costs. Specifically, not more than 5% of a local applicant's grant may be used for administrative costs, unless a higher percent is approved in advance by ABLE.

In addition, applicants for PAFLE may not use grant funds for programs, activities or services related to sectarian instruction or religious worship.

All potential applicants are urged to attend the bidders' webinar to receive information on program guidelines and requirements for submitting e-grants applications for adult education and family literacy programs. This webinar will be conducted at <http://vclass.cciu.org> on April 22, 2011, from 9 a.m. to 11 a.m. A recording of the webinar will remain at the previously mentioned site for

a period of 60 days. To ensure timely administration and processing of e-grant applications, both the grant writer and the fiscal officer should attend the bidders' conference.

RONALD J. TOMALIS,  
*Acting Secretary*

[Pa.B. Doc. No. 11-657. Filed for public inspection April 15, 2011, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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

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

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

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

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

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

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

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

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

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

**I. NPDES Renewal Applications**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0063860 (Industrial Waste)	Lehighon Water Authority (Lehigh River Diversion Pump Station) Long Run Reservoir No 1 on Long Run Road Lehighon, PA 18235	Carbon County Franklin Township	Long Run (2-B) HQ-CWF	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0083194— SEW	HMSHost, Inc.—Blue Mountain Service Plaza PO Box 8 Middletown, PA 17057	Cumberland County / Hopewell Township	Newburg Run / 7-B	Y
PA008152— SEW	Possum Valley Municipal Authority PO Box 420 Bendersville, PA 17306	Adams County / Menallen Township	Possum Creek / 7-F	Y
PA0080721— SEW	Frank T. Perano / GSP Management Company / Cedar Manor Mobile Home Park PO Box 677 Morgantown, PA 19543	Dauphin County / Londonderry Township	UNT Conewago Creek / 7-G	Y
PA0110744— IW	Evitts Creek Water Company 1032 Lake Gordon Road Bedford, PA 15522-5243	Bedford County / Cumberland Valley Township	UNT Evitts Creek / 13-A	Y
PA0084417— SEW	Robert L. Brunner / Village Square Plaza Mall PO Box 310 Shermans Dale, PA 17090	Perry County / Carroll Township	UNT Sherman Creek / 7-A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0239674	Cooper Lake Campground 205 Currie Road Slippery Rock, PA 16057	Butler County Worth Township	Muddy Creek 20-C	Y
PA0238619	Chestnut Grove Homeowners Association State Route 422 Butler, PA 16001	Butler County Franklin Township	Mulligan Run 20-C	Y
PA0221627	William M. Rombold d/b/a Tri Lane Estates 4004 Wynnwood Drive Sharpsville, PA 16150	Mercer County Lackawannock Township	Unnamed tributary to the Little Neshannock Creek 20-A	Y
PA0047201	Tionesta Municipal Authority P. O. Box 408 Tionesta, PA 16353	Forest County Tionesta Borough	Allegheny River 16-F	Y
Pa0239691	Robert L. Smith 13478 Old Lake Road East Springfield, PA 16411	Erie Springfield Township	Unnamed Tributary to Lake Erie 15-A	Y

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

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

**PA0011851**, Amendment No. 2, Industrial Waste, SIC Nos. 3317, 3356, and 3451, **Superior Tube Company, Inc.**, 3900 Germantown Pike, Collegeville, PA 19426-3112.

This existing facility is located in Lower Providence Township, **Montgomery County**.

Description of Proposed Activity: Request to amend the permit to include increased limits for ammonia nitrogen that reflect contributions from boiler operations and polymer addition. Existing permit specifies limits based on BAT/BPT sources and includes a requirement that the permittee investigate other sources of ammonia nitrogen and provide a detailed report of the findings for the Department's consideration in amending the limits. Proposed limits shown below are based on the results of the evaluation summarized in the January 2011 report. There are no other changes to the existing permit.

The receiving stream, Perkiomen Creek, is in the State Water Plan watershed 3E and is classified for: trout stocking fishes, aquatic life, water supply, and recreation. The nearest downstream public water supply intake for Aqua PA is located on Perkiomen Creek and is approximately 4.5 miles below the point of discharge.

The proposed effluent limits for Internal Monitoring Point (IMP) 108 are based on a design flow of 0.0146 MGD.

Parameters	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum mg/l
	Average Monthly	Daily Maximum	Average Monthly	Daily Maximum	
Ammonia as N	0.263	0.311	2.1	2.41	2.48

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

1. Remedial Measures if Public Nuisance
2. Approved Test Method
3. Change of Ownership
4. TTO Definition
5. TTO Monitoring
6. Proper Sludge Disposal
7. TMDL/WLA Analysis
8. Laboratory Certification
9. Submission of Groundwater Monitoring Program Annual Report
10. Chemical Additive Usage Rates and Requirements
11. Stormwater Requirements

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

**PA0008354**, Industrial Waste, SIC Code 4941, **Pennsylvania American Water**, 100 N Pennsylvania Avenue, Wilkes-Barre, PA 18701. Facility Name: PA American Water - Montrose Water Treatment Plant. This existing facility is located in Bridgewater Township, **Susquehanna 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), Lake Montrose, is located in State Water Plan watershed 4-E and is classified for Cold Water Fishes, 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 monthly design flow of 0.013 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	1.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	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 an average monthly design flow of 0.012 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	1.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	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 monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001 for the first two years of the permit term.

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

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

- Chesapeake Bay Nutrient Requirements
- Chemical Additives

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

The EPA Waiver is in effect.

**PA0064378**, Industrial Waste, NAICS Codes 331492, 325188, and 331423, **Horsehead Corporation**, 900 Delaware Avenue, Palmerton, PA 18071. Facility Name: Horsehead Corporation—Palmerton Facility. This existing facility is located in, **Carbon 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), Aquashicola Creek, is located in State Water Plan watershed 2-B 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 004 are based on a design flow of 0.150 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	20.0	30.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Total Cadmium	XXX	XXX	XXX	0.10	0.20	XXX
Total Lead	XXX	XXX	XXX	0.35	0.70	XXX
Total Zinc	XXX	XXX	XXX	1.20	2.40	XXX

The proposed effluent limits for Outfall 005 are based on a design flow of 0.432 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	Report
Total Cadmium	XXX	XXX	XXX	Report	Report	XXX
Total Lead	XXX	XXX	XXX	Report	Report	XXX
Total Zinc	XXX	XXX	XXX	Report	Report	XXX

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

**PA0024902**, Sewage, SIC Code 4952, **Upper Allen Township Board of Commissioners**, 100 Gettysburg Pike, Mechanicsburg, PA 17055-5604. Facility Name: Upper Allen STP. This existing facility is located in Upper Allen Township, **Cumberland 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), Yellow Breeches Creek, is located in State Water Plan watershed 7-E and is classified for Cold Water Fishes, 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 1.1 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>						
May 1 - Oct 31	183	275	XXX	20	30	40
Nov 1 - Apr 30	229	367	XXX	25	40	50
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	275	413	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	XXX
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	XXX
Total Phosphorus	18.3	XXX	XXX	2.0	XXX	4.0

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen					
(Interim)	Report	Report			
(Final)	Report	22,991			
Net Total Phosphorus					
(Interim)	Report	Report			
(Final)	Report	2,697			

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

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

\*\* Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

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

- Stormwater Outfall Requirements

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

The EPA Waiver is not in effect.

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

**PA0218901**, Sewage, **Totteridge LP**, 325 Hannastown Road, Greensburg, PA 15601. Facility Name: Totteridge Golf Course & Restaurant. This existing facility is located in Salem Township, **Westmoreland County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.04 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	0.04	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.15	XXX	0.3
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18.0

The EPA Waiver is in effect.

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

**PA0263834**, Sewage, SIC Code 6515, **Lake Lucy Sewage Association**, 1439 Lake Lucy Road, Tionesta, PA 16353. Facility Name: Lake Lucy STP. This proposed facility is located in Washington Township, **Clarion County**.

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

The receiving stream, the East Branch Hemlock Creek, is located in State Water Plan watershed 16-E and is classified for Exceptional Value Waters, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.014 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6	XXX	XXX	9
Dissolved Oxygen	XXX	XXX	3.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	1.5	XXX	3.5
CBOD <sub>5</sub>						
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX	40
Total Suspended Solids						
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX	40

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	XXX
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9	XXX	6

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

The EPA Waiver is in effect.

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

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

**WQM Permit No. 0804202, PA0228851**, CAFO Operation [SIC 0213], **Van Blarcom Farms, James Van Blarcom**, 934 Besley Road, Columbia Cross Roads, PA 16914-7789.

This proposed facility is located in Columbia Township, **Bradford County**.

Description of Proposed Action/Activity: Sow facility includes breeding and gestation barn, farrowing barn, gilt grower barn and manure storage pond.

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

**WQM Permit No. 4311401**, Sewerage, **Scenic Mobile Home Park Inc.**, 524 West Locust Street, Woodstock, VA 22664

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

Description of Proposed Action/Activity: This project proposes modifications of the existing Sewage Treatment Plant (formerly under Permit No. 368S030) to replace an existing unpermitted dechlorinator with a larger unit of the same type, install a sludge holding tank, add a sludge tank blower, to comply with a Consent Order and Agreement.

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

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

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI01 151108	Second Century Farm, LLC 812 Guthrie Road West Chester, PA 19380	Chester	East Bradford Township	Broad Run (HQ-CWF)

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI023905018(R)	Frank Tercha & Kate EM Tercha 1919 Tercha Road Fogelsville, PA 18051	Lehigh Co.	Weisenberg Twp	Lyon Creek (HQ-CWF, MF) Schaefer Run (HQ-CWF, MF)

*Monroe County Conservation District: 8050 Running Valley Rd., Stroudsburg, PA 18360*

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI024511001	Shoppers at Turtle Walk L.P. PO Box 98 Bartonsville, PA 18321	Monroe Co.	Hamilton Twp	UNT Pocono Creek (HQ-CWF, MF)

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

<i>NPDES Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030611001	Conrad Weiser Area S.D./ West Elementary School 44 Big Spring Road Robesonia, PA 19551	Berks	Womelsdorf Boro.	Tulpehocken Creek, HQ-CWF
PAI032811001	Greens at Greencastle LP 5705 Industry Lane Frederick, MD 21704	Franklin	Antrim Twp.	Muddy Run, HQ-CWF
PAI035010003	Smith, Roger A. & Susan T. 6525 Creek Road Newport, PA 17074	Perry	Juniata Twp.	Buffalo Creek, HQ-CWF, MF

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

### STATE CONSERVATION COMMISSION

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

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

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

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

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

#### NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal / New</i>
Robert Gochenaur Stone Chimney Hollow 3449 Delta Road Airville, PA 17302	York	49.77	478.11	Swine and Turkey	NA	R
Graywood Farms 225 Mason Dixon Rd Peach Bottom, PA 17563	Lancaster	867.8	1900.33	Dairy	HQ	R
Jeff Rohrer (Penn Valley Pork) 1655 Phillips Lane Mohrsville, PA 19541	Berks	145.8	1,313.56	hogs & beef	NA	R
Gerald Musser 118 Killinger Rd Annville, PA 17003	Lebanon	0	485.51	Poultry	NA	R

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal / New</i>
Alvin Weaver 52 Burkholder Lane Rd Fredericksburg PA 17026 (operation address) 991 Houtztown Rd Myerstown, PA 17067 (mailing address)	Lebanon	2.6	281.04	Poultry, swine and beef	NA	R

**PUBLIC WATER SUPPLY (PWS) PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

<b>Permit No. 0111502</b> , Public Water Supply.	
Applicant	<b>Keystone Diner</b>
Municipality	Berwick Township
County	<b>Adams</b>
Responsible Official	Mark Williams, Operator 999 Baltimore Road York Springs, PA 17372

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Type of Facility	Public Water Supply
Consulting Engineer	Robert H Schemmerring, P.E. RHS Engineering, Inc. 41 S. Antrim Way Greencastle, PA 17225
Application Received:	3/9/2011
Description of Action	Installation of VOC treatment.

**Application No. 0611506**, Minor Amendment, Public Water Supply.

Applicant	<b>Advanced H2O, LLC</b>
Municipality	Hamburg Borough
County	<b>Berks</b>
Responsible Official	Jeff Skirvin, Plant Manager 316 Front Street Hamburg, PA 19526

Type of Facility	Public Water Supply
Consulting Engineer	Brian T. Evans, P.E. Evans Engineering Inc. 2793 Old Post Road Harrisburg, PA 17110

Application Received:	2/23/2011
Description of Action	Permitting of an existing bottled water facility.

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

**Permit No. 6511501**, Public Water Supply.

Applicant	<b>Municipal Authority of the Borough of Derry</b> 620 Chestnut Street Derry, PA 15627
[Township or Borough]	Derry Borough

Responsible Official	Richard Thomas, Manager Municipal Authority of the Borough of Derry 620 Chestnut Street Derry, PA 15627
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Type of Facility	Water treatment plant
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650

Application Received Date	March 10, 2011
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Description of Action Installation of an above ground booster station for the interconnection between the Municipal Authority of the Borough of Derry and Latrobe Municipal Authority.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appro-

priate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

**RSM Properties, LLC Remediation Site**, Southwest Corner of Wyoming Avenue and Linden Street, Scranton City, **Lackawanna County**. James LaRegina, Herbert, Rowland, & Grubic, Inc., 369 East Park Drive, Harrisburg, PA has submitted a Notice of Intent to Remediate (on behalf of his client, RSM Properties, LLC, 461 From Road, Paramus, NJ 07652), concerning the remediation of soil and groundwater found to have been impacted by PCE constituents as a result of historical operations at former commercial and retail facilities located at the site. The applicant proposes to remediate the site to meet the Site-Specific Standard for soil and groundwater. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

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

**Former Ephrata Manufacturing Company**, Ephrata Borough, **Lancaster County**. Environmental Standards, Inc., 1140 Valley Forge Road, P.O. Box 810, Valley Forge, PA 19482, on behalf of Ephrata National Bank, submitted a Notice of Intent to Remediate site soils contaminated with arsenic and lead. The site will be remediated to the Site Specific standard. Future use of the site is redevelopment for non-residential purposes.

*Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745*

**Former GM Stamping Plant**, West Mifflin Borough, **Allegheny County**. MU Hydrogeology, 18108 Edgewood Circle, Wildwood, MO 63038 on behalf of Michael J. Roberts, Mifflin, LLC, 1650 Des Peres Rd, Suite 303, St. Louis, MO 63131 has submitted a Notice of Intent to Remediate. The Former GM Stamping Plant has an industrial history of over 50 years. Primary environmental concerns include metal impacted soil and groundwater and hydraulic oils which have been released throughout the manufacturing building. A Consent Order and Agreement between the Department and Commercial Development Company required submittal of the NIR.

### RESIDUAL WASTE GENERAL PERMITS

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

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

**General Permit Application Number WMGR083 D001.** Matt Canestrone Contracting, Inc., P. O. Box 234, Belle Vernon, PA 15012-0234. The application is for the processing of dewatered dredge waste for beneficial use as

a final cover at the LaBelle Refuse Site, located in Luzerne Township, **Fayette County**. DEP has determined that the application is administratively complete.

Comments concerning the application should be directed to Scott E. Walters, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be received by the Department by May 16, 2011 and may recommend revisions to, and approval or denial, of the application.

#### **OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE**

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

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

**Permit Application No. 400658.** Hatfield Township Municipal Authority, 3200 Advance Lane, Colmar PA 18915-9766. This application is for 10-year permit renewal to continue operation at the Hatfield Township Municipal Authority facility; an existing sewage sludge incinerator facility located at 3200 Advance Lane, Colmar, PA 18915-9766, in Hatfield Township, **Montgomery County**. The application was received by the Southeast Regional Office on March 22, 2011.

#### **AIR QUALITY**

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

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

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

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

Persons wishing to receive a copy of a proposed Plan Approval or Operating Permit shall indicate interests to the Department regional office within 30 days of the date of this notice and shall file protests or comments on a proposed Plan Approval or Operating Permit within 30 days of the Department providing a copy of the proposed documents to persons or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that hearings be held concerning a proposed Plan Approval or Operating Permit. A comment or protest filed with the Department

regional office shall include a concise statement of the objections to the issuance of the Plan Approval or Operating Permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

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

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

#### **PLAN APPROVALS**

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

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

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

**46-0262D: Penn Color, Inc.** (2755 Bergey Road, Hatfield, PA 19440) for installation of two (2) new pieces of equipment used to manufacture pigment including: two (2) extruders (pigment manufacturing equipment) at the Penn Color, Inc., pigment dispersion manufacturing facility at 2755 Bergey Road, Hatfield, PA 19440, Hatfield Township, **Montgomery County**. The installation of pigment manufacturing equipment will result in an increase in VOC and PM emissions. The permittee will take limitations to remain a synthetic minor facility for all pollutants. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

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

**40-399-072: Schott Glass Technologies, Inc.** (400 York Avenue, Duryea, PA 18642) for new NO<sub>x</sub> emission limits for the existing furnaces at their facility in Duryea Borough, **Luzerne County**.

*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*

**30-00183B: EQT Gathering LLC** (625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222) for an additional TEG dehydration unit and revised calculations for the dehydration unit, flare and reboiler at Jupiter Compressor Station in Morgan Township, **Greene County**.

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

Contact: Mark Gorog, New Source Review Chief—  
Telephone: 814-332-6940

**16-132I: Clarion Boards, Inc.** (143 Fiberboard Road, Shippenville, PA 16254) for modification of NOx emission limits associated with the RTO in Paint Township, **Clarion County**. This is a Title V facility.

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

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

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

**15-0002G: WorldColor (USA) LLC—formerly Quebecor World Atglen, Inc.** (4581 Lower Valley Rd., Atglen, PA 19310) for two (2) separate projects at their facility in West Sadsbury Township, **Chester County**. The first project is the installation of a new solvent recovery system, the removal of an older solvent recovery system and the removal of two (2) existing, unenclosed rotogravure publication printing presses. The second project is the installation of a new regenerative thermal oxidizer to control VOC laden emissions from two (2) existing lithographic presses. As a result of potential emissions of VOCs, the facility is a Title V facility. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements

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

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

**54-308-027: SAPA Extrusions, Inc.** (53 Pottsville Street, Cressona, PA 17929) for installation of a new Holding Furnace, a new In-Line Flux unit and the removal of one existing holding furnace in Cressona Borough, **Schuylkill County**. NOx emissions will increase by 3.54 TPY, CO emissions will increase by 3.74 TPY. The company shall comply with all applicable requirements of 40 CFR 63 Subpart RRR—National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production. SAPA Extrusion is a major facility subject to Title V permitting requirements. The company currently has a Title V Permit 54-00022. The plan approval will include all appropriate monitoring, record keeping, and reporting requirements designed to keep the furnaces operating within all applicable air quality requirements. The Plan Approval will, in accordance with 25 Pa. Code 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date. For further details, contact Ray Kempa at (570) 826-2511 within 30 days after publication date.

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

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

**65-01006A: AMERESCO GREENRIDGE LLC** (111 Speen Street, Suite 410, Framingham, MA 01701) 01006A to allow construction of a landfill gas to energy plant at the Waste Management of Pennsylvania, Inc. (WMPI)

Greenridge Reclamation Landfill, in Huntingdon Township, **Westmoreland County**.

In accordance with 25 Pa. Code §§ 127.44—127.46 the Department of Environmental Protection (DEP) intends to issue Air Quality Plan Approval: PA-65-01006A to allow the construction of a landfill gas to energy plant at the Waste Management of Pennsylvania, Inc. (WMPI) Greenridge Reclamation Landfill, located in Huntingdon Township, Westmoreland County. The sources at this facility will be either four Caterpillar Model G3520C engines each rated at 2,258 bhp or three Janbacher Model GS-E-199 engines each rated at 3,011bhp. A small John Zink purge gas flare will be used to control purge gas from the landfill gas treatment system.

Potential emissions from the facility are estimated to be 83.3 tons of nitrogen oxides (NOx), 242.23 tons of carbon monoxide (CO), 49.6 tons of volatile organic compounds (VOC), and 4.79 tons of hazardous air pollutants (HAP) per year. Best available technology (BAT) for the proposed sources is combusting only treated landfill gas, good combustion practices and proper maintenance and operation. The authorization is subject to State regulations and Federal New Source Performance Standards (NSPS) including 40 CFR Part 60 Subpart JJJJ. Plan Approval has been conditioned to ensure compliance with all applicable rules. These include work practice, monitoring, recordkeeping, and reporting conditions. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently apply for a State Only Operating Permit in accordance with Pa. Code Title 25 Subchapter F.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Plan Approval may submit the information to Noor Nahar, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Each written comment must contain the following:

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

Identification of the proposed Plan Approval (PA-65-01006A).

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

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

For additional information you may contact Noor Nahar at 412-442-5225.

### OPERATING PERMITS

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

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

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

**35-00024: Shaw Environmental & Infrastructure, Inc.** (1150 Keystone Industrial Park, Throop, PA 18512) for renewal of the Title V Operating Permit in Throop Borough, **Lackawanna County**. The facility sources include a landfill gas treatment system, seven (7) combustion engines and a compressor station. These sources have the potential to emit major quantities of regulated



pollutants above Title V emission thresholds. No change has taken place at this facility that were not previously permitted. The proposed Title V Operating Permit contains applicable requirements for emissions limitations, monitoring, record keeping, reporting, and work practice standards used to maintain facility compliance with Federal and State air pollution regulations.

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

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-949-7935*

**36-05140: Valley Proteins, Inc** (693 Wide Hollow Road, East Earl, PA 17519) for the operation of a rendering plant in East Earl Township, **Lancaster County**. This is a renewal of their Title V Operating permit issued in 2006.

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

The subject facility emits about 38 tons per year of NO<sub>x</sub>. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

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

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

Thomas J. Hanlon, P.E., Chief, East Permitting Section 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.

Permits issued to sources identified in 25 Pa. Code Section 127.44(b)(1)–(4) or permits issued to sources with limitations on the potential to emit used to avoid otherwise applicable Federal requirements may become part of SIP, and will be submitted to the EPA for review and approval.

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

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

**26-00402: Veolia ES Chestnut Valley Landfill, Inc.** (R.D. 1 Route 21, P. O. Box 266, McClelland town, Pa 15458) for an operating permit for their municipal solid waste landfill in German Township, **Fayette County**, Pennsylvania. The Landfill's design capacity makes it subject to the operating permit requirements of Title V of the Federal Clean Air Act, and 25 Pa. Code Chapter 127, Subchapter G. Proposed Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping and reporting requirements.

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

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

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

**45-00003: Reliant Energy—Shawnee CT Facility** (121 Champion Way, Canonsburg, PA 15317) a renewal of a State Only (Synthetic Minor) Operating Permit for a combustion turbine in Middle Smithfield Township, **Monroe County**. The source has the potential to emit major quantities of regulated pollutants above Title V thresholds. The facility is taking a limitation on Nitrogen Oxides and Operating Hours to keep pollutants below Title V emission thresholds. Records shall be kept for fuel oil throughput, operating hours and emissions; all on a 12-month rolling sum basis. The proposed State Only (Synthetic Minor) Operating Permit contains other applicable requirements for emissions limitations, monitoring, record keeping, reporting and work practice standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

**41-00064: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) for issuance of a State-Only (Synthetic Minor) Operating Permit renewal for operation of their Armstrong Township Crushing Plant facility in Armstrong Township, **Lycoming County**. GOH operates a 440 tph Metso LT106 portable crusher and two New Road model S36X80DCT portable stacking conveyors. The crusher is powered by a 300 bhp Caterpillar model C-9DITA diesel-fired engine and the stacking conveyors are each powered by 51 bhp Caterpillar model C2.2 diesel-fired engines. Additionally, GOH operates a 500 tph Metso Lokotrack model ST272 portable screener powered by a 174 bhp Deutz model TCD2013L04 diesel-fired engine. The facility has taken limitations to not exceed the major emission thresholds for any air contaminant. The Department of Environmental Protection (Department) proposes to issue State-Only (Synthetic Minor) Operating Permit 41-00064. The Department intends to incorporate into the operating permit all applicable conditions of approval contained in the RFD exemptions for various insignificant air-contaminant sources and all applicable conditions contained the GP-3s and GP-11s authorized for this facility. The proposed renewal operating permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

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

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

**32-00207: Sprinkle Mills Tipple**, P. O. Box 343, Punxsutawney, PA 15767, Natural Minor Operating Permit for the operation of a coal preparation plant and loading facility, known as the Valier Coal Yard located in North Mahoning Township, **Indiana County**.

The facility contains air contamination sources, consisting of one coal crusher, shaker with screen, conveyers, and storage piles. Facility emissions are 2.54 tons per year of PM10. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to state requirements as well as 40 CFR 60, Subpart Y—Standards of Performance for Coal Preparation and Processing Plants. The permit includes emission limitations, operational requirements, monitoring requirements, and recordkeeping requirements for the facility.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of this State Only Operating Permit may submit the information to Martin L. Hochhauser, P.E., Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Each written comment must contain the following: Name, address and telephone number of the person submitting the comments, Identification of the proposed Operating Permit (specify Operating Permit OP-32-00207), and Concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

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

**03-00188: Carson Industries** (189 Foreman Road, Freeport, PA 16229) for the manufacturing of Statesmetal Giftware at their facility located in South Buffalo Township, **Armstrong County**. This is a state only permit renewal submittal.

**30-00110: EQT Corporation** (625 Liberty Ave, Suite 1700, Pittsburgh, PA 15222) for the Pratt Compressor Station located in Franklin Township, **Greene County**. This is a state only permit submittal.

**11-00415 Greystone Materials Inc. /Colver Processing Plant** (272 Interpower Drive Colver, PA 15927) in accordance with 25 Pa. Code §§ 127.424—127.425, notice is hereby given that the Pennsylvania Department of Environmental Protection (DEP) intends to issue a State Only Operating permit for the operation of a limestone pulverizing plant located in Cambria Township, **Cambria County**.

Sources at this facility include Non-mineral processing equipment and a propane-fired aggregate dryer. Annual emissions from the facility are estimated to be less than 18 tpy NOx; 15 tpy CO; 4 tpy particulate; and less than 1 tpy for all other criteria pollutants. Emissions from these sources are controlled through the use of two baghouses rated at 99 percent efficient. The facility is subject to the applicable requirements of Title 25 Pa. Code, Chapters 121 through 145 and 40 CFR Part 60, Subpart OOO. The Department believes that the facility will meet these requirements by complying with State Only Operating Permit conditions relating to restrictions, monitoring, recordkeeping, reporting and work practice standards:

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

Name, address and telephone number of the person submitting the comments, Identification of the proposed Operating Permit (specify Operating Permit OP-04-00412), and Concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

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

**32-00227: IPS Electro-Mec**, (4470 Lucerne Road, P. O. Box 159, Indiana, PA 15701) for a State Only Operating Permit for the repair and resales electric motors in their facility located in White Township, **Indiana County**. This is a state only permit renewal submittal.

**26-00520: Dynamic Materials Corporation** (1138 Industrial Park Drive, P. O. Box 317, Mt. Braddock, PA 15465) for a State Only Operating Permit for plate work manufacturing in their Braddock facility located in Dunbar Township, **Fayette County**. This is a state only permit renewal submittal.

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

Contact: *Matthew Williams, New Source Review Chief—Telephone: 814-332-6940*

**10-00300: Spang & Co.—Magnetics Division—East Butler Borough** (796 East Butler Road, Butler, PA 16001) for the re-issuance of Natural Minor Operating Permit to operate the electronic components manufacturing plant in East Butler Borough, **Butler County**.

**10-00330: Butler Veterinary Associates, Inc.** (1761 N. Main St., Butler, PA 16001) to re-issue the Natural Minor Operating Permit for this facility that performs animal cremations in Center Township, **Butler County**. Emissions from this facility remain below major source levels.

**25-00983: Rupp Auto Livery Crematory** (303 East 32nd Street, Erie, PA 16501) to re-issue the Natural Minor Operating Permit for the crematory operations at this facility in the City of Erie, **Erie County**, PA.

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

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

**N09-017: Deer Meadows** (8301 Roosevelt Boulevard, Philadelphia, PA) for operation of a residential care and nursing home in the City of Philadelphia, **Philadelphia County**. The facilities air emission sources include seven (7) boilers at 5.5 MMBTU/hr or less that burn natural gas or #2 fuel oil, two emergency generators that burn #2 fuel oil, and a fire pump.

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

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

**N05-006: Drexel University—Queen Lane Campus** (2900 Queen Lane, Philadelphia PA 19129) for operation of a medical college in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include five (5) boilers, each 225 Hp or less, and one (1) 500 kW emergency generator, one (1) 200 kW emergency generator, and 110 hp fire pump.

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

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

will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

**S10-027: Penn Maid Ready Foods** (10975 Dutton Street, Philadelphia, PA 19154) for operations of manufacturing and distributing dairy products in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one (1) 33.6 MMBTU/hr boilers burning either natural gas or #2 oil and two (2) less than 34 MMBTU/hr boilers burning natural gas.

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

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

**AMS 10253: Sunoco Inc.—Frankford Plant** (Margaret & Bermuda Street, Philadelphia, PA 19137) to permanently route the aldehyde drum (VT-507) vent to the inlet to the CADs 501/502/503/504 and discontinue use of hydrocarbon analyzers associated with CADs in the City of Philadelphia, **Philadelphia County**. The project will have a zero tpy VOC emissions. The plan approval will contain operating, testing, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

## 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; 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 applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control 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).

The following permit applications to conduct mining activities have been received by the Department. A copy of an 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 may be submitted by a

person or an officer or head of 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 the person submitting comments or objections, the 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. The Department has made a tentative determination to issue the NPDES permit in conjunction with the mining activity permit, but the issuance of the NPDES permit is contingent upon the approval of the associated mining activity permit.

For coal mining activities, NPDES permits, when issued, will contain effluent limits that do not exceed the technology-based effluent limitations. The proposed limits are listed in Table 1.

For noncoal mining activities, the proposed limits are in Table 2. Discharges from noncoal mines located in some geologic settings (for example, in coal fields) may require additional 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. The limits will be in the ranges specified in Table 1.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining

that may occur will be 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 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 Loads.

Persons wishing to comment on NPDES permit applications should submit statements to the Department at the address of the district mining office indicated before each application 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. A comment 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 § 92.61. 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 Applications Received*

*Effluent Limits*—The following range of effluent limits will apply to NPDES permits issued in conjunction with the associated coal mining activity permit and, in some cases, noncoal mining permits:

Table 1

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH <sup>1</sup>		greater than 6.0; less than 9.0	
Alkalinity greater than acidity <sup>1</sup>			

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

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

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

**56090110 and NPDES No. PA0262862. Wilson Creek Energy, LLC**, 140 West Union Street, Suite 102, Somerset, PA 15501, revision of an existing bituminous surface mine to add the Middle Kittanning coal seam in Jenner Township, **Somerset County**, affecting 91.9 acres. Receiving stream(s): UTS to Quemahoning Creek

classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority. Application received: March 28, 2011.

**56090113 and NPDES No. PA0262935. PBS Coals, Inc.**, 1576 Stoystown Road, P. O. Box 260, Friedens, PA 15541, permit revision of an existing bituminous surface mine to obtain a variance to conduct surface mining activities within 100 feet of unnamed tributary "E" to Schrock Run. The stream encroachment activity consists of installing E & S controls. The mining activities are in Stonycreek Township, **Somerset County**, affecting 204.9 acres. Receiving stream(s): unnamed tributary to Schrock Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 25, 2011.

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

**03900110 and NPDES Permit No. PA0592404. State Industries, Inc.** (P. O. Box 1022, Kittanning, PA 16201). Renewal application for reclamation only of an existing bituminous surface mine, located in Boggs Township, **Armstrong County**, affecting 81.3 acres. Receiving streams: North Fork Pine Creek and unnamed tributary to North Fork of Pine Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: March 25, 2011.

**02860201 and NPDES Permit No. PA0588407. IP Harmar Holdings, LLC** (2929 Allen Parkway, Suite 2200, Houston, TX 77019). NPDES renewal application for an existing coal refuse reprocessing surface mine, located in Harmar Township, **Allegheny County**, affecting 168.3 acres. Receiving streams: Guys Run, classified for the following use: WWF. The potable water supply intake within 10 miles downstream from the point of discharge: The City of Pittsburgh Waterworks, Shaler Plant. Application received: March 29, 2011.

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

**24110101 and NPDES Permit No. PA0259055. Hepburnia Coal Company** (P. O. Box 1, Grampian, PA 16838) Commencement, operation and restoration of a bituminous strip and auger operation in Fox Township, **Elk County** affecting 68.0 acres. Receiving streams: Little Toby Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: March 31, 2011.

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

**59060101 and NPDES No. PA0256315. Phoenix Resources, Inc.** (782 Antrim Road, Wellsboro, PA 16901).

Permit renewal for the continued operation and restoration of a bituminous surface mine located in Duncan Township, **Bradford County** affecting 80.9 acres. Receiving streams: unnamed tributaries to Rock Run to Babb Creek classified for cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: March 28, 2011.

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

**13010201R2 and NPDES Permit No. 13010201-GP104. Rossi Excavating Company**, (RR 1 Box 189E, Beaver Meadows, PA 18216), renewal of an existing anthracite coal refuse reprocessing operation in Banks Township, **Carbon County** affecting 580.0 acres, receiving stream: Wetzel Creek, classified for the following use: cold water fishes. Application received: March 21, 2011.

**54850207R5 and NPDES Permit No. PA0592901. Rausch Creek Land, LP**, (978 Gap Street, Valley View, PA 17983), renewal for reclamation activities only of an existing anthracite coal refuse reprocessing operation in Hegins Township, **Schuylkill County** affecting 39.08 acres, receiving stream: East Branch Rausch Creek, classified for the following use: cold water fishes. Application received: March 21, 2011.

**40-305-008GP12. Blaschak Coal Corp.**, (P. O. Box 12, Mahanoy City, PA 17948) contractor for Glenn O. Hawbaker, Inc., (1952 Waddle Road, State College, PA 16803), application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 40930102T3 in Hazle and Butler Townships, **Luzerne County**. Application received: March 28, 2011.

**49080103 and NPDES Permit No. PA0224987. D. Molesevich & Sons Construction Co., Inc.**, (333 South Pine Street, Mt. Carmel, PA 17851), NPDES Permit for discharge of treated mine drainage from an anthracite surface mine, coal refuse reprocessing, refuse disposal and prep plant operation in Mt. Carmel Township, **Northumberland County**, receiving streams: Quaker Run and South Branch of Roaring Creek, classified for the following use: High Quality—cold water fishes. Application received: March 28, 2011.

**54851305R5. D & F Deep Mine Coal Company**, (16 Horseshoe Road, Klingerstown, PA 17941), renewal of an existing anthracite underground mine operation in Cass Township, **Schuylkill County** affecting 1.08 acres, receiving stream: none. Application received: March 29, 2011.

*Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**44030302 and NPDES Permit No. PA022494. Glenn O. Hawbaker, Inc.**, 711 East College Avenue, Bellefonte, PA 16823, renewal of NPDES Permit, Armagh Township, **Mifflin County**. Receiving stream(s): Honey Creek classified for the following uses(s): High Quality—Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: February 23, 2011.

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

**41110301 and NPDES No. PA0257591. E & J Construction, LLC** (1842 Masten Road, Canton, PA 17724-9317). Commencement, operation and restoration of a large non-coal surface mine (sandstone, shale and bluestone) located in McNett Township, **Lycoming County** affecting 25.0 acres. Receiving streams: unnamed tributary to North Pleasant Stream to North Pleasant Stream classified for high quality cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: March 29, 2011.

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

**58060801. Clyde Very**, (17655 Dimock to Nicholson Road, Nicholson, PA 18846), Stage I & II bond release of a quarry operation in Lathrop Township, **Susquehanna County** affecting 2.0 acres on property owned by Clyde Very.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E09-952. PA Turnpike Commission**, PO Box 67676, Harrisburg, PA 17106-7676, Bensalem Bristol and Middletown Townships, **Bucks County**, ACOE Philadelphia District.

Project Description for Water Obstruction and Encroachment Permit Applications—Pennsylvania Turnpike (I-276)/Interstate 95 (I-95) Interchange Project—Bucks County, PA & Burlington County, NJ. This application is part of an overall project for associated impacts; to construct the proposed I-276/I-95 interchange between the Pennsylvania Turnpike (I-276) and Interstate 95 (I-95). The project also includes relocation of the Pennsylvania Turnpike barrier toll plaza (Interchange 359), widening of I-276 from four to six lanes between Interchange 351 and the Delaware River, and construction of an additional parallel bridge across the Delaware River. In addition, I-95 would be widened to accommodate ramps and merge lanes resulting from the construction of the interchange.

The roadway construction and widening along I-276 extend approximately 9.2 miles along I-276 from just west of Interchange 351, Bensalem Township, Bucks County (Langhorne, PA USGS Quadrangle N: 1.6 inches; W: 14.8 inches), across the Delaware River Turnpike Bridge. The study limits along I-95 extend 3.2 miles from just south of Trenton Road in Middletown Township, Bucks County (Langhorne, PA USGS Quadrangle N: 3.4 inches; W: 2.9 inches), to the east bank of the Neshaminy Creek in Bristol Township, Bucks County (Beverly, PA USGS Quadrangle N: 18.8 inches; W: 3.8 inches).

The overall project proposes to permanently impact a total of 2.27 acres of wetlands (PEM/PSS/PFO) and 2,097 linear feet of perennial stream. Compensatory wetland mitigation for the entire project will occur on land owned by the Pennsylvania Turnpike Commission (PTC) located at the corner of Zimmerman Lane and Newportville Road in Middletown Township, Bucks County; and stream mitigation will occur along Mill Creek in the Plumbridge Community in Bristol Township, Bucks County.

The project is divided into three stages of construction. Stage 1 of the project includes the completion of the Interstate 95 connections and toll system conversion. Stage 2 of the project includes completion of the remaining interchange movements and associated highway widening, while Stage 3 would include the construction of the new Delaware River Bridge and rehabilitation of the existing bridge.

The construction work for Stage 1 (Richlieu Road Bridge and Northwest Quadrant Mitigation Site) includes the following water obstruction and encroachment activities:

1. To excavate for the removal of a gravel road sub-base at the proposed mitigation site and then re-grade and restore the forested wetland that drains to an unnamed tributary to the Neshaminy Creek at station 25+89 (Langhorne, PA Quadrangle N: 1.4 inches, W: 3.1 inches). Temporary impact of 0.105 acres of forested wetland (W3A).

2. To excavate for the removal of a culvert conveying an unnamed tributary to the Neshaminy Creek and then re-grade and restore the forested wetland that drains to an unnamed tributary to the Neshaminy Creek at station 25+89 (Langhorne, PA Quadrangle N: 1.4 inches, W: 3.1 inches). Temporary impact of 0.006 acres of forested wetland (W3).

3. To excavate for the removal of a culvert conveying an unnamed tributary to the Neshaminy Creek and then re-grade and restore the forested wetland that drains to an unnamed tributary to the Neshaminy Creek at station 23+05 (Langhorne, PA Quadrangle N: 1.6 inches, W: 3.1 inches). Temporary impact of 0.012 acres of forested wetland (W6).

4. To excavate for the removal of a culvert conveying an unnamed tributary to the Neshaminy Creek and stream bank re-grading, and then re-grade and restore the forested wetland that drains to an unnamed tributary to the Neshaminy Creek at station 21+42 (Langhorne, PA Quadrangle N: 3.1 inches, W: 1.6 inches). Temporary impact of 0.038 acres of forested wetland (W4).

5. To excavate for the removal of a culvert and reconstruction of the open channel conveying an unnamed tributary to the Neshaminy Creek at station 1+00 (Langhorne, PA Quadrangle N: 1.5 inches, W: 3.1 inches). Temporary impact of 128 linear feet of intermittent channel (S2).

6. To excavate for the removal of a culvert and reconstruction of the open channel conveying an unnamed tributary to the Neshaminy Creek at station 10+28 (Langhorne, PA Quadrangle N: 1.5 inches, W: 3.1 inches). Temporary impact of 239 linear feet of perennial channel (S3).

7. To remove trash and debris from the open channel conveying an unnamed tributary to the Neshaminy Creek at station 12+73 (Langhorne, PA Quadrangle N: 1.6 inches, W: 3.2 inches). Temporary impact of 164 linear feet of perennial channel (S3).

8. To excavate for the removal of a culvert and reconstruction of the open channel conveying an unnamed tributary to the Neshaminy Creek at station 5+00 (Langhorne, PA Quadrangle N: 1.5 inches, W: 3.1 inches). Temporary impact of 178 linear feet of perennial channel (S1).

9. To excavate for the removal of a culvert and reconstruction of the open channel conveying an unnamed tributary to the Neshaminy Creek at station 6+57 (Langhorne, PA Quadrangle N: 1.5 inches, W: 3.1 inches). Temporary impact of 17 linear feet of perennial channel (S1A).

10. To place fill for the construction of the roadway approaches for the Richlieu Road Bridge in the forested wetland that drains to an unnamed tributary to the Neshaminy Creek at station 20+33 (Langhorne, PA Quadrangle N: 0.5 inches, W: 11.0 inches). Permanent impact of 0.058 acres and temporary impact of 0.012 acres of forested wetland (W6).

11. To place fill for the construction of the roadway approaches for the Richlieu Road Bridge and relocate the

intermittent stream (W6A) that drains to an unnamed tributary to the Neshaminy Creek at station 20+00 (Langhorne, PA Quadrangle N: 0.4 inches, W: 11.1 inches). Temporary impact of 167 linear feet of intermittent stream (W6A).

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

**E35-434. Linde Corporation, Cross Creek Pointe**, 1065 Highway 315, Suite 407, Wilkes-Barre, PA 18702-6941, in Fell Township, **Lackawanna County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a water intake structure in the Lackawanna River (HQ-CWF, MF) consisting of a concrete inlet box with the grate flush with streambed elevation, a 6-inch diameter ductile iron intake pipe, a 1.5-inch diameter air line and a vault housing a pump and check valve. The disturbed banks will be stabilized with R-5 riprap. The project is located on Enterprise Drive approximately 0.2 mile from its intersection with SR 0106 (Fallbrook Street) in Fell Township, Lackawanna County (Carbondale & Waymart, PA Quadrangle, Latitude: 41°35'15"; Longitude: -75°29'22").

**E40-400A. James Pugh**, 272 Richard Street, Kingston, PA 18704-2721 in Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To amend Permit No. E40-400 for the addition of a 325 sq. ft. dock addition located at Pole 155 in Harveys Lake (HQ-CWF). The project is located at Pole 155 in Harveys Lake Borough, Luzerne County. (Harveys Lake, PA Quadrangle, Latitude: 41°22'20"; Longitude: -76°2'51").

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

**E05-357: Pa. Department of Transportation, Engineering District 9-0**, 1620 North Juniata Street, Hollidaysburg, PA 16648, ACOE Baltimore District

To: 1) remove the existing structure, 2) construct and maintain a two-span steel multi-girder bridge having a clear span of 187 feet, a width of 35.375 feet, and a minimum underclearance of 23.250 feet across Raystown Branch Juniata River (TSF, MF), 3) construct and maintain two 1,500.0-foot diameter stormwater outfalls to Raystown Branch Juniata River, 4) construct a two-span temporary truss bridge having a total length of 200.000 feet, a width of 30.500 feet, and a minimum underclearance of 24.610 feet approximately 170.0 feet upstream of the existing SR 1036 bridge across Raystown Branch Juniata River (TSF, MF), and 5) construct three temporary causeways in two separate phases involving 7,900.0 cubic yards of R-3 and R-7 stone in the Raystown Branch Juniata River (TSF, MF), all for the purpose of improving transportation safety and roadway standards. The project is located on Six Mile Run Road (SR 1036) at the inter-section of SR 1036 and SR 0026 in Broad Top and Liberty Townships, Bedford County (Hopewell, PA Quadrangle; N: 6.8 inches, W: 0.7 inch; Latitude: 40°09'45", Longitude: 78°15'18").

**E06-662: Willow Spring Builders, Inc.**, 1217 White Bear Road, Birdsboro, PA 19508 Robeson Township, **Berks County**, ACOE Philadelphia District

To construct and maintain a 6.0-inch depressed, 112.0-foot long, 36.0-inch diameter SLCPP culvert with concrete endwalls in Seidel Creek (WWF) with depressed riprap aprons extending 18.0 feet upstream and 18.0 feet down-

stream, permanently impacting 0.07 acre of Palustrine Forested Wetland for the purpose of providing access to a proposed residential subdivision. The project is located 0.26 mile east southeast of the intersection of Golf Course Road and Green Street (Morgantown, PA quadrangle, N: 19.98 inches, W: 1.51 inches; Latitude 40°14'06", Longitude 75°53'09") in Robeson Township, Berks County.

**E36-880: Millcreek Preservation Association, John Smucker, Farm and Home Center**, 1383 Arcadia Road, Room 200, Lancaster, PA 17601-3149, ACOE Baltimore District

To: 1) construct and maintain four log vanes, 2) 600.0 feet of mud sills, 3) two log cross vanes, 4) two temporary crossings to be converted to permanent, 12.0-foot x 50.0-foot agricultural crossings, and 5) 2,800.0 feet of streambank fencing for the purpose of restoring and stabilizing 2,200 feet of Mill Creek (WWF) and an unnamed tributary of Mill Creek (WWF). The project is located approximately 0.25 mile northeast of the intersection of Eastern School Road and New Holland Road (New Holland, PA Quadrangle; N: 16.5 inches, W: 9.75 inches, Latitude: 40°05'22.8", Longitude: -76°04'8.7") in Earl Township, Lancaster County.

**E67-890: PA Department of Transportation, Engineering District 8-0**, 2140 Herr Street, Harrisburg, PA 17103, ACOE Baltimore District

To remove the existing structure and to construct and maintain a 6.0-inch depressed reinforced concrete pipe culvert having a length of 97.0 feet, skewed 75°, and a diameter of 84.0 inches in an unnamed tributary to Kreutz Creek (WWF, MF), and to place and maintain fill in 0.02 acre of PEM wetland all for the purpose of improving transportation safety and roadway standards. The project is located along SR 0124 from Miller Drive (T-652) to Christensen Road (T-764) in Windsor Township, York County (York, PA Quadrangle; N: 15.4 inches, W: 2.2 inches; Latitude: 39°57'35", Longitude: -76°38'26"). The amount of wetland impact is considered a deminimus impact of 0.02 acre and wetland replacement is not required.

*Northcentral Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**E5929-015: SWEPI LP**, 190 Thorn Hill Road, Warrendale, PA 15086, Liberty Township, **Tioga County**, ACOE Baltimore District.

To construct and maintain:

1) a temporary road crossing using 20 foot long, 60 inch diameter corrugated metal pipes, an 8 inch diameter natural gas gathering line, and a 10 inch diameter fresh waterline, and a fiber optic cable impacting 1,214 square feet of Brion Creek (HQ-CWF) (Liberty, PA Quadrangle 41°33'39.50"N 77°02'34.00"W);

2) a temporary road crossing using 20 foot long, 42 inch diameter corrugated metal pipe, an 8 inch diameter natural gas gathering line, and a 10 inch diameter fresh waterline, and a fiber optic cable impacting 215 square feet of an unnamed tributary (UNT) to Brion Creek (HQ-CWF) (Liberty, PA Quadrangle 41°33'35.95" N 77°02'49.08" W);

3) a temporary road crossing using a 20 foot long, 42 inch diameter corrugated metal pipes, an 8 inch diameter natural gas gathering line, a 10 inch diameter fresh waterline, and a fiber optic cable impacting 2,171 square feet of an unnamed tributary (UNT) to Brion Creek (HQ-CWF) (Liberty, PA Quadrangle 41°33'34.88" N 77°02'53.56" W);

4) a temporary road crossing using 20 foot long, 24 inch diameter corrugated metal pipe, an 8 inch diameter natural gas gathering line, a 10 inch diameter fresh waterline, and a fiber optic cable impacting 448 square feet of an unnamed tributary (UNT) to Little Elk Run (HQ-CWF) (Liberty, PA Quadrangle 41°33'25.91" N 77°04'06.48" W);

5) a temporary road crossing using 20 foot long, 42 inch diameter corrugated metal pipes, an 8 inch diameter natural gas gathering line, a 10 inch diameter fresh waterline, and a fiber optic cable impacting 1,443 square feet of Little Elk Run (HQ-CWF) (Liberty, PA Quadrangle 41°33'19.42" N 77°04'24.21" W);

6) a temporary road crossing using 20 foot long, 36 inch diameter corrugated metal pipes, an 8 inch diameter natural gas gathering line, a 10 inch diameter fresh waterline, and a fiber optic cable impacting 941 square feet of Little Elk Run (HQ-CWF) (Liberty, PA Quadrangle 41°33'26.31" N 77°04'25.66" W);

7) a temporary road crossing using 20 foot long, 18 inch diameter corrugated metal pipe, an 8 inch diameter natural gas gathering line, a 10 inch diameter fresh waterline, and a fiber optic cable impacting 168 square feet of an unnamed tributary (UNT) to Roaring Branch (HQ-CWF) (Liberty, PA Quadrangle 41°33'02.56" N 77°04'48.77" W);

8) a temporary road crossing using 20 foot long, 30 inch diameter corrugated metal pipes, an 8 inch diameter natural gas gathering line, a 10 inch diameter fresh waterline, and a fiber optic cable impacting 1,593 square feet of an unnamed tributary (UNT) to Roaring Branch (HQ-CWF) (Liberty, PA Quadrangle 41°32'54.98" N 77°05'11.10" W);

9) a temporary road crossing using a wood mat bridge, an 8 inch diameter natural gas gathering line, a 10 inch diameter fresh waterline, and a fiber optic cable impacting 6,497 square feet of a palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°33'11.82" N 77°03'15.06" W);

10) a temporary road crossing using a wood mat bridge, an 8 inch diameter natural gas gathering line, a 10 inch diameter fresh waterline, and a fiber optic cable impacting 2,580 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Liberty, PA Quadrangle 41°33'26.77" N 77°03'25.40" W);

11) a temporary road crossing using a wood mat bridge, an 8 inch diameter natural gas gathering line, a 10 inch diameter fresh waterline, and a fiber optic cable crossing an exceptional value palustrine emergent (EV-PEM) wetland (Liberty, PA Quadrangle 41°33'11.82" N 77°04'23.37" W);

12) a temporary road crossing using a wood mat bridge, an 8 inch diameter natural gas gathering line, a 10 inch diameter fresh waterline, and a fiber optic cable impacting 1,124 square feet of an exceptional value palustrine emergent (EV-PEM) wetland impacting 5,001 square feet (Liberty, PA Quadrangle 41°33'18.60" N 77°04'25.07" W);

13) a temporary road crossing using a wood mat bridge, an 8 inch diameter natural gas gathering line, a 10 inch diameter fresh waterline, and a fiber optic cable impacting 713 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Liberty, PA Quadrangle 41°33'26.80" N 77°04'26.30" W);

14) a temporary road crossing using a wood mat bridge, an 8 inch diameter natural gas gathering line, a



10 inch diameter fresh waterline, and a fiber optic cable impacting 2,225 square feet of a palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°33'11.14" N 77°04'32.46" W);

15) a temporary road crossing using a wood mat bridge, an 8 inch diameter natural gas gathering line, a 10 inch diameter fresh waterline, and a fiber optic cable impacting 1,868 square feet of a palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°32'46.39" N 77°05'31.91" W).

The project will result in 134 linear feet of temporary stream impacts and a total of 18,140 square feet (0.416 acres) of temporary wetland impacts all for the purpose of installing a natural gas gathering line, fresh waterline, fiber optic cable, and associated access roadways.

**E4129-008: SWEPI LP**, 190 Thorn Hill Road, Warrendale, PA 15086, Jackson Township, **Lycoming County**, ACOE Baltimore District.

To construct and maintain:

1) a temporary road crossing using a wood mat bridge, an 8 inch diameter natural gas gathering line, a 10 inch diameter fresh waterline, and a fiber optic cable impacting 1,868 square feet of a palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°32'46.4" N 77°05'31.9" W);

The project will result in 1,868 square feet (0.043 acres) of temporary wetland impacts all for the purpose of installing a natural gas gathering line, fresh waterline, fiber optic cable, and associated access roadways.

**E5329-006. Allegheny Enterprises, Inc.**, 3885 Roller Coaster Road, Corsica, PA, 15829-3833. Ulysses Borough & Ulysses Township, **Potter County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. A 4-inch natural gas pipeline crossing 111.0 lineal feet of EV wetland (PEM), 51.0 lineal feet of Genesee River (CWF), and 3.0 lineal feet of an Unnamed Tributary to Genesee River (CWF) via boring, (Ulysses, PA Quadrangle, Latitude: 41°54'45.2"N, Longitude: 77°46'29.9"W);

2. A 4-inch natural gas pipeline crossing 60.0 lineal feet of EV wetland (PEM) via open cut trenching with temporary impacts to 1200.0 square feet ( 0.03 acre), (Ulysses, PA Quadrangle, Latitude: 41°54'45.8"N, Longitude: 77°46'23.2"W).

The project will result in 111.0 lineal feet of temporary EV wetland impacts via boring, 54.0 lineal feet of tempo-

rary channel impacts via boring, and 60.0 lineal feet (1200.0 square feet) of temporary EV wetland impacts via open cut trenching.

**E0829-013: Chesapeake Appalachia, LLC**, 101 North Main Street, Athens, PA 18810, Wilmot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. One 16 inch diameter temporary waterlines and a 16 foot wide equipment mat across an unnamed tributary to North Branch Mehoopany Creek (CWF, MF) and adjacent Palustrine Scrub-Shrub Wetland. Impacted Area: 6,810 square feet; (Colley, PA Quadrangle N: 11.6 inches, W: 11.4 inches, Latitude: 41°34'13.59", Longitude: -76°20'20.45") in Wilmot Township, Bradford County.

2. One 16 inch diameter temporary waterlines and a 16 foot wide equipment mat across unnamed tributary to North Branch Mehoopany Creek (CWF, MF). Impacted Area: 10 linear feet; (Colley, PA Quadrangle N: 11.6 inches, W: 11.4 inches, Latitude: 41°34'12.83", Longitude: -76°20'18.73") in Wilmot Township, Bradford County.

3. One 16 inch diameter temporary waterlines and a 16 foot wide equipment mat across a Palustrine Scrub-Shrub Wetland. Impacted Area: 4,129 square feet; (Colley, PA Quadrangle N: 11.6 inches, W: 11.4 inches, Latitude: 41°34'7.51", Longitude: -76°20'7.82") in Wilmot Township, Bradford County.

The project will result in 20 linear feet of temporary stream impacts and 10,739 square feet of temporary wetland impacts from waterlines and temporary mat crossings. These crossings will accumulate a total of 0.44 acres of PSS wetland impacts for the purpose of establishing temporary water supply for Marcellus well development

**ENVIRONMENTAL ASSESSMENTS**

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

**EA56-008. Somerset County Conservation District**, PO Box 241, Somerset, PA 15501. To construct and maintain a massive mine drainage treatment system for the Heinemyer mine discharge in an effort to reduce iron loads into Lamberts Run (CWF) in Stonycreek Township, **Somerset County**. (Stoystown, PA Quadrangle: N: 12.9 inches; W: 2.3 inches; Latitude: 40° 4' 16.6"; Longitude: 78° 53' 26"). The installation of the treatment system will permanently impact approximately 250 feet of an UNT to Lamberts Run and 0.04 acres of PEM wetland. The project is located in the Flight 93 National Park in Stonycreek Township, Somerset County.

**ACTIONS**

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

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

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

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

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

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

## I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0061549 (Sewage)	Cherry Hill Mobile Home Court Mangs Road Honesdale, PA 18431	Wayne County Cherry Ridge Township	Middle Creek (1-B)	Y
PA0065021 (Sewage)	Meck Realty Properties II, Inc. 1506 Centre Turnpike P. O. Box 215 Orwigsburg, PA 17961	Schuylkill County West Brunswick Township	Pine Creek (03A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0033928 (Sewage)	Town & Country Estates 900 Town & Country Estates Office Troy, PA 16947	Bradford County Troy Township	Unnamed Tributary to West Branch Sugar Creek (4-C)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0031879	Pittsburgh District Church of the Nazarene 177 North Road Butler, PA 16001	Butler County Franklin Township	Unnamed tributary of Mulligan Run 20-C	Y

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

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

**NPDES Permit No. PA0011436**, Renewal, Industrial Waste, **Handy & Harman Tube Company, Inc.**, 124 Vepco Boulevard, Camden, DE 19934.

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

Description of Action/Activity: Approval for the renewal of an NPDES permit to discharge treated groundwater from on-site recovery wells to an unnamed tributary to Stony Creek in Watershed 3-F.

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

**NPDES Permit No. PA0261521**, CAFO, **William and Karol Wingert**, 5497 Shade Lane, Alexandria, PA 16611.

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

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 1,168.9-AEUs dairy in Watershed 11-A.

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

**NPDES Permit No. PA0253766-A1**, Sewage, **RoxCoal, Inc.**, PO Box 260, Friedens, PA 15541

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

Description of Proposed Action/Activity: Permit amendment issuance.

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

**NPDES Permit No. PA0031640**, Sewage, **General McLane School District**, 11771 Edinboro Road, Edinboro, PA 16412-1025.

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

Description of Proposed Action/Activity: Issuance of a new NPDES permit for an existing discharge of treated sewage.

**NPDES Permit No. PA0102296**, Sewage, **Guru Kirpa, Inc. (transferred to Soha Enterprises at issuance)**, Exit 3 State Line Travel Center, 6143 U.S. Route 6N, West Springfield, PA 16443-1503.

This existing facility is located in Springfield Township, **Erie County**.

Description of Proposed Action/Activity: Issuance of a new NPDES permit to replace an expired NPDES permit discharge of treated wastewater from the Exit 3 State Line Travel Center, truck stop/restaurant.

**NPDES Permit No. PA0002666**, Industrial Waste, **Amendment No 1, Sonneborn, Inc.**, 575 Corporate Drive, Suite 415, Mahwah, NJ 07430-2330.

This existing facility is located in Fairview Township, **Butler County**.

Description of Proposed Action/Activity: Issuance of an Amendment for an NPDES Permit, for an existing discharge of treated industrial waste, treated stormwater, and untreated stormwater from a producer of surface active agents. This is a major discharge. SIC Code 2999 and 2843. Only the previous Cadmium limit and TRE are being removed.

This existing facility is located in Oliver and Rose Townships, **Jefferson County**.

Description of Proposed Action/Activity: Issuance of a new NPDES permit for an existing discharge of treated sewage/stormwater. This is a minor discharge.

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

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

**WQM Permit No. 5410409**, Sewerage, **Little Washington Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489.

This proposed facility is located in East Union Township, **Schuylkill County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit for construction of sewer extensions in three sections of the Eagle Rock Resort development: Western Summit South Phases V, VI, and VII. The sewer extensions consist of low pressure sewers with individual grinder pumps and the sewage will be conveyed to Little Washington Wastewater Company's existing treatment plant via connection to the Tomhicken Creek Interceptor.

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

**WQM Permit No. 6511401**, Sewerage, **Fred Haeflein**, 2042 Brace Road, Victor, NY 14564-9327

This proposed facility is located in Unity Township, **Westmoreland County**

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

**WQM Permit No. 0210406**, Sewerage, **McCandless Township Sanitary Authority**, 418 Arcadia Drive, Pittsburgh, PA 15237

This proposed facility is located in McCandless Township, **Allegheny County**

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

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

**WQM Permit No. WQG018802**, Sewage, **Thomas E. Liebel**, 10200 Townline Road, Northeast, PA 16428.

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

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

**WQM Permit No. WQG018799**, Sewage, **Christopher R. and Sarah E. Layton**, 16735 Rogers Ferry Road, Meadville, PA 16335.

This proposed facility is located in Vernon Township, **Crawford County**.

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

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 091009	Air Products and Chemicals, Inc. 7201 Hamilton Boulevard Allentown, PA 18195-1501	Bucks	Falls Township	Delaware River (WWF-MF)
PAI01 151031	Brandywine Operating Partnership, LP 555 East Lancaster Avenue Radnor, PA 19087	Chester	East Whiteland Township	Little Valley Creek (EV)
PAI01 461101	Redevelopment Authority of the County of Montgomery 104 West Main Street Norristown, PA 19401-4738	Montgomery	Norristown Municipality	Schuylkill River (CWF-MF)
PAI01 151108	Second Century Farm, LLC 812 Guthrie Road West Chester, PA 19380	Chester	East Bradford Township	Broad Run (HQ-CWF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024810007	J.G. Petrucci Co., Inc. 171 Route 173 Suite 201 Asbury, NJ 08802	Northampton	Forks Twp.	Bushkill Creek, HQ-CWF, MF
PAI024805002R	Deluca Homes 370 East Maple Ave. Suite 101 Langhorne, PA 19047	Northampton	Hanover Twp., & East Allen Twp.	Monocacy Creek, HQ-CWF, MF Catasauqua Creek, CWF, MF
PAI024510012	CBH20 P. O. Box 168 Tannersville, PA 18372	Monroe	Pocono Twp. & Jackson Twp.	Coolmoor Creek, HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032110006	US ACOE Naval Support Activity Facility 600 Dr. Martin Luther King Jr. Place Louisville, KY 40202	Cumberland	Hampden Twp.	Trindle Spring Run (HQ-CWF, MF)

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

Greene County Conservation District, 19 South Washington Street, Waynesburg, PA 15370-2053 (724-852-5278)

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI053010001	Allegheny Power dba West Penn Power Company 800 Cabin Hill Road Greensburg, PA 15601-1650	Greene	Whiteley and Franklin Townships	Whiteley Creek (WWF), UNT to Whiteley Creek (WWF), South Fork Tenmile Creek (HQ-WWF), and Smith Creek (WWF)

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

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

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

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

#### General Permit Type—PAG-02

##### Facility Location:

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Bristol Township Bucks County	PAG0200 091058	Decker Properties, LLC 1619 Hanford Street Levittown, PA 19057	Black Ditch Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warminster Township Bucks County	PAG0200 091045	Costco Wholesale Corporation 4590 Horseshoe Drive, Ste 150 Sterling, VA 20166	Penny and Little Neshaminy Creeks (TSF-WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warminster Township Bucks County	PAG0200 091055	Rusden Properties, LLC 487 Glen Meadow Road Richboro, PA 18954	Penny Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
London Grove Township Chester County	PAG0200 151039	Gourmet's Delight 704 Gordon Station Road Avondale, PA 19311	Indian Run (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<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>
Honey Brook Township Chester County	PAG0200 1506027-R	RPC Bramlage Wiko USA, Inc. 1075 Hemlock Road Morgantown, PA 19543	Unnamed Tributary Conestoga River (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Newtown Township Delaware County	PAG0200 231103	Marple-Newtown School District 28 Media Line Road Newtown Square, PA 19073	Trout Run (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511101	DelCiotto Architects, Inc. 309 North Sumneytown Pike North Wales, PA 19454	Pennypack Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Whitehall Twp., Lehigh Co.	PAG02003910011	Travis McVickers DHD Allentown, LLC 300 E. John St. Ste. 122 Matthews, NC 28105	Jordan Creek, TSF, MF	Lehigh Co. Cons. Dist. 610-391-9583
Foster Twp., Luzerne Co.	PAG02004011004	Pennsylvania Historical Museum Commission Barry Loveland 400 North St. Room N 188 Harrisburg, PA 17120	Black Creek, CWF, MF	Luzerne Co. Cons. Dist. 570-674-7991
Overfield Twp. & Clinton Twp., Wyoming Co.	PAG02006611003	Robert Shupp P. O. Box 246 Factoryville, PA 18419	Tunkhannock Creek, CWF, MF	Wyoming Co. Cons. Dist. 570-836-2589
Factoryville Bor., Wyoming Co.	PAG02006606006R1	Factoryville Borough P. O. Box 277 Factoryville, PA 18419	Tunkhannock Creek, CWF, MF	Wyoming Co. Cons. Dist. 570-836-2589
Jefferson Township Berks County	PAG02000610063	Forino Company 555 Mountain Home Road Sinking Spring, PA 19608	UNT Tulpehocken Creek and Tulpehocken Creek/TSF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533 (610) 372-4657
Exeter Township Berks County	PAG02000610046	Forino Co. L.P. 555 Mountain Home Road Sinking Springs, PA 19608	Antietam Creek/CWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533 (610) 372-4657
Jefferson Township Berks County	PAG02000610056	Metropolitan Edison Company 2800 Pottsville Pike Reading, PA 19605	Little Northkill Creek/CWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533 (610) 372-4657
Amity Township Berks County	PAG02000610060	Greth Development Group, Inc. 253 Snyder Road Reading, PA 19605	Manatawny Creek/CWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533 (610) 372-4657

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Jefferson Township Berks County	PAG02000610059	Mike Martin 138 School Road Bernville, PA 19506	UNT Little Northkill Creek	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533 (610) 372-4657
Frankstown Twp Blair County	PAG2000710010	Hollidaysburg Sewer Authority 401 Blair Street Hollidaysburg, PA 16648	Frankstown Branch Juniata River/WWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877 Ext. 5
Antis Township Blair County	PAG2000710009	Steven E. Davis 327 Deer Run Road Hollidaysburg, PA 16648	Little Juniata River/TSF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877 Ext. 5
City of Altoona Blair County	PAG2000711002	Larry Salone Altoona Railroaders Memorial Museum, 1300 Ninth Ave Altoona, PA 16602	Frankstown Branch of the Juniata River (WWF)	Blair County Conservation District, 814-696-0877 ext 5
Middle Paxton Township Dauphin County	PAG02002210023	Donald E. & Maretta K. Schmidt 1930 Stoney Creek Road Dauphin, PA 17018	Stony Creek/CWF/MF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Lower Swatara Township Dauphin County	PAG02002210045	Middletown Projects, LLC 2970 Perkiomen Avenue, Suite 200 Reading, PA 19606	Susquehanna River/WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Susquehanna Township Dauphin County	PAG02002210035	Capital Dr Hospitality LLC 3737 Route 46 E at Hill Rd. Parsippany NJ 07054	Paxton Creek/WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
East Hanover Township Dauphin County	PAG02002210043	Edwin Shirk 113 N. Crawford Road Grantville, PA 17028	Manada Creek/WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Wayne Township Dauphin County	PAG02002210029	Feed My Sheep Ministries 180 Camp Hebron Road Halifax, PA 17032	Powell Creek/TSF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
West Hanover Township Dauphin County	PAG02002210033	West Hanover Township 7171 Allentown Boulevard Harrisburg, PA 17112	Beaver Creek/WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100

<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>
Lower Paxton & Swatara Townships Dauphin County	PAG2002205038	A. Richard Szeles 945 East Park Drive, Suite 201 Harrisburg, PA 17111	Beaver Creek/WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Reed Township Dauphin County	PAG02002210040	James & Elaine Fleming 623 Bucks Church Road Newport, PA 17074	Powell Creek/TSF/MF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Peters Township Franklin County	PAG2002805065R	DELM Developers LLC PO Box 1010 Chambersburg, PA 17201	UNT West Branch Conococheague Creek	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 (717) 264-5499
Waynesboro Boro Franklin County	PAG02002810018	Franklin County Housing Authority 202 Elder Avenue Waynesboro, PA 17268	UNT West Branch Antietam/ CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 (717) 264-5499
Guilford Township Franklin County	PAG02002910009	Sheetz 5700 Sixth Avenue Altoona, PA 16602	Conococheague Creek/CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 (717) 264-5499
Chambersburg Borough Franklin County	PAG02002810020	Ventura Foods 1501 Orchard Drive Chambersburg, PA 17201	UNT Conococheague Creek/WWF/MF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 (717) 264-5499
Huntingdon Boro Huntingdon County	PAG020031011001	Westminster Woods Phase 9 1 Trinity Drive East Suite 201 Dillsburg, PA 17019	Muddy Run/WWF	Huntingdon County Conservation District 10605 Raystown Road Suite A Huntingdon, PA 16652 (814) 627-1627
East Cocalico Twp. Lancaster County	PAG02003610030	Louetta Hurst 2150 Stonecrest Dr Lancaster PA 17601	Stony Run & Frys Run/WWF; MF	Lancaster County Conservation District 1383 Arcadia Rd Rm 200 Lancaster PA 17601 717-299-5361 Ext. 5
East Hempfield Twp. Lancaster County	PAG02003610065	County Of Lancaster 50 N Duke St Lancaster PA 17602	Little Conestoga Creek/WWF	Lancaster County Conservation District 1383 Arcadia Rd Rm 200 Lancaster PA 17601 717-299-5361 Ext. 5



## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Rapho Twp. Lancaster County	PAG02003611005	Timothy Reist 156 N Donnerville Rd Mountville PA 17554	Little Chickies Creek/WWF	Lancaster County Conservation District 1383 Arcadia Rd Rm 200 Lancaster PA 17601 717-299-5361 Ext. 5
East Donegal Twp. Lancaster County	PAG02003611006	Sheetz Inc 351 Sheetz Way Claysburg PA 16625	Susquehanna River/WWF	Lancaster County Conservation District 1383 Arcadia Rd Rm 200 Lancaster PA 17601 717-299-5361 Ext. 5
Providence Twp. Lancaster County	PAG02003611013	David F Beiler 280 Pennsy Rd New Providence PA 17560	Huber Run/CWF	Lancaster County Conservation District 1383 Arcadia Rd Rm 200 Lancaster PA 17601 717-299-5361 Ext. 5
Warwick Twp. Lancaster County	PAG02003611015	Members 1st Fed Credit Union 5000 Louise Drive Mechanicsburg PA 17055	Bachman Run/TSF	Lancaster County Conservation District 1383 Arcadia Rd Rm 200 Lancaster PA 17601 717-299-5361 Ext. 5
Manheim Twp. Lancaster County	PAG02003611017	Metro Bank 3801 Paxton St Harrisburg PA 17111	Bachman Run/TSF	Lancaster County Conservation District 1383 Arcadia Rd Rm 200 Lancaster PA 17601 717-299-5361 Ext. 5
Adamstown Boro. Lancaster County	PAG02003611018	Terence Douglas Corporation 267B Dilworthtown Rd West Chester PA 19382	UNT Stony Run/WWF	Lancaster County Conservation District 1383 Arcadia Rd Rm 200 Lancaster PA 17601 717-299-5361 Ext. 5
Millcreek Township Lebanon County	PAG02003810026	Mill Creek Fields LLC 325 Netzley Drive Denver, PA 17517	Mill Creek/CWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042-9788 717-272-3908, ext. 4
Swatara Township, Lebanon County	PAG2003809016	Jennifer Harding Swatara Township Bd of Supervisors 68 Supervisors Drive Jonestown, PA 17038	UNT to Little Swatara Creek/WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-272-3908, ext. 4
Swatara Township Lebanon County	PAG02003804038R	Red School, LLC (Pine Ridge Village) 3335 Morgantown Road Mohnton, PA 19540	Little Swatara Creek/WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-272-3908, ext. 4
Lower Windsor and Hellam Townships York County	PAG2006710029	PA Department of Transportation District 8-0 2140 Herr Street Harrisburg, PA 17103	Canadochly Creek/ Susquehanna River/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 (717) 840-7430

<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>
Delmar Township Wellsboro Borough Tioga County	PAG2005911005	PA Fish & Boat Commission 450 Robinson Ln Bellefonte, PA 16823	Morris Branch of Marsh Creek WWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801, X 3
Mercer County, Springfield Township	PAG2094311002	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Slippery Rock Creek/ CWF	PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800

*General Permit Type—PAG-3*

<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>
Upper Mahantango Twp Schuylkill County	PAR122214	Papetti's Hygrade Egg Products, Inc. 68 Spain Road Klingerstown PA 17941	Pine Creek (CWF, MF)	PA DEP Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511
Pymatuning Township Mercer County	PAR228338	Woodcraft Industries, Inc. 62 Grant Street Greenville, PA 16125	Unnamed tributary to Big Run 20-A	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Charleston Township Tioga County	PAR314811	SWEPI LP 190 Thorn Hill Road Warrendale, PA 15086	North Elk Run— 4-A	DEP Northcentral Regional Office Water Management 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Delaware Township and Watsonstown Borough Northumberland County	PAR234810	F.B. Leopold Company 227 South Division Street Zelienople, PA 16063	Unnamed Tributary to Spring Run— 10-D	DEP Northcentral Regional Office Water Management 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664

*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>
Unity Township Westmoreland County	PAG046418	Fred Haeflein 2042 Brace Road Victor, NY 14564-9327	Loyalhanna Creek	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 Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Harborcreek Township Erie County	PAG041033	Thomas E. Liebel 10200 Townline Road Northeast, PA 16428	Sixmile Creek 15	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814-332-6942
Vernon Township Crawford County	PAG041030	Christopher R. and Sarah E. Layton 16735 Rogers Ferry Road Meadville, PA 16335	Unnamed tributary to Cussewago Creek 16-D	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814-332-6942

*General Permit Type—PAG-8 (SSN)*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
East Manchester Township York County	PAG080002 PAG080005 PAG080007 PAG080011 PAG080013 PAG080017 PAG080018 PAG080020 PAG082203 PAG083518 PAG083522 PAG083533 PAG083551 PAG083605	Jesse Baro, Inc. 157 Quarry Road Douglassville, PA 19518	Snyder 1, 2 and 3 Farms East Manchester Township York County	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

*General Permit Type—Site Suitability Notice*

<i>Facility Location: Municipality &amp; County</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name</i>	<i>Permit Number</i>	<i>Contact Office &amp; Phone No.</i>
Pine Township Indiana County	Synagro 264 Prisani Street PO Box 35 Bovard, PA 15619	Hostetler Farm	737769	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-9*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Canaan Twp. and South Canaan Twp., Wayne Co.	PAG092213	Koberlein, Inc. 188 Beach Lake Hwy. Honesdale, PA 18431	Sile Bay Properties, LLC 2809 Easton Turnpike Waymart, PA 18472	PA DEP NERO 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511

*General Permit Type—PAG-10**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>
Rostraver Township Westmoreland County	PAG106135	Laurel Mountain Midstream, LLC 1550 Coraopolis Heights Road Suite 140 Moon Township, PA 15108	Youghiogheny River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
Coolspring Township Mercer County	PAG108313	Tennessee Gas Pipeline Company 1001 Louisiana Avenue—750C Houston, TX 77002	Cool Spring Creek (Lake Latonka) 20-A	Tennessee Gas Pipeline Company 1001 Louisiana Avenue—750C Houston, TX 77002 Phone No. 713-420-5248

*General Permit Type—PAG-12**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>
Hegins Twp., Schuylkill Co.	PAG122210	Joseph Jurgielewicz & Son, Ltd. 886 East Mountain Road Hegins, PA 17938	Pine Creek, CWF, MF	PA DEP Northeast Regional Office 2 Public Square 570-826-2511
Upper Mahantango Twp., Schuylkill County	PAG122209	Ronald Maurer 1366 Ridge Road Klingerstown, PA 17941	Mahantango Creek, CWF	PA DEP Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701
Adams County / Mt. Pleasant Township	PAR123699	Mr. Ken Gebhart Blue Berry Hill of Hanover, Inc. 2950 Centennial Road Hanover, PA 17331	South Branch Conewago Creek / WWF / 7F	DEP— SCRO— Watershed Management 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4802
Lancaster County / Manor Township	PAR123635	Mr. Alan Bleacher Bleacher Farms, LLC 2794 Safe Harbor Road Millersville, PA 17551	Indian Run / TSF / 7J	DEP— SCRO— Watershed Management 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4802

**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 Chapters 77 are as follows:

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

\*The parameter is applicable at all times.

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

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

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

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

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

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

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

## MINING ACTIVITY NPDES DRAFT PERMITS

California District Office: 25 Technology Drive, Coal Center, PA 15423, 724.769.1100

**NPDES No. PA0236012 (Mining Permit No. 32051601), Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). A new NPDES and mining activity permit for Crooked Creek Prep Plant in Washington Township, **Indiana County** a new coal preparation plant and related NPDES Outfalls 001, 002, and 003. Surface Acres Affected 40. Receiving stream: Unnamed tributary to Crooked Creek, classified for the following use: CWF. TMDL: Crooked Creek Watershed. Application received February 15, 2005.

The proposed discharge rate for Outfall 003 is 2.07 million GPD.

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 proposed effluent limits for Outfall 001 Lat: 40° 40' 00.2" Long: 79° 14' 16.6"

<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)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mOs/kg)		468	936	
Total Dissolved Solids (mg/l)		Monitor and Report		
Sulfates (mg/l)		Monitor and Report		
Chlorides (mg/l)		Monitor and Report		

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

The proposed effluent limits for Outfall 002 Lat: 40° 40' 3.5" Long: 79° 14' 2.2"

<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)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		3.07	6.14	7.68
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mOs/kg)		217	434	
Total Dissolved Solids (mg/l)		Monitor and Report		
Sulfates (mg/l)		Monitor and Report		
Chlorides (mg/l)		Monitor and Report		

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

The proposed effluent limits for Outfall 003 Lat: 40° 40' 4.6" Long: 79° 13' 55"

Receiving Stream: Unnamed tributary to Crooked Creek

<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)		1.50	2.35	2.35
Manganese (mg/l)		1.00	1.57	1.27
Aluminum (mg/l)		0.48	0.75	0.75
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90
Flow			2.07mgd	1,435 gpm
Osmotic Pressure (mOs/kg)		50	78	
Total Dissolved Solids (mg/l)		Monitor and Report		
Sulfates (mg/l)		Monitor and Report		
Chlorides (mg/l)		Monitor and Report		

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

**NPDES No. PA0013511 (Mining Permit No. 30831303), Cumberland Coal Resources, LP**, (158 Portal Road, PO Box 1020, Waynesburg, PA 15370). A revision to the NPDES and mining activity permit for the Cumberland Mine in Wayne Township, **Greene County** to install the No. 10 Air Shaft Site and add NPDES Outfall 033. Surface Acres Affected 17.3. Receiving Stream: Unnamed tributary to Roberts Run, classified for the following use: WWF. TMDL: Dunkard Creek. Application received May 7, 2010.

The proposed effluent limits for Outfall 033 Lat: 39° 47' 37.22" Long: 80° 17' 43.06"

Parameter	Minimum	30-Day Average	Daily Maximum	Instant. Maximum
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		1.5	2.34	
Manganese (mg/l)		0.64	1.00	
Aluminum (mg/l)		0.48	0.75	
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mOs/kg)			50	
Total Dissolved Solids (mg/l)		Monitor and Report		
Sulfates (mg/l)		Monitor and Report		
Chlorides (mg/l)		Monitor and Report		

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

## PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

### SAFE DRINKING WATER

#### Actions taken under the Pennsylvania Safe Drinking Water Act (35 P. S. 721.1—721.17).

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

#### Permit No. 4610547 Public Water Supply

Applicant	<b>Aqua Pennsylvania, Inc.</b> 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Lower Merion
County	<b>Montgomery</b>
Type of Facility	PWS

Consulting Engineer CET Engineering Services  
1240 Mountain Road  
Harrisburg, PA 17112

Permit to Construct  
Issued December 22, 2010

#### Permit No. 0910548 Public Water Supply

Applicant **Pennsylvania American Water Company**  
800 West Hershey Park Drive  
Hershey, PA 17033

Township Lower Makefield

County **Bucks**

Type of Facility PWS

Consulting Engineer Pennsylvania American Water Company  
800 West Hershey Park Drive  
Hershey, PA 17033

Permit to Construct  
Issued January 3, 2011

#### Permit No. 1510525 Public Water Supply

Applicant **Aqua Pennsylvania, Inc.**  
762 West Lancaster Avenue  
Bryn Mawr, PA 19010

Township East Marborough

County **Chester**

Type of Facility PWS

Consulting Engineer CET Engineering Services  
1240 North Mountain Road  
Harrisburg, PA 17112

Permit to Construct  
Issued December 12, 2010

#### Permit No. 2310516 Public Water Supply

Applicant **Chester Water Authority**  
415 Welsh Street  
P. O. Box 467  
Chester, PA 19016-0467

Township Little Britain

County **Lancaster**

Type of Facility PWS

Consulting Engineer CET Engineering Services  
1240 North Mountain Road  
Harrisburg, PA 17112

Permit to Construct November 9, 2010  
Issued

**Operations Permit 1511503** issued to: **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010

**PWSID# 1460033** West Whiteland Township, **Chester County** on February 9, 2011, for operation of Facilities approved under construction permit 1511503 for installation and Operation of 190' of Disinfection Contact Main at the Hillside Drive Well Station, and Certification of 4-log Treatment of Viruses at Main System Entry Point 137 located at West Whiteland Township, Chester County.

**Operations Permit 2310517** issued to: **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010

**PWSID# 1460033** Tinticum Township, **Delaware County** on December 28, 2010, for operation of Facilities approved under construction permit 2310517 for installation and operate water heating unit for the OSGH system at Tinticum Booster Station located at Tinticum Township, Delaware County.

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

**Permit By Rule**, Public Water Supply.

Applicant	<b>Nestle Waters North America Inc.</b> 405 Nestle Way Breinigsville, Pa
[Township or Borough]	Upper Macungie Twp, <b>Lehigh County</b>
Responsible Official	Michael Franceschetti, Plant Manager
Type of Facility	Bottled Water
Consulting Engineer	Edward Davis, P.E Forino Company, LP 555 Mountain Rd Sinking Spring, Pa
Application Received Date	March 17, 2011
Description of Action	On March 28, 2011, the applicant was granted a permit by rule under chapter 109.1005 for the installation of one ultraviolet disinfection unit. The unit is installed at the Nestle Pure Life plant. Nestle has complied with chapter 109.1005(c)(1) through (5) and provided acceptable documentation. Materials and chemicals meet chapter 109.606, and or the FDA standards. The ultraviolet unit has undergone an EPA validation procedure and National Sanitation Foundation (NSF) audit. The unit has been validated to meet the log 4 inactivation of viruses.

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

**Permit No. 0610542 MA, Minor Amendment**, Public Water Supply.

Applicant	<b>Borough of Fleetwood</b>
Municipality	Fleetwood Borough
County	<b>Berks</b>
Responsible Official	Eric Burkert, Water Department Head 110 West Arch Street Suite 104 Fleetwood, PA 19522
Type of Facility	Modification to the existng finished water storage tanks at Entry Point 101 to increase chlorine contact time to meet 4-Log Treatment of Viruses.
Consulting Engineer	Bradley D. Smith, P.E. ARRO Consulting, Inc. 50 Berkshire Court Suite 104 Wyomissing, PA 19610
Permit to Construct Issued:	3/31/2011

**Permit No. 0110514 MA, Minor Amendment**, Public Water Supply.

Applicant	<b>Biglerville Borough Authority</b>
Municipality	Butler Township
County	<b>Adams</b>
Responsible Official	Douglas Hays, W/WW Operator 33 Mussleman Avenue Butler, PA 17307
Type of Facility	GWR 4-log treatment for viruses at EP 102 (Well No. 5). This includes the construction of a new treatment building and the installation of new transmission main to serve as chlorine contact.
Consulting Engineer	Craig J Zack, P.E. KPI Technology 143 Carlisle Street Gettysburg, PA 17325
Permit to Construct Issued:	3/21/2011

**Permit No. 3611511 MA, Minor Amendment**, Public Water Supply.

Applicant	<b>Mount Joy Township Authority</b>
Municipality	Elizabethtown City
County	<b>Lancaster</b>
Responsible Official	Rene Desrosiers, Operations Supervisor 157 Merts Drive Elizabethtown, PA 17022
Type of Facility	Recoating of the interior and exterior of the Rockwood Hydropillar.
Consulting Engineer	Kirt L Ervin, P.E. US Engineering, LLC 13742 Mary Lane Aviston, IL 62216
Permit to Construct Issued:	4/5/2011

**Operations Permit** issued to: **Middletown Borough Authority**, 7380038, Middletown Borough, **Dauphin**



County on 3/31/2011 for the operation of facilities approved under Construction Permit No. 2209514 MA.

**Operations Permit** issued to: **Middletown Borough Authority**, 7220038, Middletown Borough, **Dauphin County** on 3/31/2011 for the operation of facilities approved under Construction Permit No. 2210511 MA.

**Operations Permit** issued to: **Denver Borough**, 7360017, Denver Borough, **Lancaster County** on 3/29/2011 for the operation of facilities approved under Construction Permit No. 3611513 MA.

**Operations Permit** issued to: **Thompstontown Municipal Authority**, 4340007, Thompstontown Borough, **Juniata County** on 3/29/2011 for the operation of facilities submitted under Application No. 3410508 MA.

**Operations Permit** issued to: **Aqua Pennsylvania, Inc.**, 3060018, Cumru Township, **Berks County** on 3/24/2011 for the operation of facilities approved under Construction Permit No. 0610543 MA.

**Operations Permit** issued to: **Caernarvon Township Authority**, 3060052, Caernarvon Township, **Berks County** on 3/31/2011 for the operation of facilities approved under Construction Permit No. 0610537 MA.

**Operations Permit** issued to: **Littlestown Borough Authority**, 7010022, Littlestown Borough, **Adams County** on 3/31/2011 for the operation of facilities submitted under Application No. 0111503 MA.

**Operations Permit** issued to: **Borough of Fleetwood**, 3060029, Fleetwood Borough, **Berks County** on 3/31/2001 for the operation of facilities submitted under Application No. 0610547 MA.

**Operations Permit** issued to: **Fairfield Municipal Authority**, 7010005, Fairfield Borough, **Adams County** on 4/1/2011 for the operation of facilities submitted under Application No. 0110517 MA.

**Operations Permit** issued to: **Starview Mobile Home Park**, 7670037, East Manchester Township, **York County** on 3/31/2011 for the operation of facilities submitted under Application No. 6710523 MA.

**Operations Permit** issued to: **Mercersburg Municipal Authority**, 7280021, Mercersburg Borough, **Franklin County** on 3/31/2011 for the operation of facilities submitted under Application No. 2810510 MA.

**Operations Permit** issued to: **Bonneauville Borough Municipal Authority**, 7010020, Bonneauville Borough, **Adams County** on 3/31/2011 for the operation of facilities approved under Construction Permit No. 0110506 MA.

**Operations Permit** issued to: **Roaring Spring Water, A Division of Blank Book Co, Inc.**, 7076209, Roaring Spring Borough, **Blair County** on 3/29/2011 for the operation of facilities approved under Construction Permit No. 0710504 MA.

**Operations Permit** issued to: **Maidencreek Township Authority**, 3060012, Maidencreek Township, **Berks County** on 3/31/2011 for the operation of facilities approved under Construction Permit No. 0610517 MA.

**Operations Permit** issued to: **Womelsdorf-Robersonia Joint Authority**, 3060080, Heidelberg Township, **Berks County** on 3/24/2011 for the operation of facilities approved under Construction Permit No. 0610519 MA.

**Operations Permit** issued to: **Wernersville Municipal Authority**, 3060076, South Heidelberg Township, **Berks County** on 3/24/2011 for the operation of facilities approved under Construction Permit No. 0610522.

**Operations Permit** issued to: **Richland Borough**, 7380032, Millcreek Township, **Lebanon County** on 4/1/2011 for the operation of facilities approved under Construction Permit No. 3810506 MA.

**Operations Permit** issued to: **Guilford Water Authority**, 7280038, Guilford Township, **Franklin County** on 3/29/2011 for the operation of facilities submitted under Application No. 2810504 MA.

**Operations Permit** issued to: **Littlestown Borough Authority**, 7010022, Union Township, **Adams County** on 3/31/2011 for the operation of facilities approved under Construction Permit No. 0111501 MA.

**Operations Permit** issued to: **Duncannon Borough**, 7500019, Duncannon Borough, **Perry County** on 3/31/2011 for the operation of facilities submitted under Application No. 5010514 MA.

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

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

Applicant **Rock Spring Water Company**

[Township or Borough] Ferguson Township

County **Centre**

Responsible Official J. Roy Campbell, President  
Rock Spring Water Company  
1750 Tadpole Road  
PA Furnace, PA 16865

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued Date March 30, 2011

Description of Action 4-log inactivation of viruses at  
Entry Point 102 (Well #1).

**Permit No. 4146363—Transfer Public Water Supply.**

Applicant **Primo Refill, LLC**

[Township or Borough] Various

County **Northcentral Region**

Responsible Official Ms. Jeanne Cantu  
Primo Refill, LLC  
1030 Lone Oak Road  
Suite 110  
Eagan, MN 55121

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued Date March 31, 2011

Description of Action Operate eight vended water  
machines at Entry Points 104,  
107, 108, 111, and 113.

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

Applicant **Catawissa Municipal Water Authority**

[Township or Borough] Catawissa Township

County **Columbia**

Responsible Official Cindy Bachman, Manager  
Catawissa Municipal Water  
Authority  
19 Schoolhouse Road  
P. O. Box 54  
Catawissa, PA 17820

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued Date April 4, 2011

Description of Action Replacement of the gas  
chlorination system with a  
calcium hypochlorite system.

**Permit No. 1411502—Construction** Public Water  
Supply.

Applicant **Bellefonte Borough Authority**  
[Township or Bellefonte Borough  
Borough]

County **Centre**

Responsible Official Ralph Stewart, Manager  
Bellefonte Borough Authority  
236 West Lamb Street  
Bellefonte, PA 16823

Type of Facility Public Water Supply

Consulting Engineer Eric S. Lundy, P.E.  
Nittany Engineering & Assoc., Inc.  
2836 Earlstown Road, Suite 1  
Centre Hall, PA 16828

Permit Issued Date April 5, 2011

Description of Action Construction of the public  
drinking water supply system of  
the Robert L. Kerstetter Estate  
Subdivision—New Weis Market  
site.

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

**Operations Permit** issued to **Titusville Municipal  
Water Authority**, PWSID, #6200051, City of Titusville,  
**Crawford County**. Permit Number 2089509-MA2 issued  
March 29, 2011, for operation of 4-Log treatment of  
viruses for Entry Point No. 101 at the treatment facilities  
in Titusville PA. This permit action is taken under the  
requirements of the Groundwater Rule and is applied to  
operation permit 2089509, issued February 11, 1991.

**Operations Permit** issued to **Chicora Borough Wa-  
ter Company**, PWSID, #5100029, Chicora Borough, **But-  
ler County**. Permit Number 1097505-MA1 issued March  
29, 2011, for operation of 4-Log treatment of viruses for  
Entry Point No. 101 at the treatment facilities in Chicora  
PA. This permit action is taken under the requirements of  
the Groundwater Rule and is applied to operation permit  
1097505, issued December 15, 2000.

**Operations Permit** issued to **Springboro Area Wa-  
ter Authority**, PWSID, #6200050, Springboro Borough,  
**Crawford County**. Permit Number 2084503-MA2 issued  
March 29, 2011, for operation of 4-Log treatment of  
viruses for Entry Point No. 101 at treatment facilities in  
Crawford County PA. This permit action is taken under  
the requirements of the Groundwater Rule and is applied  
to operation permit 2084503.

**Operations Permit** issued to **Municipal Authority  
of the Township of Sheffield**, PWSID, #6620031, Shef-  
field Township, **Warren County**. Permit Number

6287501-MA1 issued March 29, 2011, for operation of  
4-Log treatment of viruses for Entry Point No. 139 at  
treatment facilities in Warren County PA. This permit  
action is taken under the requirements of the Groundwa-  
ter Rule and is applied to operation permit 6287501.

**Operations Permit** issued to **Eldred Borough Water  
Authority**, PWSID, #6420016, Eldred Borough, **McKean  
County**. Permit Number 8666-W-T1-MA2 issued March  
30, 2011, for operation of 4-Log treatment of viruses for  
Entry Point No. 101 at treatment facilities in Eldred  
Borough (Elm Street). This permit action is taken under  
the requirements of the Groundwater Rule and is applied  
to operation permit 8666-W-T1-MA1.

**Operations Permit** issued to **Eldred Borough Water  
Authority**, PWSID, #6420016, Eldred Borough, **McKean  
County**. Permit Number 4294502-MA1 issued March 30,  
2011, for operation of 4-Log treatment of viruses for  
Entry Point No. 102 at treatment facilities in Eldred  
Borough (Canfield Hollow). This permit action is taken  
under the requirements of the Groundwater Rule and is  
applied to operation permit 4294502, issued October 13,  
1995.

**Operations Permit** issued to **Edinboro Borough  
Water Authority**, PWSID, #6250022, Edinboro Borough,  
**Erie County**, Permit Number 2588508-MA1 issued  
March 30, 2011, for operation of 4-Log treatment of  
viruses for Entry Point No. 101 at treatment facilities in  
Edinboro Borough. This permit action is taken under the  
requirements of the Groundwater Rule and is applied to  
operation permit 2588508, issued August 30, 1988.

**Operations Permit** issued to **Knox Borough,  
Clarion County**, PWSID, #6160005, Knox Borough, **Clarion  
County**. Permit Number 1694502-MA4 issued March 30,  
2011, for operation of 4-Log treatment of viruses for  
Entry Point No. 102 at treatment facilities in Knox  
Borough. This permit action is taken under the require-  
ments of the Groundwater Rule and is applied to opera-  
tion permit 1694502, issued June 18, 1996.

**Operations Permit** issued to **Conneautville Bor-  
ough, Crawford County**, PWSID, #6200019, Conneautville  
Borough, **Crawford County**. Permit Number 2074501-MA3  
issued March 31, 2011, for operation of 4-Log treatment  
of viruses for Entry Point No. 100 at treatment facilities  
in Conneautville Borough. This permit action is taken  
under the requirements of the Groundwater Rule and is  
applied to operation permit 0074501.

**Operations Permit** issued to **Port Allegany Water  
Authority**, PWSID, #6420021, Port Allegany Borough,  
**McKean County**. Permit Number 4273501-MA1 issued  
March 31, 2011, for operation of 4-Log treatment of  
viruses for Entry Point Nos. 126 and 197 at treatment  
facilities in Port Allegany Borough. This permit action  
is taken under the requirements of the Groundwater Rule  
and is applied to operation permit 4273501.

**Operations Permit** issued to **Port Allegany Water  
Authority**, PWSID, #6420021, Port Allegany Borough,  
**McKean County**. Permit Number 4277501-MA1 issued  
March 31, 2011, for operation of 4-Log treatment of  
viruses for Entry Point No. 198 at treatment facilities in  
Port Allegany Borough. This permit action is taken under  
the requirements of the Groundwater Rule and is applied  
to operation permit 4277501.

**Operations Permit** issued to **Linesville Municipal  
Authority**, PWSID, #6200027, Linesville Borough,  
**Crawford County**. Permit Number 1737-T1-MA1 issued  
March 31, 2011, for operation of 4-Log treatment of  
viruses for Entry Point No. 100 at treatment facilities in

Linesville Borough. This permit action is taken under the requirements of the Groundwater Rule and is applied to operation permit 1737-T1.

**Operations Permit** issued to **Linesville Municipal Authority**, PWSID, #6200027, Linesville Borough, **Crawford County**. Permit Number 6859-T1-MA1 issued March 31, 2011, for operation of 4-Log treatment of viruses for Entry Point No. 101 at treatment facilities in Linesville Borough. This permit action is taken under the requirements of the Groundwater Rule and is applied to operation permit 6859-T1.

**Operations Permit** issued to **Imperial Point Water Service Company**, PWSID, #6250046, Girard Township, **Erie County**. Permit Number 2597503-MA2 issued March 31, 2011, for operation of 4-Log treatment of viruses for Entry Point No. 100 at treatment facilities in Girard Township. This permit action is taken under the requirements of the Groundwater Rule and is applied to operation permit 2597503, issued February 16, 1999.

**Operations Permit** issued to **Lake City Borough**, PWSID #6250056, Lake City Borough, **Erie County**. Permit Number 2596501-MA1 issued March 31, 2011, for operation of 4-Log treatment of viruses for Entry Point No. 101 at treatment facilities in Lake City Borough. This permit action is taken under the requirements of the Groundwater Rule and is applied to operation permit 2596501, issued February 18, 1997.

**Operations Permit** issued to **Summit Township Water Authority**, PWSID #6250090, Waterford Township, **Erie County**. Permit Number 2500501-MA1 issued March 31, 2011, for operation of 4-Log treatment of viruses for Entry Point No. 101 at treatment facilities in Waterford Township. This permit action is taken under the requirements of the Groundwater Rule and is applied to operation permit 2500501, issued August 29, 2001.

**Operations Permit** issued to **St. Paul Homes**, PWSID #6430024, West Salem Township, **Mercer County**. Permit Number 4304501-MA2 issued April 1, 2011, for operation of 4-Log treatment of viruses for Entry Points Nos. 101 and 102 at treatment facilities in West Salem Township. This permit action is taken under the requirements of the Groundwater Rule and is applied to operation permit 4304501, issued November 22, 2004.

**Operations Permit** issued to **Slippery Rock Municipal Water Authority**, PWSID #5100079, Slippery Rock Borough and Slippery Rock Township, **Butler County**. Permit Number 1069501-MA2 issued April 1, 2011, for operation of 4-Log treatment of viruses for Entry Point No. 101 at treatment facilities in Slippery Rock Borough and Slippery Rock Township. This permit action is taken under the requirements of the Groundwater Rule and is applied to operation permit 1069501.

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

### Notice of Proposed Interim Response

#### Nockamixon TCE Nockamixon Township, Bucks County

The Department of Environmental Protection (Department) under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.102—6020.1303) is proposing an interim response at Nockamixon TCE, Nockamixon Township, Bucks County, Pennsylvania.

The Nockamixon TCE HSCA Site is located in Nockamixon Township, Bucks County. The Site is located

along Easton, Tower, Durham Road, Tower Road, Brennan Road, Mountainview Drive, and Park Drive. The site includes approximately 11 private wells impacted with Volatile Organic Compounds above Maximum Contaminant Levels (MCLs). The area of the site consists mostly of rural residential properties with a few small businesses.

The Department was notified by the Bucks County Health Department in spring 2009 that contamination had been found in the groundwater of the site area. Preliminary sampling by the Bucks County Health Department showed levels that peaked at 26.8 parts per billion trichloroethylene (TCE), which is the contaminant of concern. The Department initiated an investigation in 2009 to both confirm the Health Department's results and expanding the sampling efforts in the area. This investigation is still ongoing. The Department has conducted sampling events in October 2009, April, 2010, and November 2010. A total of approximately 30 locations have been sampled by the Department. Princeton Hydro, LLC conducted a study for Lower Delaware River Wild and Scenic Management Committee and the Delaware River Greenway Partnership regarding natural gas exploration and recovery with a report dated December 2009 that also expanded the Department's sampling efforts to Park Drive.

Volatile Organic Compounds have been released in the area with an unknown source. The MCL for TCE is 5 Parts per billion (ppb). Most of the levels in residential wells for this contaminant are between 5 and 25 ppb. The highest concentration was detected at 93.4 ppb. The health threats include ingestion and inhalation. Bottled water is currently being provided to affected residents as a temporary measure.

To address the release and threat of release of hazardous substances at the Site, and corresponding threats to human health and the environment, the Department proposes a response action at the Site under Sections 501(a) of HSCA, 35 P. S. § 6020.501(a). The Department hereby proposes the installation of whole house carbon filtration units on affected private residential water supplies. This proposed alternative complies with Applicable, Relevant and Appropriate Requirements (ARARs) and is feasible and cost-effective. Other possible alternatives include taking no action, the installation of a public waterline and continuing to provide bottled water.

An Administrative Record, which contains more detailed information concerning this interim response action, is available for public inspection. The Administrative Record may be examined from 8:00 am until 4:00 pm at the Department's office at 2 East Main Street, Norristown PA 19401. Those interested in examining the Administrative Record should contact the Megan Harkins at (484) 250-5721 or William Blasberg at (484) 250-5865 to arrange for an appointment. An additional copy of the Administrative Record is available for review at the Nockamixon Township Municipal Building located at 589 Lake Warren Road, Upper Black Eddy. 18972.

Pursuant to Sections 505(b) and 506(d) of HSCA, 35 P. S. §§ 6020.505(b) and 6020.506(d), the Department will conduct a public hearing on May 25, 2011 at 7:00 pm at the Nockamixon Township Municipal Building located at 589 Lake Warren Road, Upper Black Eddy. 18972. Anyone who would like to present formal oral comments regarding this proposed response may do so by registering with the Department before the meeting. Individuals may register by calling the Department's Community Relations Coordinator, Lynda Rebarchak (484) 250-5820.

Any person with a disability who wishes to attend the public hearing and will require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Lynda Rebarchak at the telephone number listed above or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs. The public may also submit written comments regarding the Department's Interim Response action during the period of public comment. In accordance with Section 506(c) of HSCA, 35 P. S. § 6020.506(c), the Department has established a period for public comment that is now open until close of business July 14, 2011. Written comments should be addressed to Megan Harkins, Project Officer, Pennsylvania Department of Environmental Protection, 2 East Main Street, Norristown, PA 19401. Anyone with questions regarding this notice should contact Megan Harkins at (484) 250-5721.

**Notice of Interim Response  
Five Locks Access Area Site  
Perry Township, Berks County**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA), (35 P. S. §§ 6020.101—6020.1305) is proposing an interim response at the Five Locks Access Area Site (Site).

The Site is located approximately midway between Hamburg and Shoemakersville, along Five Locks Road and Water Street, at the intersection with Fisher Dam Road. The proposed response for the Five Locks Access Area Site (Site) will consist of an interim response to protect public health, safety or welfare or the environment from the release of lead contaminated battery casings, soil and sediments. Lead-contaminated waste, soil and sediment will be removed and properly disposed off site. The response will minimally alter existing land elevations and thus should not increase the likelihood of flooding. The Department is providing this notice under sections 505(b) and 506(b) of HSCA (35 P. S. §§ 6020.505(b) and 6020.506(b)), and the publication of this notice in the *Pennsylvania Bulletin* starts the administrative record period under HSCA. The Administrative Record which contains information about this site and which supports the Department's decision to perform this action at the site is available for public review and comment. The Administrative Record can be examined Monday through Friday from 8 a.m. to 3:30 p.m. at the Department's Southcentral Regional Office located at 909 Elmerton Avenue, Harrisburg, PA 17110, by contacting David Hrobuchak at 717-705-4843. The Administrative Record can also be reviewed at the Perry Township Municipal Building, 680 Moselem Springs Road, Shoemakersville PA 19555-9415, telephone 610-562-2133 from 8 a.m. to 4 p.m., Monday through Friday.

The Administrative Record will be open for comment from the date of publication of this notice in the *Pennsylvania Bulletin* on April 16, 2011, and will remain open for 90 days. Persons may submit written comments regarding this action to the Department before July 15, 2011, by mailing them to Mr. Hrobuchak at the Department Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. The public will have an opportunity to present oral comments regarding the proposed action at a public hearing. The hearing has been scheduled for May 26, 2011, at 7 p.m. at the Perry Township Municipal Building, 680 Moselem Springs Road, Shoemakersville, PA 19555-9415. Persons wishing to present formal oral comment at the hearing should

register before 3 p.m., May 20, 2011, by calling Mr. Hrobuchak at the previously listed number. There will be an informational presentation of the Department's planned activities at this site prior to the public hearing.

Persons with a disability, who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings, should call Mr. Hrobuchak at the previously listed number or through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

**LAND RECYCLING AND  
ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995**

**PREAMBLE 3**

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**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).**

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

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the

appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Lehigh County Authority Park Pump Station**, Jefferson Street and Park Drive, Allentown City, **Lehigh County**. Matthew P. Lesley, ARCADIS U.S., Inc., 824 Market Street, Suite 820, Wilmington, DE 19801 submitted a Final Report (on behalf of his client, Lehigh County Authority, P. O. Box 3348, 1053 Spruce Street, Allentown, PA 18106-0348), concerning the remediation of soil and groundwater found to have been impacted by No. 2 fuel oil as a result of an accidental release from an 8,000 gallon underground storage tank. The report documented attainment of the Statewide Health Standard for soil and groundwater and was approved on March 30, 2011.

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

**Edward Toole Residence**, Providence Township, **Lancaster County**. Brownfield Associates, Inc., 500 Coatesville Road, West Grove, PA 19390, on behalf of Mr. Edward Toole, 5 Ridgedale Avenue, New Providence, PA 17560, submitted a Final Report concerning the remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health standard, and was approved by the Department on March 29, 2011.

**Mary Kaylor Residence**, Mount Joy Township, **Lancaster County**. Alternative Environmental Solutions, Inc., 480 New Holland Avenue, Suite 8203, Lancaster, PA, 17602, on behalf of Ms. Mary Kaylor, 411 Highlawn Avenue Elizabethtown, PA 17022, submitted a Final Report concerning the remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health standard, and was approved by the Department on March 29, 2011.

**Corning Plant 1—Groundwater**, Borough of Mount Holly Springs, **Cumberland County**. Weston Solutions, Inc, P. O. Box 2653, West Chester, PA 19380, on behalf of Corning Incorporated, HP-ME-03-079, Corning, New York, 14831, and Charles Skoriva, Jr., 945 Sand Bank Road, Mount Holly Springs, PA 17065, submitted a Final Report concerning the remediation of site groundwater contaminated with volatile organic compounds. The Final Report demonstrated attainment of the Site Specific Standard, and was approved by the Department on March 29, 2011.

**Mary Alice Bingham Residence**, Annville Township, **Lebanon County**. Meyer Oil Company, PO Box 2004, Cleona, PA 17042, on behalf of Mary Alice Bingham, 829 East Walnut Street, Annville, PA 17003, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil released from a vent pipe. The Final Report demonstrated attainment of the Residential Statewide Health standard, and was approved by the Department on April 4, 2011.

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

**Erie Golf Course Expansion Parcel 33-186-554-25**, Millcreek Township, **Erie County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412 on behalf of The City of Erie, 626 State Street, Erie, PA 16501 has submitted a Final Report concerning the remediation of site soils contaminated with Arsenic and site groundwater contaminated with Trichloroethylene and Vinyl Chloride. The Final Report demonstrated attainment of the Site-Specific and Statewide Health Standards and was approved by the Department on March 31, 2011.

*Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**Ionics, Inc. Bridgeville PA Site**, Bridgeville Borough, **Allegheny County**. Kenneth Battyani, AECOM Inc., Four Gateway Center, 444 Liberty Avenue, Suite 7000, Pittsburgh, PA 15222 on behalf of David Chambliss, General Electric Water and Process Technologies, 960 B Six Flags Road, Austell, GA 30168 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with metals and chlorinated solvents. The Final report was approved on April 1, 2011.

**Trinity Industries Inc. North Plant**, Borough of Greenville, **Mercer County**. Golder Associates, Inc., Spring Mill Corporate Center, 555 North Lane, Suite 6057, Mt. Laurel, NJ 08054 on behalf of Trinity Industries, Inc., 2525 Stemmons Freeway, Dallas, TX 75207 has submitted a Remedial Investigation Report concerning the remediation of site soils contaminated with ethylbenzene, total xylenes, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, antimony, arsenic, lead and site groundwater contaminated with PCE, vinyl chloride, arsenic, manganese, and lead. The Remedial Investigation Report was disapproved by the Department on April 1, 2011.

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

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

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

**General Permit Application No. WMGM027SE001. Green Resource Energy, LLC**, Tin 2 Building, North End, Berdis Boulevard, Keystone Industrial Port Complex, Fairless Hills PA 19030. This Determination of Applicability for the processing by grinding, shredding, screening, and blending of various organic non-recyclable waste materials for beneficial use as an alternative fuel material at the Green Resources Energy, LLC facility located within the US Steel property at Berdis Boulevard, Tin Building 2, Fairless Hills, PA 19030 in Falls Township, **Bucks County**. The application for determination of applicability was issued by the Southeast Regional Office on April 1, 2011.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Permit(s) issued under the Solid Waste Management Act, of July 7, 1980, P.L. 380, 35 P.S. §§ 6018.101—6018.1003, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Southwest Regional Office, Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412.442.4000.*

**Permit ID No. 300876. GenOn Northeast Management Company,** 121 Champion Way, Suite 200, Canonsburg, PA 15317. Conemaugh Generating Station Ash/Mine Refuse Disposal Site, 1442 Power Plant Road, SR 2008, New Florence, PA 15944-9154. Operation of a captive residual waste landfill located in West Wheatfield Township, **Indiana County.** Permit modification authorizing disposal of Cooling Tower Blowdown Treatment System Sludge issued in the Regional Office on March 31, 2011.

### 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.**

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

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

**GP9-49-336A: Contract Crushing, Inc.** (26 Beaver Street, Cogan Station, PA 17728) on March 1, 2011, to construct and operate one 300 hp Caterpillar model C-9 diesel-fired engine, a 99 hp Caterpillar model 3054C diesel-fired engine, a 440 bhp Duetz model BF6M1015CP diesel-fired engine, and a 99 bhp Caterpillar model 3054C diesel-fired engine pursuant to the General Plan Approval and /or General Operating Permit BAQ-GPA/GP-9: Diesel or #2 fuel-fired Internal Combustion Engines, at their facility in Ralpho Township, **Northumberland County.**

**GP3-49-336A: Contract Crushing, Inc.** (26 Beaver Street, Cogan Station, PA 17728) on March 1, 2011, to construct and operate a portable non-metallic mineral crusher with associated water spray dust suppression system and portable non-metallic mineral screen pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their facility in Ralpho Township, **Northumberland County.**

**GP13-59-176: Glenn O. Hawbaker, Inc.** (450 East College Avenue, Bellefonte, PA 16823) on March 8, 2011, to construct and operate a hot mix asphalt plant pursuant to the General Plan Approval and General Operating Permit (BAQ-GPA/GP-13): Hot Mix Asphalt Plants, at their Lawrenceville facility in Tioga and Lawrence Townships, **Tioga County.**

**GP3-59-210: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) on March 22, 2011, to construct and operate a portable non-metallic mineral crusher and a portable non-metallic mineral

conveyor with associated water spray dust suppression systems pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their Tioga Quarry in Middlebury Township, **Tioga County.**

**GP9-59-210: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) on March 22, 2011, to construct and operate one Caterpillar Model 3508 diesel-fired engine with a rating of 1,089 brake horsepower (bhp) pursuant to the General Plan Approval and /or General Operating Permit BAQ-GPA/GP-9: Diesel or #2 fuel-fired Internal Combustion Engines at their Tioga Quarry in Middlebury Township, **Tioga County.**

**GP24-49-00007-1: Cherokee Pharmaceuticals, LLC** (100 Avenue C, PO Box 367, Riverside, PA 17868) on March 21, 2011, to extend the authorization for construction of point sources that handle/process pharmaceutical products pursuant to the General Plan Approval for Pharmaceutical and Specialty Chemical Production (BAQ-GPA-24) at their facility in the Borough of Riverside, **Northumberland County.** The authorization for construction is for an additional 180 days from April 4, 2011 to October 1, 2011.

**GP3-08-340: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on March 25, 2011, to construct and operate a portable non-metallic mineral crusher with associated water spray dust suppression system pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their Bradford County Quarry in Burlington Borough, **Bradford County.**

**GP11-08-340: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on March 25, 2011, to construct and operate one (1) Cummins model QSC diesel-fired engine with a rating of 305 brake horsepower (bhp) pursuant to the General Plan Approval And/Or General Operating Permit (BAQ-GPA/GP-11): Nonroad Engines at their Bradford County Quarry in Burlington Borough, **Bradford County.**

**GP3-57-07C: Haines & Kibblehouse, Inc.** (2052 Lucon Road, Skippack, PA 19474) on March 30, 2011, to construct and operate a portable non-metallic mineral crusher, screener, and conveyors and associated water spray dust suppression system pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their Dushore Materials facility in Cherry Township, **Sullivan County.**

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

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

**GP5-56-00312: Caiman Penn Midstream, LLC** (5949 Sherry Lane, Suite 1300, Dallas, TX 75225) on March 28, 2011, to allow the installation and operation of a new natural gas production facility consisting of one natural gas-fired compressor engine rated at 670 bhp and one dehydrator unit with a reboiler rated at 0.5 MMBtu/hr. The facility will be authorized under GP-5 for natural gas production, be named PMG Allen Unit, and be located in Addison Township, **Somerset County.**

**GP5-04-00732: Appalachia Midstream Services LLC** (6100 N. Western Ave, Oklahoma City, OK 73154) on March 31, 2011, to allow construction and operation of a triethylene glycol (TEG) dehydrator with associated

reboiler under GP-5 for natural gas production at the proposed Thompson Dehydration Facility, located in South Beaver Township, **Beaver County**.

**Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

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

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-949-7935*

**06-05085D: New Morgan Landfill Company, Inc.** (420 Quarry Road, PO Box 128, Morgantown, PA 19543-0128) on March 28, 2011, to increase the existing 29.7 tpy facility-wide annual sulfur oxide limit to 95.0 tpy, the imposition of a PM<sub>2.5</sub> annual limit of 100 tpy, the lowering of NO<sub>x</sub> and VOC annual limits to 99 and 50 tpy, respectively, the deletion of annual HAP caps due to the applicability of federal MACT requirements, and the addition of landfill gas sulfur sampling requirements for the Conestoga Landfill in New Morgan Borough, **Berks County**.

**36-05015D: Dart Container Corporation of PA** (60 East Main Street, PO Box 546, Leola, PA 17540-1940) on March 25, 2011, to install and operate a new combined heat and power (CHP) project incorporating the use of two (2) landfill gas-fired turbines with electric generators and waste heat recovery steam generators, at the expandable polystyrene container manufacturing facility in Upper Leacock Township, **Lancaster County**.

**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) 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*

**09-0203: AE Polysilicon Corp.** (150 Roebling Road, Fairless Hills, PA 19030) on March 21, 2011, to operate an ultra-high purity polysilicon operation in Falls Township, **Bucks County**.

**46-01980: Blommer Chocolate Co.** (1101 Blommer Drive, East Greenville, PA 18041) on March 25, 2011, to operate a dust collector facility in Upper Hanover Township, **Montgomery County**.

**09-0022C: Cleveland Steel Container Corp.** (350 Mill Street, Quakertown, PA, 19030) on March 31, 2011, to operate a metal cans operation in Quakertown Township, **Bucks County**.

**15-0061A: Phoenixville Hospital Company, LLC.** (140 Nutt Road, Phoenixville, PA, 19460) on March 31, 2011, to operate an emergency electric generator and internal combustion engine in Phoenixville Township, **Chester County**.

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

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

**19-00032A: Benton Area School District** (600 Green Acres Road, Benton, PA 17814) on Marcy 21, 2011, to extend the authorization to temporarily operate a biomass-fired boiler at their facility in Borough of Benton, **Columbia County**. The authorization for temporary operation is for an additional 180 days from April 4, 2011 to October 1, 2011. The plan approval has been extended.

**41-00033A: Susquehanna Health System** (777 Rural Avenue, Williamsport, PA 17740) on March 24, 2011, to construct and operate a natural gas-fired reciprocating internal combustion engine equipped with low NO<sub>x</sub> electronic control system to control nitrogen oxide (NO<sub>x</sub>) emissions from the engine rated at 2,671 brake-horsepower (Source ID P104) and the installation of an oxidation catalyst (ID C104) to control the carbon monoxide, volatile organic compound and formaldehyde emissions from the engine. The plan approval has been extended.

**08-00002D: E.I. DuPont de Nemours and Co.** (Patterson Boulevard, Towanda, PA 18848) on March 21, 2011, to utilize an existing regenerative thermal oxidizer (RTO) to control the air contaminant emissions from Sources P142, P150 and P159 at their Towanda facility in North Towanda Township, **Bradford County** to September 18, 2011. The plan approval has been extended.

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

*Contact: Mark Gorog, New Source Review Chief—Telephone: 814-332-6940*

**25-066H: Accuride, Corp.** (1015 East 12th Street, Erie, PA 16503) on April 1, 2011, effective January 31, 2011, to install two (2) 7000 ton forge presses and associated control devices at their facility in the City of Erie, **Erie County**.

**Title V Operating Permits Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) 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*

**09-00003: Superpac, Inc.** (1220 Industrial Boulevard, Southampton, PA 18966) on March 30, 2011, for renewal of their Title V Operating Permit in Upper Southampton Township, **Bucks County**. The current Title V Operating Permit expires on April 30, 2011. The facility is a manufacturing-commercial printing processor, which operates flexographic printing presses, numerous space heaters, and various miscellaneous sources associated with printing and manufacturing. No changes have taken place at this facility that were not previously permitted. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting. The sources at this facility are not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64.

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

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-949-7935*

**28-05040: Industrial Power Generating Co., LLC** (2250 Dabney Road, Richmond, VA 23230-3323) on March 29, 2011, for their electric generating facility associated with the Mountain View Landfill in Peters Township, **Franklin County**. This is a renewal of the Title V operating permit.

**34-05001: Armstrong Cabinet Products** (12393 William Penn Highway, Thompsett, PA 17094) on March 29, 2011, for their wood cabinet manufacturing facility in Delaware Township, **Juniata County**. This is a renewal of the Title V operating permit.

**67-05047: Republic Services of PA, LLC** (400 Mount Pisgah Road, York, PA 17406) on March 29, 2011, for the Modern Landfill in Lower Windsor Township, **York County**. This is a renewal of the Title V operating permit.

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

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

**17-00005: Glen Gery Corp.** (PO Box 388, State Route 970, Bigler, PA 16825-0338) on March 22, 2011, for renewal of their Title V Operating Permit for their facility in Bradford Township, **Clearfield County**.

**59-00005: Dominion Transmission, Inc.** (445 West Main Street, Clarksburg, WV 26302-2450) on March 22, 2011, for operation of their Sabinville Compressor Station in Clymer Township, **Tioga County**. The renewal Title V Operating Permit contains monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulatory requirements.

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

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940*

**24-00131: SGL Carbon Corp.—St. Marys Plant** (900 Theresia Street, P. O. Box 1030, St. Marys, PA 15857) on March 16, 2011, the Department Administratively Amended Title V Operating Permit for this specialty graphite part manufacturing facility in St. Marys Borough, **Elk County**. The permit was amended to account for changes authorized by Plan Approval Number 24-0131M and to remove the sources transferred to E-Carbon America, LLC. This notice is for the issuance of a corrected permit to address errors contained in or omitted from the previous permit.

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**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.**

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

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

**09-00159: Colorcon, Inc.—No-Tox Products Division** (171 New Britain Boulevard, Chalfont, PA 18914) on March 31, 2011, for a renewal of State Only (Natural Minor) Operating Permit No. 09-00159, for a No-Tox production area and an emergency generator at the facility in Chalfont, **Bucks County**. The permit was originally issued on February 25, 2005, and no major

physical changes have occurred at the facility since then. However, the renewed permit will include an increase in the volatile organic compound (VOC) emission restriction for the facility from 10.1 tons/yr to 14.1 tons/yr, as a result of a de minimis VOC emission increase of 4.0 tons/yr that the Department authorized on May 2, 2006. The renewed permit will also include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**48-00050: Bethlehem City Lehigh & Northampton County WWTP** (144 Shimersville Road, Bethlehem, PA 18015-9528) on January 31, 2011, for a wastewater treatment plant operation in the City of Bethlehem, **Northampton County**.

**40-00101: Pennsy Supply, Inc.** (1001 Paxton Street, Harrisburg, PA 17104-3331) on March 30, 2011, to operate a drum asphalt plant in Jenkins Township, **Luzerne County**. This is an initial State-Only Synthetic Minor operating permit for this facility. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-949-7935*

**28-05009: Chambersburg Borough** (100 South Second Street, Chambersburg, PA 17201-2544) on March 29, 2011 for the Falling Spring diesel power plant located in Chambersburg Borough, **Franklin County**. This is a renewal of the State-only operating permit.

**06-05019: Hofmann Industries, Inc.** (3145 Shillington Road, Sinking Spring, Pennsylvania 19608) on March 28, 2011 for the steel tubing manufacturing facility located in Sinking Spring Borough, **Berks County**. This is a renewal of the State Only Operating permit.

**67-05068: Highway Materials, Inc. (Plant #9)**, (1750 Walton Road, PO Box 1667, Blue Bell, Pennsylvania 19422-0465) on March 28, 2011 for the Wrightsville asphalt plant located in Hellam Township, **York County**. This is a renewal of the State Only Operating permit.

**05-03011: Blue Triangle Hardwoods, LLC** (Route 26 North, Everett, Pennsylvania 15537) on March 28, 2011 for the hardwood sawmill and processing facility located in West Providence Township, **Bedford County**. This is a renewal of the State Only Operating permit.

**67-05031: Wayneco, Inc.** (800 Hanover Road, York, Pennsylvania 17404-6212) on March 28, 2011 for the wood kitchen manufacturing facility located in Jackson Township, **York County**. This is a renewal of the State Only 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*

**49-00052: Earthgrains Baking Co., Inc.** (249 North Eleventh Street, Sunbury, PA 17801) on March 31, 2011, to issue a State Only (Synthetic Minor) operating permit for their Butter Krust bakery facility in Northumberland Borough, **Northumberland County**. The facility is a bakery, which produces bread and rolls. The facility has the potential to emit major quantities of VOCs. The facility has taken a synthetic minor restriction not to exceed the major emission threshold for VOCs. The facility has the potential to emit particulate matter (PM<sub>10</sub>), NO<sub>x</sub>, SO<sub>x</sub>, CO, and HAPs below the major thresholds. The operating permit contains applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

**41-00059: Orograin Bakeries Manufacturing, Inc.** (3375 Lycoming Creek Road, Williamsport, PA 17701) on April 4, 2011, to operate their Lycoming Creek Roll Plant in Old Lycoming Township, **Lycoming County**. The operating permit contains applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

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

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

**11-00516 Fiberblade, LLC—Ebensburg Plant** (100 Commerce Drive, Ebensburg, PA 15931) on March 29, 2011, a State Only Operating Permit was issued for the wind turbine rotor blade manufacturing facility in Cambria Township, **Cambria County**. The operation of the facility's air contamination sources are the Moulding Operation, the Finishing Operation, 600 KW Diesel Emergency Generator, and Miscellaneous Natural Gas Usages. Fiberblade is limited to 99 tpy NO<sub>x</sub>, 49 tpy VOC, 9 tpy of a single HAP and 24 tpy aggregated group of HAPs. The facility must maintain a 12-month rolling total of quantities of each VOC and/or HAP containing material used, facility wide VOCs and HAPs emitted, and the quantity of natural gas purchased. The facility is required to submit an annual facility-wide emissions report (AIMS Report) by March 1st each year for the previous calendar year. The facility must conduct weekly inspections around the plant periphery during daylight hours, while the plant is in operation, to observe for the presence of any odorous air contaminants, fugitive emissions, and additional operation requirements, monitoring requirements, and recordkeeping requirements for the facility.

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

*Contact: Matthew Williams, New Source Review Chief—Telephone: 814-332-6940*

**25-00940: Animal Friends Cremation Services** (11711 Sharp Road Waterford, PA 16441-3935) on March 23, 2011, a renewal State Only Operating Permit for their facility in Waterford Borough, **Erie County**. The facility is a Natural Minor. The primary source at the facility is a

crematory. The renewal permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**43-00319: John Maneely Co.—Wheatland Tube Division—Church Street Plant** (20 Church Street, P. O. Box 608, Wheatland, PA 16161) on March 31, 2011, to re-issue a Natural Minor Permit to operate a Steel Pipe and Tubing Manufacturing Plant in the Borough of Wheatland, **Mercer County**.

**62-00183: PAPCO, Inc.** (14888 Route 6, Mead Township, Warren, Pennsylvania 16365) on March 29, 2011, for a natural minor permit to operate a natural gas processing and compression plant in Mead Township, **Warren County**. The facility's major emission sources include hot oil heater, re-boiler, Ajax compressor engine, 346 HP, Ajax compressor engine, 384 HP, processing plant (equipment leak check), storage tanks and dehydration plant. The facility is natural minor because the emissions of pollutants from the plant are less than Title V threshold. The engines are subject to the Area Source requirements for existing engines under 40 CFR 63, Subpart ZZZZ. The applicable requirements have been included in the renewal.

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**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

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

**46-00112: Palmer International, Inc.** (2036 Lucon Road, Skippack, PA 19474) on March 30, 2011, is a non-Title V facility located in Skippack Township, **Montgomery County**. The Synthetic Minor Operating Permit has undergone a minor modification to adjust the allowable pressure drop range across a dust collector associated with the Turbo 2 System (Source ID 106). In addition, Turbo 2 Bag Break Station 1 (Source ID 109) and Turbo 2 Bag Break Station (Source ID 110), which have been decommissioned, have been removed from the operating permit. There shall be no increase in emissions of particulate matter (PM) as a result of this modification. The operating permit continues to contain testing, monitoring, recordkeeping, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

**09-00007: Waste Management Disposal Services of Pennsylvania, Inc.** (1000 New Ford Mill Rd., Morrisville, PA 19067) On March 31, 2011, for a minor modification to the Title V Operating Permit for the G.R.O.W.S. Landfill in Falls Township, **Bucks County**. The minor modification removes the Backup Enclosed Flare, Source ID C04, from the site inventory and all related references and conditions. The minor modification does not contain any change in air emissions of regulated pollutants. The minor modification of the Title V Operating Permit contains the applicable regulatory requirements including monitoring, recordkeeping, reporting and emission limits.

**15-00067: HERR Foods Inc.** (273 Old Baltimore Pike in West Nottingham, PA 19362) On March 31, 2011, located in West Nottingham Township, **Chester County**. The amendment incorporates the new mist collection control system onto Chip Line No.3 and its conditions from Plan Approval 15-0067G into the State Only Operating Permit. Administrative Amendment of State Only Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-949-7935*

**67-03143: The ESAB Group, Inc.** (Welding and Cutting Products Plant), (801 Wilson Avenue, Hanover, Pennsylvania 17331-7948) on March 28, 2011 for the welding equipment and consumables manufacturing facility located in Hanover Borough, **York County**. This State Only Operating permit was administratively amended to include the requirements of Plan Approval No. 67-03143C.

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

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

**08-00003: CraftMaster Manufacturing, Inc.** (PO Box 311, Towanda, PA 18848-0311) issued a revised Title V operating permit on March 23, 2011, for the incorporation of Plan Approvals 08-00003C, 08-00003D, 08-00003E, and 08-00003I into the Title V 08-00003 operating permit for their engineered wood products manufacturing facility in Wysox Township, **Bradford County**. The Title V operating permit contains applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**14-00008: Vital Chemicals USA, LLC** (2022 Axemann Road, Bellefonte, PA 16823-8142) issued a revised state only (natural minor) operating permit on April 1, 2011 for a change of ownership of the Spring Township facility from Bolton Metal Products Company to Vital Chemicals USA, LLC. This facility is located in Spring Township,

**Centre County**. This revised operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

**41-00050: Appellation Pre-Fab, LLC** (620 Fairfield Road, Montoursville PA 17754) issued a revised State Only operating permit on February 22, 2011 for the Palmer Site located in Woodward Township, **Lycoming County**. This permit revision incorporates the change of ownership from Palmer Industrial Coatings, LLC to Appellation Pre-Fab, LLC. State Only Operating Permit 41-00050 contains applicable requirements including monitoring, recordkeeping and reporting conditions to ensure compliance with Federal and State Regulation.

**17-00060: Penfield Collieries** (301 Market Street, Kittanning, PA 16201) issued a revised State Only operating permit, Revision No. 1 on March 28, 2011, for their facility located in Huston Township, **Clearfield County**. The revision of this permit is to incorporate terms and conditions from Plan Approval 17-00060A, which authorized the modification of their Lady Jane coal preparation plant. The operating permit is effective through April 4, 2012. This revised State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

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

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

*Contact: Matthew Williams, New Source Review Chief—Telephone: 814-332-6940*

**10-00281: II VI, Inc.** (375 Saxonburg Blvd, Saxonburg, PA 16056), for its facility located in Clinton Township, **Butler County**. The De minimis emission increase is for the construction of an electric furnace for vacuum precasting of zinc in the MPZ manufacturing area. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code 127.449(i). This list includes the De minimis emission increases since the State Only Operating Permit issuance on July 25, 2008.

<i>Date</i>	<i>Source</i>	<i>PM10 (tons)</i>	<i>SOx (tons)</i>	<i>NOx (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
4-28-10	Crystalline Powder Process				0.04	
3-24-11	Batch Vapor Machine				0.52	
3-30-11	Electric Furnace	1.34e-13				
Total Reported Increases		1.34e-13			0.56	
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

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

**32090106 and NPDES No. PA0262927. Thomas J. Smith, Inc.,** 2340 Smith Road, Shelocta, PA 15774, commencement, operation and restoration of a bituminous surface and auger mine in Burrell Township, **Indiana County**, affecting 204.2 acres. Receiving stream(s): unnamed tributaries to Blacklick Creek to Blacklick Creek to the Conemaugh River and unnamed tributaries to Weirs Run to Blacklick Creek to the Conemaugh River classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: November 9, 2009. Permit issued: March 28, 2011.

**56080109 and NPDES No. PA0262706. PBS Coals, Inc.,** P. O. Box 260, Friedens, PA 15541, revision of an existing bituminous surface and auger mine to allow mining through and relocating of a portion of Village Road, formally SR 1011, and an incidental boundary revision, in Somerset Township, **Somerset County**, affecting 320.7 acres. Receiving stream(s): unnamed tributaries to Wells Creek to Stonycreek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: November 23, 2010. Permit issued: March 29, 2011.

**11070101 and NPDES No. PA0262285. Bedrock Mines, LP,** 111 Freeport Road, Pittsburgh, PA 15215, revision of an existing bituminous surface mine to change land use from forestland and pastureland to forestland, pastureland and unmanaged natural habitat in Elder Township, **Cambria County**, affecting 24.2 acres. Receiving stream(s): Chest Creek; Brubaker Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 31, 2011. Permit issued: March 29, 2011.

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

**04070104 and NPDES Permit No. PA0251291. Mashuda Corporation** (21101 Route 19, Cranberry Township, PA 16066). Permit revised to add Bedrock

Mines, LP, as a contract miner at an existing bituminous surface/auger mining site located in Franklin and Perry Townships, **Beaver and Lawrence Counties**, affecting 103.8 acres. Application received: March 14, 2011. Revised permit issued: March 31, 2011.

**65990101 and NPDES Permit No. PA0202428. Coal Loaders, Inc.** (210 East Main Street, Ligonier, PA 15658). Permit revised to add 3.6 acres (2.7 acres mining on the Redstone coal and 0.9 acres support) to the permit area at an existing bituminous surface mining site located in South Huntingdon Township, **Westmoreland County**, now affecting 22.6 acres. Receiving streams: unnamed run to the Youghiogheny River. Application received: September 29, 2010. Revised permit issued: April 1, 2011.

**03080106 and NPDES Permit No. PA0251542. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Permit revised to allow mining of 20.7 acres of Lower Kittanning coal at an existing bituminous surface mining site located in Redbank Township, **Armstrong County**, affecting 261.0 acres. Receiving streams: unnamed tributaries to Mahoning Creek and an unnamed tributary to Pine Run. Application received: September 21, 2010. Revised permit issued: April 1, 2011.

**26050107 and NPDES Permit No. PA0250741. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687-1301). Permit renewed issued for reclamation only of a bituminous surface mining site located in Stewart Township, **Fayette County**, affecting 162.6 acres. Receiving streams: unnamed tributaries to Cucumber Run to the Youghiogheny River. Renewal application received: December 9, 2010. Renewal issued: April 1, 2011.

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

**17080113 and NPDES No. PA0256943. Rob Holland Enterprises,** (52 Holland Lane, Curwensville, PA 16833). Commencement, operation and restoration of a bituminous surface mine located in Bloom Township, **Clearfield County** affecting 8.2 acres. Receiving streams: unnamed tributaries to Anderson Creek and Little Anderson Creek classified for cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: October 3, 2008. Permit issued: March 28, 2011.

### Noncoal Permits Actions

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

**4273SM4A and NPDES Permit No. PA0599239. New Enterprise Stone & Lime Company, Inc.,** P. O. Box 77, Church Street, New Enterprise, PA 16664, renewal of NPDES Permit, Greenfield Township, **Blair County**. Receiving stream(s): Beaverdam Creek to Frankstown Branch Juniata River classified for the following use(s): cold water fishery; trout stocked fishery. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received: February 2, 2011. Permit issued: April 1, 2011.

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

**5380-10960304-E-1. Quality Aggregates, Inc.** (4955 Steubenville Pike, Suite 245, Pittsburgh, PA 15205) Application for a stream encroachment to conduct mining activities within 100 feet but no closer than 25 feet of unnamed tributaries No. 1 and 1A to South Branch Slippery Rock Creek in Washington Township, **Butler County** affecting 186.0 acres. Receiving streams: Un-

named tributaries to South Branch Slippery Rock Creek. Application received: December 13, 2010. Permit Issued: March 28, 2011.

**37860305 and NPDES Permit No. PA0212032. Three Rivers Aggregates, LLC** (225 North Shore Drive, Pittsburgh, PA 15212) Transfer of an existing large industrial mineral operation from Ennstone, Inc., d/b/a Three Rivers Aggregates in Plain Grove Township, **Lawrence County** affecting 103.0 acres. Receiving streams: Taylor Run. Application received: October 6, 2010. Permit Issued: March 28, 2011.

**3780303 and NPDES Permit No. PA0258598. Three Rivers Aggregates, LLC** (225 North Shore Drive, Pittsburgh, PA 15212) Transfer of an existing large industrial mineral operation from Ennstone, Inc. d/b/a Three Rivers Aggregates in Scott & Plain Grove Townships, **Lawrence County** affecting 71.0 acres. Receiving streams: Unnamed tributary to Taylor Run. Application received: October 6, 2010. Permit Issued: March 28, 2011.

**10010306 and NPDES Permit No. PA0241903. Three Rivers Aggregates, LLC** (225 North Shore Drive, Pittsburgh, PA 15212) Transfer of an existing large industrial mineral operation from Ennstone, Inc. d/b/a Three Rivers Aggregates in Worth Township, **Butler County** affecting 122.0 acres. Receiving streams: Unnamed tributary to Slippery Rock Creek. Application received: October 6, 2010. Permit Issued: March 28, 2011.

**37910305 and NPDES Permit No. PA0208485. Three Rivers Aggregates, LLC** (225 North Shore Drive, Pittsburgh, PA 15212) Transfer of an existing large industrial mineral operation from Ennstone, Inc. d/b/a Three Rivers Aggregates in Plain Grove Township, **Lawrence County** affecting 51.0 acres. Receiving streams: Taylor Run and unnamed tributary to Taylor Run. Application received: October 6, 2010. Permit Issued: March 30, 2011.

**62100803. Richard A. Cable** (P. O. Box 271, Russell City, PA 16345) Commencement, operation and restoration of a small industrial mineral operation in Pine Grove Township, **Warren County** affecting 5.0 acres. Receiving streams: Unnamed tributary to Conewango Creek. Application received: December 14, 2010. Permit Issued: April 1, 2011.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

##### *Blasting Permits Actions*

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

**65114002. Shallenberger Construction Co.** (195 Enterprise Lane, Connellsville, PA 15425). Blasting activity permit for the construction of the Basista-Dermotta well pad, to conduct seismic activity located in Sewickley Township, **Westmoreland County**. The duration of blasting is expected to last 60 days. Blasting permit issued: March 29, 2011.

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

**08114014. TMT Gravel and Contracting, Inc.** (112 Farrier Ave., Suite 314, Oneida, NY 13421-1637). Blasting at the Brown Quarry—GP-103 located in Wells Township, **Bradford County**. Permit issued: March 29, 2011. Permit expires: February 29, 2012.

**41114107. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013-0608). Blasting for a pipeline located in McNett Township, Lycoming County and Union Township, **Tioga County**. Permit issued: March 29, 2011. Permit expires: March 15, 2012.

**57114103. Mauer & Scott Sales, Inc.** (122 Thomas St., Coopersburg, PA 18036-2100). Blasting for construction of a gas well pad located in Forks Township, **Sullivan County**. Permit issued: March 31, 2011. Permit expires: June 30, 2011.

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

**36114121. Maine Drilling & Blasting,** (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Weatherburn Commons East Meadows in Manheim Township, **Lancaster County** with an expiration date of March 25, 2012. Permit issued: March 30, 2011.

**36114122. M & J Explosives, Inc.,** (P. O. Box 608, Carlisle, PA 17013), construction blasting for Donegal Woods in West Donegal Township, **Lancaster County** with an expiration date of March 31, 2012. Permit issued: March 30, 2011.

**38114102. Maine Drilling & Blasting,** (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Haines Dwelling in South Lebanon Township, **Lebanon County** with an expiration date of March 24, 2012. Permit issued: March 30, 2011.

**36114123. Abel Construction Co., Inc.,** (P. O. Box 476, Mountville, PA 17554), construction blasting for a single dwelling in East Hempfield Township, **Lancaster County** with an expiration date of June 30, 2011. Permit issued: March 31, 2011.

**58114007. John Brainard,** (3978 SR 2073, Kingsley, PA 18826), construction blasting for the V. Krisulevics PI Well Pad in Auburn Township, **Susquehanna County** with an expiration date of August 30, 2011. Permit issued: April 1, 2011.

**40114002. Demtech, Inch.** (65 Bald Mountain Road, Dubois, WY 82513), construction blasting for the 8th Street Bridge Replacement in Pittston Township, **Luzerne County** with an expiration date of August 31, 2011. Permit issued: April 1, 2011.

**45114107. Maine Drilling & Blasting,** (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Twin Lakes Estates in Smithfield Township, **Monroe County** with an expiration date of March 25, 2012. Permit issued: April 1, 2011.

**48114105. American Rock Mechanics, Inc.,** (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Weis Market Gas & Go in Palmer Township, **Northampton County** with an expiration date of December 31, 2011. Permit issued: April 1, 2011.

#### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water

Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

**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**

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

**E46-1049. Borough of Bridgeport**, 4th and Mill Street, Bridgeport, PA 19405, Bridgeport Borough, **Montgomery County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with Bridgeport Front Street Relief Interceptor Relocation project within the floodway of the Schuylkill River (WWF, MF):

1) To install and maintain approximately 9,123 LF of pipeline consisting of 1,777 LF of 24" PVC, 2,731 LF of 24" DIP, 2,205 LF of 54" DIP, 365 LF of 60" DIP, and 2,045 LF of 64" DIP.

2) To construct and maintain two outfall structures discharging into the Schuylkill River and the Bridgeport canal.

3) To modify and maintain the headwall of an existing outfall structure to facilitate the excavation work.

4) To construct and maintain a culvert across an unnamed tributary to the Schuylkill River at approximately Station 25 + 00.

The project commences at the intersection of Front and 2nd Streets. It runs toward the east and ends where 4th Street (S.R. 0023) intersects Jefferson Street in Bridgeport Borough, Montgomery County (Norristown, PA USGS Quadrangle N: 19.12 inches; W: 11.57).

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

**E34-128: Mifflin Borough**, 106 Tuscarora Street, PO Box K, Mifflin, Pennsylvania 17058, ACOE, Baltimore District

To construct and maintain a 10.16-foot wide, five-span pedestrian bridge having a normal span of 683.92 feet, a skew of 90°00'00", and a minimum underclearance of 21.67 feet over the Juniata River (WWF, MF) for the purpose of maintaining pedestrian foot traffic between Mifflin and Mifflintown Boroughs. The proposed bridge will be located in the footprint of the existing SR 0035 bridge (Mifflintown, PA Quadrangle; N: 12.66 inches, W: 3.47 inches; Latitude: 40°34'11.0", Longitude: -77°23'59.9"). This permit also authorizes the construction and maintenance of a public boating access which will be located approximately 50.0 feet upstream of the proposed SR 0035 traffic bridge along the west bank of the Juniata River (WWF, MF) (Mifflintown, PA Quadrangle; N: 12.05 inches, W: 3.52 inches; Latitude: 40°33'57", Longitude: -77°24'1.3") in Mifflin and Mifflintown Boroughs and Fermanagh, Milford, and Walker Townships, **Juniata County**; and the construction and maintenance of temporary causeways in the Juniata River (WWF, MF). The amount of wetland impact is considered a de minimus impact of 0.01 acre and wetland mitigation is not required. To compensate for unavoidable stream impacts, the permittee proposes to install three rock-tail pier structures on the three western most bridge piers.

**E34-129: Pa. Department of Transportation, Engineering District 2-0**, 1924 Daisy Street, PO Box 342, Clearfield, PA 16830, ACOE, Baltimore District

To remove the existing structure and to construct and maintain a 43.46-foot wide, five-span bridge having a normal span of 708.1 feet, a skew of 80°00'00", and a minimum underclearance of 17.7 feet over the Juniata River (WWF, MF) for the purpose of improving transportation safety and roadway standards. The proposed bridge will be constructed approximately 1,500.0 feet downstream of the existing structure (Mifflintown, PA Quadrangle; N: 11.96 inches, W: 3.52 inches; Latitude: 40°33'57", Longitude: -77°24'1.3") in Mifflin and Mifflintown Boroughs and Fermanagh, Milford and Walker Townships, **Juniata County**. The project will involve the use of temporary causeways in the Juniata River (WWF, MF) and the temporary storage of construction materials within the 100-year floodplain of the Juniata River (WWF, MF). To compensate for unavoidable stream impacts, the permittee proposes to install two rock-tail pier structures on the center piers of the bridge.

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

**E08-469. D & C Rentals, LLC**, 556 Ward Hill Road, Canton, PA 17724-7761. Parker-Hannifin Development.

Water Obstruction and Encroachment Joint Permit. Canton Township, **Bradford County**, ACOE Baltimore District. (Canton, PA. 7.5' Quadrangle: 41° 39' 33" N; -76° 50' 12" W).

To construct, operate and maintain a commercial development associated with the natural gas industry within the Mill Creek watershed (Cold Water Fishery, MF, Wild Trout). Construction of the development will require one (1) stream outfall and impact 0.58 acres of jurisdictional exceptional value wetlands. Replacement wetlands, 0.59 acres will be built on site. In addition, the permit applicant also has met the wetland replacement requirement by participating in the Pennsylvania Wetland Replacement Project. The development is located 0.2 miles east of Canton Borough, on the north side of SR 0414, prior to crossing Mill Creek.

**E14-542. Ann T. Docken**, PO Box 663, Millheim, PA 16854-0663. The Deck, in Milleim Borough, **Centre County**, ACOE Baltimore District (Millheim, PA, PA Quadrangle N: 40°54'4.4"; W: -77°29'2.4").

To construct and maintain an irregular shaped wooden deck with maximum dimensions of 18 feet by 53 feet attached to the house and garage in the right 100-year floodway of Elk Creek, located on SR 445 directly across from the Pine Street intersection. This permit was issued under Section 105.13(e) "Small Projects."

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

**E02-1643. Steve Bower**, 547 Princess Drive, Elizabeth, PA 15037. To construct and maintain a bridge having a span of 18.0 feet with an underclearance of 5.0 feet across the channel of Gillespie Run (WWF) for the purpose of providing access to applicant's property in Elizabeth Township, **Allegheny County**, Pittsburgh ACOE District. Donora, PA Quadrangle N: 18.5 inches; W: 10.0 inches; Latitude: 40° 13' 40"; Longitude: 79° 49' 19". The project is located on the south side of Pine View Road, approximately 1,130.0 feet southwest from the intersection of Pine View Road and Long Hollow Road in Elizabeth Township, Allegheny County.

*Northeast Region: Bureau of Abandoned Mine Reclamation, Wilkes-Barre District Office, 2 Public Square, 5th Floor, Wilkes-Barre, PA 18711-0790, 570-826-2371.*

**GP11541111001: Bureau of Abandoned Mine Reclamation**, Wilkes-Barre District Office.

**St. Clair East, North Port Carbon Project** in Blythe and East Norwegian Township, **Schuylkill County**, ACOE Philadelphia District, Pottsville PA Quadrangle N: 15.75 inches; W: 7.0 inches to N: 16.5 inches; W: 7.1 inches.

To perform the following water obstruction and encroachment activities associated with abandoned mine reclamation.

This project will replace existing undersized culverts at Caroline Avenue and Eagle Hill Road and an undersized 48 inch concrete pipe downstream of Eagle Hill Road to carry a 10 year 24 hour storm flow volume from the project site. At Caroline Avenue the two 24 inch concrete pipes will be replaced with a 53 inch by 83 inch horizontal elliptical pipe. At Eagle Hill Road the two 30 inch concrete pipes will be left in place and two 42 inch concrete pipes will be added to carry the extra flow a short distance west of the existing pipes. The undersized 48 inch concrete pipe downstream of Eagle Hill Road will

be replaced with a 53 inch by 83 inch horizontal elliptical concrete pipe. This will allow the site runoff water to travel to Mill Creek.

### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

*Southwest Region: Oil & Gas Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

3/14/2011

ESCGP-1 No.: ESX09-059-0050 Major Revision

Applicant Name: Chesapeake Appalachia LLC

CONTACT: Tal Oden

Address: P O Box 18496

City: Oklahoma City State: OK Zip Code: 73154

County: Greene Township(s): Aleppo

Receiving Stream(s) And Classifications: Long WWF Wheeling Creek, Other

Secondary Water: N Fork Dunkard Creek TSF, Dunkard Fork WWF, Wheeling Creek WWF, Ohio River WWF

03/17/2011

ESCGP-1 No.: ESX11-125-0024

Applicant Name: Range Resources—Appalachia LLC

Contact Person: Carla Suszkowski

Address: 380 Southpointe Boulevard

City: Canonsburg State: PA Zip Code: 15317

County: Washington Township(s): Buffalo

Receiving Stream(s) and Classifications: UNTs 32967 & 32971 to Buffalo Creek/Wheeling-Buffalo Creeks HQ

2/28/2011

ESCGP-1 No.: ESX11-125-0016

Applicant Name: Range Resources—Appalachia LLC

Contact Person: Carla Suszkowski

Address: 380 Southpointe Boulevard

City: Canonsburg State: PA Zip Code: 15317

County: Washington Township(s): Cross Creek, Mt

Pleasant

Receiving Stream(s) and Classifications: UNTs to South Fork of Cross Creek/Raccoon Creek Watershed, HQ

02/03/2011

ESCGP-1 No.: ESX11-125-0009

Applicant Name: Range Resources—Appalachia LLC

Contact Person: Carla L Suszkowski

Address: 380 Southpointe Blvd.

City: Canonsburg State: PA Zip Code: 15317

County: Washington Township(s): Jefferson

Receiving Stream(s) and Classifications: UNT to North Fork Cross Creek and North Fork Cross Creek, Other

02/17/2011

ESCGP-1 No.: ESX11-059-0016

Applicant Name: CNX Gas Company LLC

Contact Person: Daniel Bitz

Address: 200 Evergreen Drive

City: Waynesburg State: PA Zip Code: 15370

COUNTY Greene Township(s): Morris and Richhill

Receiving Stream(s) and Classifications: Tributary 32753 to Enlow Fork WWF Tributary 40559 to Patterson Creek HQ-WWF, UNT To Tributary 32753 to Enlow Fork WWF Watersheds-Enlow Fork and Patterson Creek

02/22/2011

ESCGP-1 No.: ESX11-051-0004

Applicant Name: Laurel Mountain Midstream LLC

Contact Person: Lisa Reaves

Address: 1550 Coraopolis Heights Road

City: Moon Township State: PA Zip Code: 15108

County: Fayette Township(s): Bullskin, Upper Tyrone &amp; Lower Tyrone

Receiving Stream(s) and Classifications: UNT to Youghiogeny River WWF &amp; Hickman Run WWF Gailey's Run WWF and UNT's to Mount's Creek WWF

1/24/2011

ESCGP-1 No.: ESX10-007-0005

Applicant Name: Chesapeake Appalachia LLC

Contact Person: Tal Oden

Address: P O Box 18496

City: Oklahoma City State: OK Zip Code: 73154-0496

County: Beaver Township(s): Ohioville Borough

Receiving Stream(s) and Classifications: Pine Run HQ-WWF  
Secondary Water: Ohio River/North Fork Little Beaver WWF

3/1/2011 MAJOR REV

ESCGP-1 No.: ESX11-005-0001

Applicant Name: EXCO Resources (PA), LLC

Contact Person: Larry Sanders

Address: 3000 Ericsson Drive, Suite 200

City: Warrendale State: PA Zip Code: 15086

County: Armstrong Township(s): Kittanning/Plum Creek

Receiving Stream(s) and Classifications: Cherry Run, North Branch Cherry Run, Campbell Run/Ohio River Basin, Cowanshannock, Crooked Creek, Other

3/2/11

ESCGP-1 No.: ESX11-125-0017

Applicant Name: MarkWest Liberty Midstream &amp; Resources, LLC

Contact Person: Robert McHale

Address: 601 Technology Drive, Suite 130

City: Canonsburg State: PA Zip Code: 15137

County: Washington Township(s): Blaine, Buffalo, Hopewell

Receiving Stream(s) and Classifications: Brush Run, UNT to Brush Run, and UNT's to Buffalo Creek, HQ

2/16/11

ESCGP-1 NO.: ESX11-051-0003

Applicant Name: Laurel Mountain Midstream, LLC

CONTACT PERSON: Clayton Roesler

ADDRESS: 1550 Corapolis Hgts Rd, Suite 140

City: Moon Township State: PA Zip Code: 15108

County: Fayette Township(s): Washington, Jefferson, Perry

Receiving Stream(s) and Classifications: UNT's to Little Redstone Creek (WWF) &amp; UNT to Washington Run (WWF)/Lower Monongahela Watershed &amp; Lower Youghiogeny River, Other

2/16/11 MAJOR REV.

ESCGP-1 NO.: ESX10-059-0081

Applicant Name: EQT Production Company

CONTACT: Todd Klaner

ADDRESS: 455 Racetrack Road

City: Washington State: PA Zip Code: 15301

County: Greene Township(s): Morgan

Receiving Stream(s) and Classifications: Poverty Run—(WWF), and Tributary 40359—(WWF)/Tenmile Creek Watershed, Other

02/25/2011

ESCGP-1 NO.: ESX11-051-0005

Applicant Name: Laurel Mountain Midstream LLC

CONTACT: Lisa Reaves

ADDRESS: 1550 Coraopolis Heights Road

City: Moon Township State: PA Zip Code: 15108

County: Fayette Township(s): Washington and Perry

Receiving Stream(s) and Classifications: UNT's to Mill Run (WWE) Cheat Watershed (HUC#05020004), Other

2/17/2011

ESCGP-1 NO.: ESX09-1-051-0016 Major Revision

Applicant Name: Atlas America LLC

CONTACT: Jeremy Hirtz

ADDRESS: 800 Mountain View Drive

City: Smithfield State: PA Zip Code: 15478

County: Fayette Township(s): redstone

Receiving Stream(s) and Classifications: UNT's to Dunlap Creek/Middle Monongahela Rive, Other  
Secondary Water: Dunlap Creek

3/4/2011

ESCGP-1 NO.: ESX11-059-0019

Applicant Name: EQT Production

CONTACT: Todd Klaner

ADDRESS: 455 Racetrack Road

City: Washington State: PA Zip Code: 15301

County: Greene Township(s): Greene

Receiving Stream(s) and Classifications: UNT to Rush Run WWF Rush Run WWF Tenile Creek Watershed, Other  
Secondary Water: South Fork Tenmile Creek HQ WWF

3/14/2011

ESCGP-1 NO.: ESX11-063-0002

Applicant Name: Laurel Mountain Midstream LLC

CONTACT: Clayton Roesler

ADDRESS: 1550 Coraopolis Heights Road

City: Moon Township State: PA Zip Code: 15108

County: Indiana Township(s): West Wheatfield &amp; East Wheatfield

Receiving Stream(s) and Classifications: UNT's to Conemaugh River CWF East Branch Richards Run CWF Conemaugh Watershed, Other  
Secondary Water: Conemaugh River CWF*Northcentral Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-1 # ESX10-113-0035(01)

Applicant Name Chief Oil &amp; Gas LLC

Contact Person Michael Hritz

Address 6051 Wallace Road Ext, Ste 210

City, State, Zip Wexford, PA 15090

County Bradford and Sullivan  
Township(s) Asylum Twp. (Bradford); Cherry Twp. (Sullivan)  
Receiving Stream(s) and Classification(s) (2) UNT to South Br. Towanda Cr (CWF), UNT Trib to Lick Cr (EV); S. Br. Towanda Cr (CWF), Lick Cr (EV)

ESCGP-1 # ESX11-033-0005  
Applicant Name Chief Oil & Gas LLC  
Contact Person Michael Hritz  
Address 6051 Wallace Road Ext, Ste 210  
City, State, Zip Wexford, PA 15090  
County Clearfield  
Township(s) Lawrence Twp.  
Receiving Stream(s) and Classification(s) Little Clearfield Cr (HQ-CWF, MF), Clearfield Cr

ESCGP-1 # ESX10-113-0037  
Applicant Name Chief Oil & Gas LLC  
Contact Person Michael Hritz  
Address 6051 Wallace Road Ext, Ste 210  
City, State, Zip Wexford, PA 15090  
County Sullivan  
Township(s) Cherry and Dushore Twps.  
Receiving Stream(s) and Classification(s) UNT to Loyalsock Cr (EV), Little Loyalsock Cr (EV), Loyalsock Cr (EV)

ESCGP-1 # ESX11-113-0005  
Applicant Name Chief Oil & Gas LLC  
Contact Person Michael Hritz  
Address 6051 Wallace Road Ext, Ste 210  
City, State, Zip Wexford, PA 15090  
County Sullivan  
Township(s) Cherry Twp.  
Receiving Stream(s) and Classification(s) Marsh Run (EV), UNT to Marsh Run (EV), Little Loyalsock Cr (EV)

ESCGP-1 # ESX11-115-0026  
Applicant Name Chief Oil & Gas LLC  
Contact Person Michael Hritz  
Address 6051 Wallace Road Ext, Ste 210  
City, State, Zip Wexford, PA 15090  
County Susquehanna  
Township(s) Lenox Twp.  
Receiving Stream(s) and Classification(s) Willow Br (CWF, MF), Utey Br (CWF, MF), Upper Susquehanna

ESCGP-1 # ESG11-115-0014  
Applicant Name Chief Gathering LLC  
Contact Person Ted Wurfel  
Address 6051 Wallace Road Ext.  
City, State, Zip Wexford, PA 15090  
County Susquehanna  
Township(s) Brooklyn and Lathrop Twps.  
Receiving Stream(s) and Classification(s) UNT to Horton Cr (CWF, MF)

ESCGP-1 # ESG10-081- 0112  
Applicant Name Chief Gathering LLC  
Contact Person Ted Wurfel  
Address 6051 Wallace Road Ext.  
City, State, Zip Wexford, PA 15090  
County Lycoming  
Township(s) Penn & Franklin Twps.  
Receiving Stream(s) and Classification(s) Marsh Run (Ch. 93 CWF, MF), Beaver Run (Ch. 93 CWF, MF), UNT to Marsh Run (CWF, MF)

ESCGP-1 # ESX11-105-0002  
Applicant Name Penn Virginia Oil & Gas Corp.  
Contact Person Michael Stamper  
Address 1000 Town Center Way, Ste 210

City, State, Zip Canonsburg, PA 15317  
County Potter  
Township(s) Harrison Twp.  
Receiving Stream(s) and Classification(s) UNT to Cowanesque River

ESCGP-1 # ESX11-037-0003  
Applicant Name XTO Energy, Inc.  
Contact Person Bernhardt Kissel  
Address 395 Airport Road  
City, State, Zip Indiana, PA 15701  
County Columbia  
Township(s) Jackson Twp.  
Receiving Stream(s) and Classification(s) Green Cr (TSF, MF), Fishing Cr (TSF, MF)

ESCGP-1 # ESX11-037-0004  
Applicant Name XTO Energy, Inc.  
Contact Person Stacie Vehovic  
Address 395 Airport Road  
City, State, Zip Indiana, PA 15701  
County Columbia  
Township(s) Pine Twp.  
Receiving Stream(s) and Classification(s) Little Fishing Cr (EV, MF), Fishing Cr (TSF, MF)

ESCGP-1 # ESX11-081-0014  
Applicant Name Aruba Petroleum Inc  
Contact Person James Poston  
Address 555 Republic Dr, Ste 505  
City, State, Zip Plano, TX 75074  
County Lycoming  
Township(s) Gamble Twp.  
Receiving Stream(s) and Classification(s) Miller Run (EV) and Mill Creek (EV)

ESCGP-1 # ESX11-117-0036  
Applicant Name SWEPI LP  
Contact Person Richard Lewis  
Address 190 Thorn Hill Road  
City, State, Zip Warrendale, PA 15086  
County Tioga  
Township(s) Richmond and Sullivan Twp.  
Receiving Stream(s) and Classification(s) UNTs to Corey Cr (CWF), Mad Run (TSF), UNTs to Mad Run (TSF), Kelly Cr (CWF), UNTs to Tioga River (CWF)

ESCGP-1 # ESX11-115-0020  
Applicant Name Southwestern Energy Production Company  
Contact Person Dave Sweeley  
Address 917 State Route 92 North  
City, State, Zip Tunkhannock, PA 18567  
County Susquehanna  
Township(s) Lenox Twp.  
Receiving Stream(s) and Classification(s) UNT to Tunkhannock Cr

ESCGP-1 # ESX11-115-0027  
Applicant Name Southwestern Energy Production Company  
Contact Person Dave Sweeley  
Address 917 State Route 92 North  
City, State, Zip Tunkhannock, PA 18567  
County Susquehanna  
Township(s) Lenox Twp.  
Receiving Stream(s) and Classification(s) Tunkhannock Cr

ESCGP-1 # ESX11-115-0025  
Applicant Name Southwestern Energy Production Company  
Contact Person Dave Sweeley  
Address 917 State Route 92 North



City, State, Zip Tunkhannock, PA 18567  
 County Susquehanna  
 Township(s) Lenox Twp.  
 Receiving Stream(s) and Classification(s) UNT to Drinker  
 Cr, (2) UNTs to S Br. of Canawacta Cr. Camawacta Cr  
 (CWF), Drinker Cr (CWF)

ESCGP-1 # ESX10-115-0052(01)  
 Applicant Name Cabot Oil & Corp  
 Contact Person Brett Thomas  
 Address RR6, Box 6100  
 City, State, Zip Montrose, PA 18810  
 County Susquehanna  
 Township(s) Springville Twp.  
 Receiving Stream(s) and Classification(s) Thomas Cr  
 (CWF, MF)

ESCGP-1 # ESX10-117-0104(01)  
 Applicant Name SWEPI LP  
 Contact Person Richard Lewis  
 Address 190 Thorn Hill Road  
 City, State, Zip Warrendale, PA 15086  
 County Tioga  
 Township(s) Chatham Twp.  
 Receiving Stream(s) and Classification(s) UNT to Crooked  
 Cr/Susquehanna River Basin in PA (WWF), Crooked Cr  
 (WWF, MF)

ESCGP-1 # ESX11-033-0009  
 Applicant Name EQT Production Company  
 Contact Person Todd Klaner  
 Address 455 Racetrack Road, Ste 101  
 City, State, Zip Washington, PA 15301  
 County Clearfield and Elk  
 Township(s) Huston Twp (Clearfield); Horton Twp. (Elk)  
 Receiving Stream(s) and Classification(s) Mountain Lick/  
 Mountain Run, Bennett Br. Sinnemahoning Cr

ESCGP-1 # ESX11-117-0038  
 Applicant Name SWEPI LP  
 Contact Person Richard Lewis  
 Address 190 Thorn Hill Road

City, State, Zip Warrendale, PA 15086  
 County Tioga  
 Township(s) Farmington Twp.  
 Receiving Stream(s) and Classification(s) Cummings Cr/  
 Susquehanna R Basin in PA (WWF)

ESCGP-1 # ESX10-015-0082(01)  
 Applicant Name SWEPI LP  
 Contact Person Richard Lewis  
 Address 190 Thorn Hill Road  
 City, State, Zip Warrendale, PA 15086  
 County Bradford  
 Township(s) Canton Twp.  
 Receiving Stream(s) and Classification(s) UNT to  
 Towanda Cr/Susquehanna R (CWF), Beech Flats Cr/  
 Towanda Cr/Susquehanna River

ESCGP-1 # ESX11-081-0021  
 Applicant Name Anadarko E&P Company LP  
 Contact Person Berthe Nefe  
 Address P. O. Box 1330  
 City, State, Zip Houston, TX 77251-1330  
 County Lycoming  
 Township(s) McHenry Twp.  
 Receiving Stream(s) and Classification(s) Campbell Run  
 (EV, MF), UNT to Robbins Run (EV, MF), UNT to  
 Miller Run (HQ-CWF, MF), Browns Run (HQ CWF,  
 MF), Lick Run (EV, MF) and Pine Cr (HQ-TSF, MF)

ESCGP-1 # ESX11-081-0015  
 Applicant Name Anadarko E&P Company LP  
 Contact Person Berthe Nefe  
 Address P. O. Box 1330  
 City, State, Zip Houston, TX 77251-1330  
 County Lycoming  
 Township(s) Cummings and Cogan House Twps.  
 Receiving Stream(s) and Classification(s) UNT to 1st Fork  
 Larrys Cr, 1st Fork Larrys Cr, Larrys Cr, UNT to 1st  
 Fork Funston Run, 1st Fork Funston Run, Bear  
 Hollow/Lawshe/Funston/Right Fork Funston Runs, 2nd  
 Fork Larrys Cr—(all EV)

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## SPECIAL NOTICES

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### Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of March 2011 the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P. L. 238, No. 43 (63 P. S. Sections 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon-related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Mark Achuff	16 East Main Street Lansdale, PA 19446	Mitigation
James Andrews	353 Loveville Road Warriors Mark, PA 16877	Mitigation
Best Radon, Inc.	106 Vensel Lane P. O. Box T Chicora, PA 16025	Mitigation
James Budzeak	4885 McKnight Road Suite A-289 Pittsburgh, PA 15237	Mitigation
Jeffrey Calta	106 Vensel Lane P. O. Box T Chicora, PA 16025	Mitigation

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Sam Carpenter	264 Baumgardner Road Salix, PA 15952	Mitigation
Keith Dague	10012 Valley View Drive Clarks Summit, PA 18411	Mitigation
James DeBouno, Jr., ND, PhD	P. O. Box 265 Marlton, NJ 08053	Testing
Scott Early	19 Sunset Avenue Honesdale, PA 18431	Testing
Scott Hagan	78 Hamilton Drive Abbottstown, PA 17301	Testing
Russell Heiges	351 Big Oak Road Dillsburg, PA 17019	Testing
James Hetrick	766 Magaro road Enola, PA 17025	Mitigation
Robert J. Hoffman	943 High Street Akron, PA 17501	Mitigation
Jeffrey Keisling	10012 Valley View Drive Clarks Summit, PA 18411	Mitigation
Ludwig Kubli	1090 Aerie Drive N. Huntingdon, PA 15642	Testing
Ronald Kuntz	703 Main Street P. O. Box 174 Alexandria, PA 16611	Testing
Edward Lampl	462 Biddle Avenue Pittsburgh, PA 15221	Testing
Thomas Laurito	6006 Forest Drive Monaca, PA 15061	Testing
Jon Melvin	1024 Ledgeview Drive West Pittston, PA 18643	Testing
Chase Millard	634 Pine Street Philadelphia, PA 19106	Testing
Neil Minnucci	955 Allentown Road Lansdale, PA 19446	Testing
Tuan Nguyen American Radon Solutions, Inc.	125 Brindle Road Mechanicsburg, PA 17055	Mitigation
Michael Nowicki	167 Pleasantview Drive McMurray, PA 15317	Mitigation
Robert Petrillo	140 Northpoint Drive Olyphant, PA 18447	Testing
Garrett Ray EMSL Analytical, Inc.	200 Route 130 North Cinnaminson, NJ 08077	Laboratory
Sam Sain	248 East Lake Road Acme, PA 15610	Testing
Kelly Ulm	543 Twele Road Greenock, PA 15047	Testing
Peter Weber	6 Boor Cove Lane West Grove, PA 19390	Testing
William Weitzel	142 S. West Street Carlisle PA 17013	Testing
Brian Wentz	6235 Warren Avenue Harrisburg, PA 17112	Testing
Chris Willig	4 Theresa Drive Conestoga, PA 17516	Testing

*Southwest Regional Office, Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**Categorical Exclusion**

*Location:* West Newton Borough, 112 South Water Street, West Newton, PA 15089

*Description:* The Pennsylvania Infrastructure Investment Authority which administers Pennsylvania's State Revolving Fund is intended to be the funding source for this project.

The Borough proposes to rehabilitate existing combined sewers in accordance with Department of Environmental Protection Consent Order and Agreement. Phase I of a multi-phase plan. Construction will occur in the same area as the existing sewers.

The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

**Categorical Exclusion**

*Location:* Vandergrift Borough, 109 Grant Avenue, Vandergrift, PA 15690

*Description:* The Pennsylvania Infrastructure Investment Authority which administers Pennsylvania's State Revolving Fund is intended to be the funding source for this project.

The Borough proposed to separate a portion of its existing combined sewers in accordance with a Combined Sewer Long Term Control Plan. Phase I of a multi-phase plan. Construction will occur in the same area as the existing sewers.

The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

**Categorical Exclusion**

*Location:* Franklin Borough, 1125 Main Street, Johnstown, PA 15909

*Description:* The Pennsylvania Infrastructure Investment Authority which administers Pennsylvania's State Revolving Fund is intended to be the funding source for this project.

The Borough proposes to repair and replace existing sewers to reduce wet weather overflows in accordance with Department of Environmental Protection Consent Order and Agreement. Construction will occur in the same location as the existing sewers.

The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

**Categorical Exclusion**

*Location:* Brackenridge Borough, 1000 Brackenridge Avenue, Brackenridge, PA 15140

*Description:* The Pennsylvania Infrastructure Investment Authority which administers Pennsylvania's State Revolving Fund is intended to be the funding source for this project.

The Borough proposed to rehabilitate existing sewers to reduce wet weather overflows in accordance with Environmental Protection Agency Order. Construction will occur in the same location as the existing sewers.

The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

**Request for Comments on the Proposed Total Maximum Daily Loads (TMDLs) Developed for the Boles Run Watershed in Erie and Crawford Counties Pennsylvania**

The Department of Environmental Protection will accept comments on the proposed TMDLs developed for the Boles Run Watershed in Erie and Crawford Counties, PA. These TMDLs were established in accordance with the requirements of Section 303(d) of the Clean Water Act. The Pennsylvania Integrated Water Quality Monitoring and Assessment Report included impaired stream segments in this watershed. The listings of these waterbodies were due to use impairments caused by excessive siltation from agriculture and road run off.

There currently are no state or federal instream numerical water quality criteria for siltation. Therefore, the Department utilized a reference watershed approach to implement the applicable narrative criteria. These proposed TMDLs set allowable loadings of sediment in the Boles Run Watershed. The sediment loadings were allocated among cropland, hay/pasture land, unpaved roads and stream bank categories present in the watershed. Data used in establishing these TMDLs was generated using a water quality analysis model (AVGWLF) designed by the Pennsylvania State University.

The following table shows the estimated current sediment loadings for the watershed. Overall load reductions necessary in order to meet the TMDLs are also identified.

*Summary of TMDL Based Load Reductions in the Boles Run Watershed*

Pollutant	Existing Load (lbs./yr.)	Existing Load (lbs./day)	TMDL (lbs./yr.)	TMDL (lbs./day)	Percent Reduction
Sediment	1,247,780	3,419	546,385	1,497	56%

The data and all supporting documentation used to develop the proposed TMDLs are available from the Department. The proposed TMDLs and information on the TMDL program can be viewed on the Department's website ([www.dep.state.pa.us/watermanagement\\_apps/tmdl/](http://www.dep.state.pa.us/watermanagement_apps/tmdl/)). To request a copy of any of the proposed TMDLs contact:

Gary M. Gocek, Water Program Specialist  
 Watershed Protection Division, Central Office  
 Pennsylvania Department of Environmental Protection  
 Rachel Carson State Office Building  
 Harrisburg, PA 17105  
 Phone: 717-772-1674, e-mail: [ggocek@state.pa.us](mailto:ggocek@state.pa.us)

The Department will consider all comments in developing the final TMDLs, which will be submitted to EPA for approval. Written comments will be accepted at the above address and must be postmarked by 45 days after publication in the *PA Bulletin*. A public meeting to discuss the technical merits of the TMDLs will be held upon request.

**Request for Comments on the Proposed Total Maximum Daily Loads (TMDLs) Developed for the Christy Run Watershed in Butler County Pennsylvania**

*Summary of TMDL Based Load Reductions in the Christy Run Watershed*

Pollutant	Existing Load (lbs./yr.)	Existing Load (lbs./day)	TMDL (lbs./yr.)	TMDL (lbs./day)	Percent Reduction
Sediment	1,158,600	3,174	695,575	1,906	40%

The data and all supporting documentation used to develop the proposed TMDLs are available from the Department. The proposed TMDLs and information on the TMDL program can be viewed on the Department's website ([www.dep.state.pa.us/watermanagement\\_apps/tmdl/](http://www.dep.state.pa.us/watermanagement_apps/tmdl/)). To request a copy of any of the proposed TMDLs contact:

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The Department will consider all comments in developing the final TMDLs, which will be submitted to EPA for approval. Written comments will be accepted at the above address and must be postmarked by 45 days after publication in the *PA Bulletin*. A public meeting to discuss the technical merits of the TMDLs will be held upon request.

**Request for Comments on the Proposed Total Maximum Daily Loads (TMDLs) Developed for the UNTs French Creek Run Watershed in Crawford County Pennsylvania**

*Summary of TMDL Based Load Reductions in the UNTs French Creek Run Watershed*

Pollutant	Existing Load (lbs./yr.)	Existing Load (lbs./day)	TMDL (lbs./yr.)	TMDL (lbs./day)	Percent Reduction
Sediment	867,160	2,376	517,729	1,418	40%

The Department of Environmental Protection will accept comments on the proposed TMDLs developed for the Christy Run Watershed in Butler County, PA. These TMDLs were established in accordance with the requirements of Section 303(d) of the Clean Water Act. The Pennsylvania Integrated Water Quality Monitoring and Assessment Report included impaired stream segments in this watershed. The listings of these waterbodies were due to use impairments caused by excessive siltation and/turbidity.

There currently are no state or federal instream numerical water quality criteria for siltation or turbidity. Therefore, the Department utilized a reference watershed approach to implement the applicable narrative criteria. These proposed TMDLs set allowable loadings of sediment in the Christy Run Watershed. The sediment loadings were allocated among cropland, hay/pasture land, transitional land and streambank categories present in the watershed. Data used in establishing these TMDLs was generated using a water quality analysis model (AVGWLF) designed by the Pennsylvania State University.

The following table shows the estimated current sediment loadings for the watershed. Overall load reductions necessary in order to meet the TMDLs are also identified.

The Department of Environmental Protection will accept comments on the proposed TMDLs developed for the UNTs French Creek Run Watershed in Crawford County, PA. These TMDLs were established in accordance with the requirements of Section 303(d) of the Clean Water Act. The Pennsylvania Integrated Water Quality Monitoring and Assessment Report included impaired stream segments in this watershed. The listings of these waterbodies were due to use impairments caused by excessive siltation.

There currently are no state or federal instream numerical water quality criteria for siltation. Therefore, the Department utilized a reference watershed approach to implement the applicable narrative criteria. These proposed TMDLs set allowable loadings of sediment in the UNTs French Creek Run Watershed. The sediment loadings were allocated among cropland, hay/pasture land and streambank categories present in the watershed. Data used in establishing these TMDLs was generated using a water quality analysis model (AVGWLF) designed by the Pennsylvania State University.

The following table shows the estimated current sediment loadings for the watershed. Overall load reductions necessary in order to meet the TMDLs are also identified.

The data and all supporting documentation used to develop the proposed TMDLs are available from the Department. The proposed TMDLs and information on the TMDL program can be viewed on the Department's website ([www.dep.state.pa.us/watermanagement\\_apps/tmdl/](http://www.dep.state.pa.us/watermanagement_apps/tmdl/)). To request a copy of any of the proposed TMDLs contact:

Gary M. Gocek, Water Program Specialist  
Watershed Protection Division, Central Office  
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Rachel Carson State Office Building  
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Phone: 717-772-1674, e-mail: [ggocek@state.pa.us](mailto:ggocek@state.pa.us)

The Department will consider all comments in developing the final TMDLs, which will be submitted to EPA for approval. Written comments will be accepted at the above address and must be postmarked by 45 days after publication in the PA Bulletin. A public meeting to discuss the technical merits of the TMDLs will be held upon request.

[Pa.B. Doc. No. 11-658. Filed for public inspection April 15, 2011, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at <http://www.elibrary.dep.state.pa.us>. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Rescission of Technical Guidance*

DEP ID: 294-2309-003. Title: Pennsylvania Radon Certification Guide. Description: This content and scope of this document no longer meets standard definition of Technical Guidance and is now redundant with existing publications. The information is now largely available in the "Pennsylvania Radon Certification Forms and Information" booklet (2900-FM-RP0010). Contact: Questions regarding this action should be directed to Ben Seiber, at [bseiber@state.pa.us](mailto:bseiber@state.pa.us) or (717) 783-7702.

*Effective Date:* April, 16, 2011

MICHAEL L. KRANCER,  
*Acting Secretary*

[Pa.B. Doc. No. 11-659. Filed for public inspection April 15, 2011, 9:00 a.m.]

### Chesapeake Bay Watershed Implementation Plans Meeting

The Department of Environmental Protection (Department) provides notice of the upcoming meeting of the Chesapeake Bay Watershed Implementation Plan (WIP) Management Team. This meeting will be related to the development of the Commonwealth's Phase 2 WIP.

The Commonwealth's Phase 1 WIP outlined the Commonwealth's plan to address nutrient and sediment loadings that drain to the Chesapeake Bay, and was prepared following the United States Environmental Protection Agency's (EPA) November 4, 2009, guidance that outlined their expectations for WIPs and was revised based on public comments, workgroup input and comments received from the EPA. This Commonwealth's Phase 1 WIP was prepared to address the EPA's expectations for the Chesapeake Bay Total Maximum Daily Load, published on December 29, 2010.

The meeting is on April 21, 2011, starting at 12:30 p.m. in the Susquehanna Room, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110.

For further information, contact Karen Price, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 772-4785, [kprice@state.pa.us](mailto:kprice@state.pa.us) or visit the Department's web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keywords: "Chesapeake Bay").

MICHAEL L. KRANCER,  
*Acting Secretary*

[Pa.B. Doc. No. 11-660. Filed for public inspection April 15, 2011, 9:00 a.m.]

### Clean Air Interstate Rule; Final 2015 Annual and Ozone Season CAIR Nitrogen Oxides Allowance Allocations and Redistribution of 2010-2014 Allowances for Certain Facilities

In accordance with 25 Pa. Code §§ 145.211(d) and 145.221(d) (relating to timing requirements for CAIR NOx allowance allocations; and timing requirements for CAIR NOx Ozone Season allowance allocations), the Department of Environmental Protection (Department) is providing notice of the finalization of the 2015 annual and ozone season Clean Air Interstate Rule (CAIR) nitrogen oxides (NOx) allowance allocations. A 15-day public comment period on the proposed allocations was published at 41 Pa.B. 1389 (March 12, 2011). No comments were received. However, there were some changes made to the allocations.

The Department discovered one facility report of gross megawatts was not input correctly. Therefore, an adjustment was made to their gross loading which resulted in their two units receiving more CAIR NOx allowances and CAIR NOx Ozone Season allowances. Consequently, some other facilities experienced a slight drop in allowances from the number published as proposed.

The Commonwealth's NOx budget for the annual CAIR program contains 82,514 NOx allowances; 81,441 NOx allowances are allocated. The remaining 1,073 (1.3% of the annual CAIR program budget) NOx allowances are set aside for future allocation in accordance with 25 Pa. Code § 145.212(f)(2) (relating to CAIR NOx allowance allocations). The Commonwealth's NOx budget for the ozone season CAIR program contains 35,143 NOx allowances, all of which are allocated.

The Department is also finalizing the redistribution of 473 allowances as follows: 268 annual NOx allowances and 205 ozone season NOx allocations. These allowances were originally allocated to FPL Energy for 2010 through 2014, for FPL's MH50 unit, but the United States Environmental Protection Agency (EPA) has since determined that MH50 is not subject to CAIR. The Department is finalizing the NOx allowances returned to the Department to the existing CAIR units for 2010 through 2014.

The EPA returned 486 allowances to the Department for the FPL MH50 unit. The Department reduced this amount by 13 to remedy an over-allocation of the State budget of 4 CAIR NOx ozone season allowances for 2012 and 9 CAIR NOx ozone season allowances for 2013.

For each CAIR unit and qualifying resource receiving an NOx allocation, Tables 1 and 2 list the following: the Facility Name, ORIS Code, the Unit ID for each CAIR unit, either the gross load, steam load, useful thermal energy or total heat energy of steam depending on type of unit, county, converted heat input from the base year and 2015 allowance allocation.

Table 3 lists each CAIR unit and qualifying resource that is being allocated NOx allowances from those returned to the Department due to the change in the FPL MH50 unit's CAIR status.

Action at the Federal or State level could affect these allocations. Annual and Ozone Season CAIR NOx allowances do not constitute property rights.

Persons aggrieved by an action may appeal, 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 the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T 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 of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

Important legal rights are at stake, 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.

Questions concerning this notice should be directed to Randy Bordner at (717) 772-3921. TDD users may contact the Pennsylvania AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

MICHAEL L. KRANCER,  
*Acting Secretary*

Table 1: Final Pennsylvania 2015 Annual CAIR NOx Allowance Allocation Table										
FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat energy of steam produced by heat recovery steam gen. (mmBTU)	COUNTY	2009 Converted Heat Input (MMBtu)	2015 CAIR NOx Allowance Allocation	
AES Beaver Valley LLC	10676	32	0	2,740,478	0	0	Beaver	3,306,557	244	
AES Beaver Valley LLC	10676	33	0	2,611,575	0	0	Beaver	3,151,028	233	
AES Beaver Valley LLC	10676	34	0	2,808,195	0	0	Beaver	3,388,263	250	
AES Beaver Valley LLC	10676	35	0	1,502,497	0	0	Beaver	1,812,857	134	
AES Ironwood	55337	1	982,826	0	0	0	Lebanon	6,560,363	485	
AES Ironwood	55337	2	1,076,278	0	0	0	Lebanon	7,184,154	531	
Allegheny Energy Humlock Unit 4	56397	4	8,809	0	0	0	Luzerne	58,799	4	
Allegheny Energy Unit 1 and Unit 2	55196	1	17,307	0	0	0	Allegheny	115,525	9	
Allegheny Energy Unit 1 and Unit 2	55196	2	16,051	0	0	0	Allegheny	107,137	8	
Allegheny Energy Unit 8 and Unit 9	55377	8	28,008	0	0	0	Fayette	186,955	14	
Allegheny Energy Unit 8 and Unit 9	55377	9	28,841	0	0	0	Fayette	192,515	14	
Allegheny Energy Units 3, 4 & 5	55710	3	221,091	0	0	0	Allegheny	1,475,781	109	
Allegheny Energy Units 3, 4 & 5	55710	4	213,969	0	0	0	Allegheny	1,428,243	106	
Armstrong Energy Ltd Partnership, LLLP	55347	1	6,253	0	0	0	Armstrong	41,739	3	
Armstrong Energy Ltd Partnership, LLLP	55347	2	5,078	0	0	0	Armstrong	33,896	3	
Armstrong Energy Ltd Partnership, LLLP	55347	3	17,749	0	0	0	Armstrong	118,475	9	
Armstrong Energy Ltd Partnership, LLLP	55347	4	5,720	0	0	0	Armstrong	38,181	3	
Armstrong Power Station	3178	1	322,237	0	0	0	Armstrong	2,545,669	188	
Armstrong Power Station	3178	2	317,951	0	0	0	Armstrong	2,511,810	186	

Table 1: Final Pennsylvania 2015 Annual CAIR NOx Allowance Allocation Table									
FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat energy of steam produced by heat recovery steam gen. (mmBTU)	COUNTY	2009 Converted Heat Input (MMBtu)	2015 CAIR NOx Allowance Allocation
Bethlehem Power Plant	55690	1	165,352	0	0	0	Northampton	1,103,723	82
Bethlehem Power Plant	55690	2	162,180	0	0	0	Northampton	1,082,554	80
Bethlehem Power Plant	55690	3	153,518	0	0	0	Northampton	1,024,734	76
Bethlehem Power Plant	55690	5	145,958	0	0	0	Northampton	974,272	72
Bethlehem Power Plant	55690	6	144,431	0	0	0	Northampton	964,077	71
Bethlehem Power Plant	55690	7	143,382	0	0	0	Northampton	957,075	71
Bruce Mansfield	6094	1	6,324,494	0	0	0	Beaver	49,963,503	3,694
Bruce Mansfield	6094	2	6,344,827	0	0	0	Beaver	50,124,133	3,705
Bruce Mansfield	6094	3	6,372,710	0	0	0	Beaver	50,344,409	3,722
Brunner Island	3140	1	2,403,267	0	0	0	York	18,985,807	1,404
Brunner Island	3140	2	2,386,767	0	0	0	York	18,855,458	1,394
Brunner Island	3140	3	4,676,622	0	0	0	York	36,945,317	2,731
Brunot Island Power Station	3096	2A	927	0	0	0	Allegheny	6,190	0
Brunot Island Power Station	3096	2B	945	0	0	0	Allegheny	6,307	0
Brunot Island Power Station	3096	3	854	0	0	0	Allegheny	5,701	0
Cambria Cogen	10641	1	0	0	5,075,251	0	Cambria	6,344,064	469
Cambria Cogen	10641	2	0	0	4,980,095	0	Cambria	6,225,118	460
Chambersburg Units 12 and 13	55654	12	29,744	0	0	0	Franklin	198,538	15
Chambersburg Units 12 and 13	55654	13	29,104	0	0	0	Franklin	194,271	14
Cheswick	8226	1	2,952,952	0	0	0	Allegheny	23,328,323	1,725
Colver Power Project	10143	AAB01	1,028,812	0	0	0	Cambria	8,127,615	601
Conemaugh	3118	1	6,621,430	0	0	0	Indiana	52,309,293	3,867
Conemaugh	3118	2	6,327,542	0	0	0	Indiana	49,987,584	3,695



**Table 1: Final Pennsylvania 2015 Annual CAIR NOx Allowance Allocation Table**

FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat energy of steam produced by heat recovery steam gen. (mmBTU)	COUNTY	2009 Converted Heat Input (MMBtu)	2015 CAIR NOx Allowance Allocation
Cromby	3159	1	467,470	0	0	0	Chester	3,693,013	273
Cromby	3159	2	127,452	0	0	0	Chester	850,742	63
Croydon Generating Station	8012	11	158	0	0	0	Bucks	1,055	0
Croydon Generating Station	8012	12	105	0	0	0	Bucks	701	0
Croydon Generating Station	8012	21	223	0	0	0	Bucks	1,489	0
Croydon Generating Station	8012	22	129	0	0	0	Bucks	861	0
Croydon Generating Station	8012	31	233	0	0	0	Bucks	1,555	0
Croydon Generating Station	8012	32	258	0	0	0	Bucks	1,722	0
Croydon Generating Station	8012	41	190	0	0	0	Bucks	1,268	0
Croydon Generating Station	8012	42	245	0	0	0	Bucks	1,635	0
Ebensburg Power Company	10603	31	0	0	4,833,133	0	Cambria	6,041,416	447
Eddystone Generating Station	3161	1	1,126,717	0	0	0	Delaware	8,901,064	658
Eddystone Generating Station	3161	2	1,185,551	0	0	0	Delaware	9,365,853	692
Eddystone Generating Station	3161	3	56,937	0	0	0	Delaware	380,054	28
Eddystone Generating Station	3161	4	54,689	0	0	0	Delaware	365,049	27
Elrama	3098	1	6,824	0	0	0	Washington	53,911	4
Elrama	3098	2	23,979	0	0	0	Washington	189,437	14
Elrama	3098	3	37,506	0	0	0	Washington	296,300	22
Elrama	3098	4	355,486	0	0	0	Washington	2,808,343	208
FPL Energy Marcus Hook, LP	55801	1	835,998	0	0	0	Delaware	5,580,285	413

Table 1: Final Pennsylvania 2015 Annual CAIR NOx Allowance Allocation Table									
FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat energy of steam produced by heat recovery steam gen. (mmBTU)	COUNTY	2009 Converted Heat Input (MMBtu)	2015 CAIR NOx Allowance Allocation
FPL Energy Marcus Hook, LP	55801	2	833,917	0	0	0	Delaware	5,566,397	411
FPL Energy Marcus Hook, LP	55801	3	853,782	0	0	0	Delaware	5,698,997	421
Fairless Energy, LLC	55298	1A	1,669,756	0	0	0	Bucks	11,145,620	824
Fairless Energy, LLC	55298	1B	1,646,749	0	0	0	Bucks	10,992,048	813
Fairless Energy, LLC	55298	2A	1,726,246	0	0	0	Bucks	11,522,691	852
Fairless Energy, LLC	55298	2B	1,701,584	0	0	0	Bucks	11,358,075	840
Fairless Hills Generating Station	7701	PHBLR4	156,828	0	0	0	Bucks	1,046,827	77
Fairless Hills Generating Station	7701	PHBLR5	71,155	0	0	0	Bucks	474,960	35
Fayette Energy Facility	55516	CTG1	1,341,425	0	0	0	Fayette	8,954,012	662
Fayette Energy Facility	55516	CTG2	1,314,852	0	0	0	Fayette	8,776,637	649
G F Weaton	50130	34	202,243	0	0	0	Beaver	1,597,720	118
G F Weaton	50130	35	268,998	0	0	0	Beaver	2,125,082	157
Gilberton Power Company	10113	31	0	2,766,911	0	0	Schuylkill	3,338,451	247
Gilberton Power Company	10113	32	0	2,615,288	0	0	Schuylkill	3,155,508	233
Grays Ferry Cogen Partnership	54785	2	607,253	0	0	0	Philadelphia	4,053,413	300
Grays Ferry Cogen Partnership	54785	25	0	1,006,372	0	0	Philadelphia	1,214,251	90
Handsomeness Energy	55233	EU-1A	3,342	0	0	0	Venango	22,308	2
Handsomeness Energy	55233	EU-1B	3,341	0	0	0	Venango	22,301	2
Handsomeness Energy	55233	EU-2A	4,835	0	0	0	Venango	32,274	2
Handsomeness Energy	55233	EU-2B	4,866	0	0	0	Venango	32,481	2

**Table 1: Final Pennsylvania 2015 Annual CAIR NOx Allowance Allocation Table**

<b>FACILITY NAME</b>	<b>ORIS CODE</b>	<b>UNIT ID</b>	<b>GLOAD (Megawatt Hours)</b>	<b>SLOAD (Thousand Lbs. of Steam)</b>	<b>Useful Thermal Energy (mmBTU)</b>	<b>Total Heat energy of steam produced by heat recovery steam gen. (mmBTU)</b>	<b>COUNTY</b>	<b>2009 Converted Heat Input (MMBtu)</b>	<b>2015 CAIR NOx Allowance Allocation</b>
Handsome Lake Energy	55233	EU-3A	4,295	0	0	0	Venango	28,669	2
Handsome Lake Energy	55233	EU-3B	4,295	0	0	0	Venango	28,669	2
Handsome Lake Energy	55233	EU-4A	4,698	0	0	0	Venango	31,359	2
Handsome Lake Energy	55233	EU-4B	3,497	0	0	0	Venango	23,342	2
Handsome Lake Energy	55233	EU-5A	4,854	0	0	0	Venango	32,400	2
Handsome Lake Energy	55233	EU-5B	4,811	0	0	0	Venango	32,113	2
Hatfields Ferry Power Station	3179	1	2,863,370	0	0	0	Greene	22,620,626	1,672
Hatfields Ferry Power Station	3179	2	3,242,869	0	0	0	Greene	25,618,665	1,894
Hatfields Ferry Power Station	3179	3	3,533,640	0	0	0	Greene	27,915,753	2,064
Hazleton Generation	10870	TURB2	49	0	0	0	Luzerne	328	0
Hazleton Generation	10870	TURB3	134	0	0	0	Luzerne	893	0
Hazleton Generation	10870	TURB4	68	0	0	0	Luzerne	452	0
Hazleton Generation	10870	TURBIN	271	0	0	0	Luzerne	1,811	0
Homer City	3122	1	3,280,582	0	0	0	Indiana	25,916,595	1,916
Homer City	3122	2	4,396,333	0	0	0	Indiana	34,731,032	2,567
Homer City	3122	3	4,561,038	0	0	0	Indiana	36,032,199	2,664
Hunlock Power Station	3176	6	258,618	0	0	0	Luzerne	2,043,080	151
Hunterstown Combined Cycle	55976	CT101	426,024	0	0	0	Adams	2,843,710	210
Hunterstown Combined Cycle	55976	CT201	423,043	0	0	0	Adams	2,823,809	209
Hunterstown Combined Cycle	55976	CT301	440,086	0	0	0	Adams	2,937,574	217
Keystone	3136	1	5,308,258	0	0	0	Armstrong	41,935,235	3,100
Keystone	3136	2	5,941,604	0	0	0	Armstrong	46,938,668	3,470

Table 1: Final Pennsylvania 2015 Annual CAIR NOx Allowance Allocation Table									
FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat energy of steam produced by heat recovery steam gen. (mmBTU)	COUNTY	2009 Converted Heat Input (MMBtu)	2015 CAIR NOx Allowance Allocation
Liberty Electric Power Plant	55231	1	1,515,248	0	0	0	Delaware	10,114,280	748
Liberty Electric Power Plant	55231	2	1,519,352	0	0	0	Delaware	10,141,675	750
Lower Mount Bethel Energy	55667	CT01	1,058,194	0	0	0	Northampton	7,063,442	522
Lower Mount Bethel Energy	55667	CT02	1,130,019	0	0	0	Northampton	7,542,877	558
Martins Creek	3148	3	328,891	0	0	0	Northampton	2,195,345	162
Martins Creek	3148	4	148,359	0	0	0	Northampton	990,297	73
Mitchell Power Station	3181	1	495	0	0	0	Washington	3,302	0
Mitchell Power Station	3181	2	0	0	0	0	Washington	0	0
Mitchell Power Station	3181	3	467	0	0	0	Washington	3,114	0
Mitchell Power Station	3181	33	880,490	0	0	0	Washington	6,955,870	514
Montour	3149	1	5,434,028	0	0	0	Montour	42,928,823	3,173
Montour	3149	2	5,157,880	0	0	0	Montour	40,747,248	3,012
Mountain	3111	31	998	0	0	0	Cumberland	6,662	0
Mountain	3111	32	973	0	0	0	Cumberland	6,495	0
Mt. Carmel Cogeneration	10343	SG-101	293,078	0	0	0	Northumberland	2,315,314	171
New Castle	3138	3	169,621	0	0	0	Lawrence	1,340,005	99
New Castle	3138	4	233,138	0	0	0	Lawrence	1,841,789	136
New Castle	3138	5	268,027	0	0	0	Lawrence	2,117,412	157
North East Cogeneration Plant	54571	1	4,673	0	0	2,695,800	Erie	3,385,699	250
North East Cogeneration Plant	54571	2	4,735	0	0	2,695,800	Erie	3,385,911	250
Northampton Generating Plant	50888	NGC01	904,492	0	0	0	Northampton	7,145,488	528
Northeastern Power Company	50039	31	457,371	0	0	0	Schuylkill	3,613,230	267
Ontelaunee Energy Center	55193	CT1	1,190,424	0	0	0	Berks	7,946,083	587

Table 1: Final Pennsylvania 2015 Annual CAIR NOx Allowance Allocation Table									
FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat energy of steam produced by heat recovery steam gen. (mmBTU)	COUNTY	2009 Converted Heat Input (MMBtu)	2015 CAIR NOx Allowance Allocation
Ontelaunee Energy Center	55193	CT2	1,274,590	0	0	0	Berks	8,507,885	629
PEI Power Corporation	50279	2	10,811	0	0	0	Lackawanna	72,162	5
Panther Creek Energy Facility	50776	1	367,032	0	0	0	Carbon	2,899,553	214
Panther Creek Energy Facility	50776	2	394,446	0	0	0	Carbon	3,116,123	230
Piney Creek Power Plant	54144	31	307,181	0	0	0	Clarion	2,426,727	179
Portland	3113	1	997,427	0	0	0	Northampton	7,879,671	583
Portland	3113	2	1,426,234	0	0	0	Northampton	11,267,250	833
Portland	3113	5	2,485	0	0	0	Northampton	16,587	1
Richmond	3168	91	286	0	0	0	Philadelphia	1,909	0
Richmond	3168	92	247	0	0	0	Philadelphia	1,649	0
Schuylkill	3169	1	16,644	0	0	0	Philadelphia	111,099	8
Scrubgrass Generating Plant	50974	1	433,086	0	0	0	Venango	3,421,379	253
Scrubgrass Generating Plant	50974	2	391,656	0	0	0	Venango	3,094,082	229
Seward	3130	1	2,065,451	0	0	0	Indiana	16,317,067	1,206
Seward	3130	2	1,851,816	0	0	0	Indiana	14,629,348	1,081
Shawville	3131	1	393,942	0	0	0	Clearfield	3,112,143	230
Shawville	3131	2	352,009	0	0	0	Clearfield	2,780,874	206
Shawville	3131	3	928,578	0	0	0	Clearfield	7,335,764	542
Shawville	3131	4	796,082	0	0	0	Clearfield	6,289,044	465
St. Nicholas Cogeneration Project	54634	1	0	5,756,581	0	0	Schuylkill	6,945,675	513
Sunbury	3152	1A	116,401	0	0	0	Snyder	919,568	68
Sunbury	3152	1B	115,799	0	0	0	Snyder	914,812	68
Sunbury	3152	2A	282,567	0	0	0	Snyder	2,232,279	165
Sunbury	3152	2B	0	0	0	0	Snyder	0	0
Sunbury	3152	3	242,309	0	0	0	Snyder	1,914,241	142

**Table 1: Final Pennsylvania 2015 Annual CAIR NOx Allowance Allocation Table**

<b>FACILITY NAME</b>	<b>ORIS CODE</b>	<b>UNIT ID</b>	<b>GLOAD (Megawatt Hours)</b>	<b>SLOAD (Thousand Lbs. of Steam)</b>	<b>Useful Thermal Energy (mmBTU)</b>	<b>Total Heat energy of steam produced by heat recovery steam gen. (mmBTU)</b>	<b>COUNTY</b>	<b>2009 Converted Heat Input (MMBtu)</b>	<b>2015 CAIR NOx Allowance Allocation</b>
Sunbury	3152	4	439,437	0	0	0	Snyder	3,471,552	257
Titus	3115	1	338,856	0	0	0	Berks	2,676,966	198
Titus	3115	2	348,612	0	0	0	Berks	2,754,038	204
Titus	3115	3	340,619	0	0	0	Berks	2,690,891	199
Tolna	3116	31	294	0	0	0	York	1,962	0
Tolna	3116	32	284	0	0	0	York	1,896	0
Trigen Energy - Schuylkill	50607	23	0	43,054	0	0	Philadelphia	51,947	4
Trigen Energy - Schuylkill	50607	24	0	290,075	0	0	Philadelphia	349,994	26
Trigen Energy - Schuylkill	50607	26	0	465,755	0	0	Philadelphia	561,963	42
Trigen Energy Corporation-Edison St	880006	1	0	62,575	0	0	Philadelphia	75,501	6
Trigen Energy Corporation-Edison St	880006	2	0	57,664	0	0	Philadelphia	69,575	5
Trigen Energy Corporation-Edison St	880006	3	0	80,008	0	0	Philadelphia	96,535	7
Trigen Energy Corporation-Edison St	880006	4	0	115,261	0	0	Philadelphia	139,070	10
WPS Westwood Generation, LLC	50611	31	255,144	0	0	0	Schuylkill	2,015,634	149
Warren	3132	5	0	0	0	0	Warren	0	0
Wheelabrator - Frackville	50879	GEN1	0	3,520,806	0	0	Schuylkill	4,248,073	314
								<b>Total</b>	<b>81,441</b>

Table 2: Final Pennsylvania 2015 CAIR NOx Ozone Season Allowance Allocation Table										
FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat energy of steam produced by heat recovery steam gen. (mmBTU)	COUNTY	2009 Converted Heat Input (MMBtu)	2015 CAIR NOx Ozone Season Allowance Allocation	
AES Beaver Valley LLC	10676	32	0	1,296,631	0	0	Beaver	1,564,466	118	
AES Beaver Valley LLC	10676	33	0	1,263,247	0	0	Beaver	1,524,186	115	
AES Beaver Valley LLC	10676	34	0	1,180,500	0	0	Beaver	1,424,347	107	
AES Beaver Valley LLC	10676	35	0	636,444	0	0	Beaver	767,909	58	
AES Ironwood	55337	1	483,002	0	0	0	Lebanon	3,224,037	243	
AES Ironwood	55337	2	481,929	0	0	0	Lebanon	3,216,876	242	
Allegheny Energy Humlock Unit 4	56397	4	3,185	0	0	0	Luzerne	21,257	2	
Allegheny Energy Unit 1 and Unit 2	55196	1	9,433	0	0	0	Allegheny	62,962	5	
Allegheny Energy Unit 1 and Unit 2	55196	2	8,010	0	0	0	Allegheny	53,470	4	
Allegheny Energy Unit 8 and Unit 9	55377	8	14,052	0	0	0	Fayette	98,799	7	
Allegheny Energy Unit 8 and Unit 9	55377	9	13,896	0	0	0	Fayette	92,757	7	
Allegheny Energy Units 3, 4 & 5	55710	3	108,204	0	0	0	Allegheny	722,260	54	
Allegheny Energy Units 3, 4 & 5	55710	4	102,917	0	0	0	Allegheny	686,970	52	
Armstrong Energy Ltd Partnership, LLLP	55347	1	1,475	0	0	0	Armstrong	9,846	1	
Armstrong Energy Ltd Partnership, LLLP	55347	2	4,370	0	0	0	Armstrong	29,170	2	
Armstrong Energy Ltd Partnership, LLLP	55347	3	6,730	0	0	0	Armstrong	44,922	3	
Armstrong Energy Ltd Partnership, LLLP	55347	4	1,985	0	0	0	Armstrong	13,249	1	
Armstrong Power Station	3178	1	47,441	0	0	0	Armstrong	374,780	28	
Armstrong Power Station	3178	2	60,936	0	0	0	Armstrong	481,394	36	

**Table 2: Final Pennsylvania 2015 CAIR NOx Ozone Season Allowance Allocation Table**

<b>FACILITY NAME</b>	<b>ORIS CODE</b>	<b>UNIT ID</b>	<b>GLOAD (Megawatt Hours)</b>	<b>SLOAD (Thousand Lbs. of Steam)</b>	<b>Useful Thermal Energy (mmBTU)</b>	<b>Total Heat energy of steam produced by heat recovery steam gen. (mmBTU)</b>	<b>COUNTY</b>	<b>2009 Converted Heat Input (MMBtu)</b>	<b>2015 CAIR NOx Ozone Season Allowance Allocation</b>
Bethlehem Power Plant	55690	1	98,049	0	0	0	Northampton	654,479	49
Bethlehem Power Plant	55690	2	98,040	0	0	0	Northampton	654,416	49
Bethlehem Power Plant	55690	3	93,429	0	0	0	Northampton	623,640	47
Bethlehem Power Plant	55690	5	95,309	0	0	0	Northampton	636,189	48
Bethlehem Power Plant	55690	6	95,244	0	0	0	Northampton	635,751	48
Bethlehem Power Plant	55690	7	94,377	0	0	0	Northampton	629,968	47
Bruce Mansfield	6094	1	2,378,943	0	0	0	Beaver	18,793,647	1,415
Bruce Mansfield	6094	2	2,554,676	0	0	0	Beaver	20,181,938	1,519
Bruce Mansfield	6094	3	2,575,473	0	0	0	Beaver	20,346,240	1,532
Brunner Island	3140	1	976,105	0	0	0	York	7,711,230	581
Brunner Island	3140	2	963,787	0	0	0	York	7,613,916	573
Brunner Island	3140	3	2,195,548	0	0	0	York	17,344,827	1,306
Brunot Island Power Station	3096	2A	927	0	0	0	Allegheny	6,190	0
Brunot Island Power Station	3096	2B	945	0	0	0	Allegheny	6,307	0
Brunot Island Power Station	3096	3	854	0	0	0	Allegheny	5,701	0
Cambria Cogen	10641	1	0	0	2,215,335	0	Cambria	2,769,168	208
Cambria Cogen	10641	2	0	0	2,095,507	0	Cambria	2,619,383	197
Chambersburg Units 12 and 13	55654	12	15,841	0	0	0	Franklin	105,736	8
Chambersburg Units 12 and 13	55654	13	15,035	0	0	0	Franklin	100,357	8
Cheswick	8226	1	1,045,855	0	0	0	Allegheny	8,262,254	622
Colver Power Project	10143	AAB01	454,344	0	0	0	Cambria	3,589,318	270
Conemaugh	3118	1	2,682,200	0	0	0	Indiana	21,189,378	1,595
Conemaugh	3118	2	2,519,673	0	0	0	Indiana	19,905,416	1,499



Table 2: Final Pennsylvania 2015 CAIR NOx Ozone Season Allowance Allocation Table									
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Cromby	3159	1	187,571	0	0	0	Chester	1,481,811	112
Cromby	3159	2	72,434	0	0	0	Chester	483,497	36
Croydon Generating Station	8012	11	74	0	0	0	Bucks	494	0
Croydon Generating Station	8012	12	71	0	0	0	Bucks	474	0
Croydon Generating Station	8012	21	63	0	0	0	Bucks	421	0
Croydon Generating Station	8012	22	71	0	0	0	Bucks	474	0
Croydon Generating Station	8012	31	64	0	0	0	Bucks	427	0
Croydon Generating Station	8012	32	107	0	0	0	Bucks	714	0
Croydon Generating Station	8012	41	62	0	0	0	Bucks	414	0
Croydon Generating Station	8012	42	62	0	0	0	Bucks	414	0
Ebensburg Power Company	10603	31	0	0	2,051,380	0	Cambria	2,564,225	193
Eddystone Generating Station	3161	1	435,700	0	0	0	Delaware	3,442,030	259
Eddystone Generating Station	3161	2	562,404	0	0	0	Delaware	4,442,992	334
Eddystone Generating Station	3161	3	10,651	0	0	0	Delaware	71,095	5
Eddystone Generating Station	3161	4	8,289	0	0	0	Delaware	55,329	4
Elrama	3098	1	3,094	0	0	0	Washington	24,443	2
Elrama	3098	2	9,964	0	0	0	Washington	78,714	6
Elrama	3098	3	16,246	0	0	0	Washington	128,343	10
Elrama	3098	4	180,630	0	0	0	Washington	1,426,974	107
FPL Energy Marcus Hook, LP	55801	1	330,862	0	0	0	Delaware	2,208,507	166

Table 2: Final Pennsylvania 2015 CAIR NOx Ozone Season Allowance Allocation Table									
FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat energy of steam produced by heat recovery steam gen. (mmBTU)	COUNTY	2009 Converted Heat Input (MMBtu)	2015 CAIR NOx Ozone Season Allowance Allocation
FPL Energy Marcus Hook, LP	55801	2	342,050	0	0	0	Delaware	2,283,185	172
FPL Energy Marcus Hook, LP	55801	3	337,279	0	0	0	Delaware	2,251,337	169
Fairless Energy, LLC	55298	1A	800,003	0	0	0	Bucks	5,340,018	402
Fairless Energy, LLC	55298	1B	766,086	0	0	0	Bucks	5,113,621	385
Fairless Energy, LLC	55298	2A	826,233	0	0	0	Bucks	5,515,107	415
Fairless Energy, LLC	55298	2B	813,257	0	0	0	Bucks	5,428,490	409
Fairless Hills Generating Station	7701	PHBLR4	58,457	0	0	0	Bucks	390,200	29
Fairless Hills Generating Station	7701	PHBLR5	38,275	0	0	0	Bucks	255,486	19
Fayette Energy Facility	55516	CTG1	691,400	0	0	0	Fayette	4,615,095	347
Fayette Energy Facility	55516	CTG2	682,127	0	0	0	Fayette	4,553,198	343
G F Weaton	50130	34	107,320	0	0	0	Beaver	847,829	64
G F Weaton	50130	35	113,327	0	0	0	Beaver	895,286	67
Gilberton Power Company	10113	31	0	1,080,982	0	0	Schuylkill	1,304,273	98
Gilberton Power Company	10113	32	0	986,515	0	0	Schuylkill	1,190,292	90
Grays Ferry Cogen Partnership	54785	2	319,285	0	0	0	Philadelphia	2,131,228	160
Grays Ferry Cogen Partnership	54785	25	0	277,359	0	0	Philadelphia	334,651	25
Handsomeness Energy	55233	EU-1A	1,432	0	0	0	Venango	9,559	1
Handsomeness Energy	55233	EU-1B	1,432	0	0	0	Venango	9,559	1
Handsomeness Energy	55233	EU-2A	1,516	0	0	0	Venango	10,119	1
Handsomeness Energy	55233	EU-2B	1,539	0	0	0	Venango	10,273	1

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FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat energy of steam produced by heat recovery steam gen. (mmBTU)	COUNTY	2009 Converted Heat Input (MMBtu)	2015 CAIR NOx Ozone Season Allowance Allocation
Handsome Lake Energy	55233	EU-3A	1,490	0	0	0	Venango	9,946	1
Handsome Lake Energy	55233	EU-3B	1,490	0	0	0	Venango	9,946	1
Handsome Lake Energy	55233	EU-4A	1,723	0	0	0	Venango	11,501	1
Handsome Lake Energy	55233	EU-4B	1,723	0	0	0	Venango	11,501	1
Handsome Lake Energy	55233	EU-5A	1,753	0	0	0	Venango	11,701	1
Handsome Lake Energy	55233	EU-5B	1,753	0	0	0	Venango	11,701	1
Hatfields Ferry Power Station	3179	1	967,007	0	0	0	Greene	7,639,352	575
Hatfields Ferry Power Station	3179	2	1,252,751	0	0	0	Greene	9,896,731	745
Hatfields Ferry Power Station	3179	3	1,496,064	0	0	0	Greene	11,818,904	890
Hazleton Generation	10870	TURB2	49	0	0	0	Luzerne	328	0
Hazleton Generation	10870	TURB3	134	0	0	0	Luzerne	893	0
Hazleton Generation	10870	TURB4	68	0	0	0	Luzerne	452	0
Hazleton Generation	10870	TURBIN	164	0	0	0	Luzerne	1,094	0
Homer City	3122	1	1,516,162	0	0	0	Indiana	11,977,681	902
Homer City	3122	2	1,892,456	0	0	0	Indiana	14,950,403	1,126
Homer City	3122	3	1,875,294	0	0	0	Indiana	14,814,824	1,115
Hunlock Power Station	3176	6	103,461	0	0	0	Luzerne	817,343	62
Hunterstown Combined Cycle	55976	CT101	291,683	0	0	0	Adams	1,946,983	147
Hunterstown Combined Cycle	55976	CT201	277,273	0	0	0	Adams	1,850,799	139
Hunterstown Combined Cycle	55976	CT301	288,545	0	0	0	Adams	1,926,038	145
Keystone	3136	1	2,480,198	0	0	0	Armstrong	19,593,566	1,475
Keystone	3136	2	2,828,983	0	0	0	Armstrong	22,348,965	1,682

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FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat energy of steam produced by heat recovery steam gen. (mmBTU)	COUNTY	2009 Converted Heat Input (MMBtu)	2015 CAIR NOx Ozone Season Allowance Allocation
Liberty Electric Power Plant	55231	1	710,868	0	0	0	Delaware	4,745,044	357
Liberty Electric Power Plant	55231	2	735,177	0	0	0	Delaware	4,907,306	369
Lower Mount Bethel Energy	55667	CT01	643,469	0	0	0	Northampton	4,295,159	323
Lower Mount Bethel Energy	55667	CT02	651,823	0	0	0	Northampton	4,350,917	328
Martins Creek	3148	3	93,179	0	0	0	Northampton	621,967	47
Martins Creek	3148	4	50,686	0	0	0	Northampton	338,331	25
Mitchell Power Station	3181	1	495	0	0	0	Washington	3,302	0
Mitchell Power Station	3181	2	0	0	0	0	Washington	0	0
Mitchell Power Station	3181	3	467	0	0	0	Washington	3,114	0
Mitchell Power Station	3181	33	331,900	0	0	0	Washington	2,622,011	197
Montour	3149	1	2,212,129	0	0	0	Montour	17,475,821	1,316
Montour	3149	2	2,166,882	0	0	0	Montour	17,118,366	1,289
Mountain	3111	31	340	0	0	0	Cumberland	2,270	0
Mountain	3111	32	122	0	0	0	Cumberland	814	0
Mt. Carmel Cogeneration	10343	SG-101	122,977	0	0	0	Northumberland	971,516	73
New Castle	3138	3	67,670	0	0	0	Lawrence	534,597	40
New Castle	3138	4	82,924	0	0	0	Lawrence	655,103	49
New Castle	3138	5	132,750	0	0	0	Lawrence	1,048,726	79
North East Cogeneration Plant	54571	1	2,069	0	0	958,200	Erie	1,204,811	91
North East Cogeneration Plant	54571	2	1,979	0	0	958,200	Erie	1,204,504	91
Northampton Generating Plant	50888	NGC01	331,313	0	0	0	Northampton	2,617,370	197
Northeastern Power Company	50039	31	202,954	0	0	0	Schuylkill	1,603,338	121
Ontelaunee Energy Center	55193	CT1	525,490	0	0	0	Berks	3,507,643	264

**Table 2: Final Pennsylvania 2015 CAIR NOx Ozone Season Allowance Allocation Table**

FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat energy of steam produced by heat recovery steam gen. (mmBTU)	COUNTY	2009 Converted Heat Input (MMBtu)	2015 CAIR NOx Ozone Season Allowance Allocation
Ontelaunee Energy Center	55193	CT2	591,945	0	0	0	Berks	3,951,231	297
PEI Power Corporation	50279	2	3,031	0	0	0	Lackawanna	20,234	2
Panther Creek Energy Facility	50776	1	147,622	0	0	0	Carbon	1,166,214	88
Panther Creek Energy Facility	50776	2	160,565	0	0	0	Carbon	1,268,464	95
Piney Creek Power Plant	54144	31	121,241	0	0	0	Clarion	957,804	72
Portland	3113	1	422,287	0	0	0	Northampton	3,336,069	251
Portland	3113	2	529,571	0	0	0	Northampton	4,183,607	315
Portland	3113	5	704	0	0	0	Northampton	4,702	0
Richmond	3168	91	127	0	0	0	Philadelphia	848	0
Richmond	3168	92	81	0	0	0	Philadelphia	541	0
Schuylkill	3169	1	3,733	0	0	0	Philadelphia	24,918	2
Scrubgrass Generating Plant	50974	1	182,664	0	0	0	Venango	1,443,046	109
Scrubgrass Generating Plant	50974	2	159,218	0	0	0	Venango	1,257,822	95
Seward	3130	1	876,903	0	0	0	Indiana	6,927,537	522
Seward	3130	2	866,841	0	0	0	Indiana	6,848,043	516
Shawville	3131	1	96,402	0	0	0	Clearfield	761,575	57
Shawville	3131	2	91,855	0	0	0	Clearfield	725,651	55
Shawville	3131	3	348,203	0	0	0	Clearfield	2,750,802	207
Shawville	3131	4	218,051	0	0	0	Clearfield	1,722,602	130
St. Nicholas Cogeneration Project	54634	1	0	2,412,758	0	0	Schuylkill	2,911,144	219
Sunbury	3152	1A	40,589	0	0	0	Snyder	320,653	24
Sunbury	3152	1B	40,379	0	0	0	Snyder	318,994	24
Sunbury	3152	2A	119,733	0	0	0	Snyder	945,891	71
Sunbury	3152	2B	0	0	0	0	Snyder	0	0
Sunbury	3152	3	57,716	0	0	0	Snyder	455,956	34

Table 2: Final Pennsylvania 2015 CAIR NOx Ozone Season Allowance Allocation Table									
FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat energy of steam produced by heat recovery steam gen. (mmBTU)	COUNTY	2009 Converted Heat Input (MMBtu)	2015 CAIR NOx Ozone Season Allowance Allocation
Sunbury	3152	4	163,546	0	0	0	Snyder	1,292,013	97
Titus	3115	1	142,303	0	0	0	Berks	1,124,192	85
Titus	3115	2	143,716	0	0	0	Berks	1,135,355	85
Titus	3115	3	119,799	0	0	0	Berks	946,411	71
Tolna	3116	31	171	0	0	0	York	1,141	0
Tolna	3116	32	144	0	0	0	York	961	0
Trigen Energy - Schuylkill	50607	23	0	0	0	0	Philadelphia	0	0
Trigen Energy - Schuylkill	50607	24	0	8,089	0	0	Philadelphia	9,760	1
Trigen Energy - Schuylkill	50607	26	0	23,806	0	0	Philadelphia	28,724	2
Trigen Energy Corporation-Edison St	880006	1	0	33,181	0	0	Philadelphia	40,035	3
Trigen Energy Corporation-Edison St	880006	2	0	29,802	0	0	Philadelphia	35,958	3
Trigen Energy Corporation-Edison St	880006	3	0	40,428	0	0	Philadelphia	48,779	4
Trigen Energy Corporation-Edison St	880006	4	0	64,632	0	0	Philadelphia	77,983	6
WPS Westwood Generation, LLC	50611	31	111,604	0	0	0	Schuylkill	881,669	66
Warren	3132	5	0	0	0	0	Warren	0	0
Wheelabrator - Frackville	50879	GEN1	0	1,452,181	0	0	Schuylkill	1,752,147	132
								<b>Total</b>	<b>35,143</b>

Table 3: Final Additional CAIR NOx Annual and Ozone Season Allocations

Facility name	ORIS Code	Unit ID	Additional Allocations									
			Year 2010		Year 2011		Year 2012		Year 2013		Year 2014	
			Annual	Ozone	Annual	Ozone	Annual	Ozone	Annual	Ozone	Annual	Ozone
AES Beaver Valley	10676	32	1	0	1	0	0	0	1	0	0	0
AES Beaver Valley	10676	33	1	0	1	0	0	0	0	1	1	0
AES Beaver Valley	10676	34	0	0	0	0	0	0	0	0	1	0
AES Ironwood	55337	1	0	0	0	0	1	0	0	0	1	0
Allegheny Energy Hunlock	56397	4	0	0	1	0	0	0	0	0	0	0
Allegheny Energy Units 3, 4, & 5	55710	4	0	0	0	0	0	0	1	0	0	0
Armstrong Power Station	3178	1	0	0	1	0	0	0	0	0	0	1
Armstrong Power Station	3178	2	0	0	0	0	0	0	1	1	0	0
Bethlehem Power Plant	55690	1	0	0	0	0	0	0	0	1	0	1
Bethlehem Power Plant	55690	2	0	0	0	1	0	0	0	1	0	0
Bruce Mansfield	6094	1	0	1	1	2	4	2	4	2	2	2
Bruce Mansfield	6094	2	1	1	2	2	2	2	4	3	2	3
Bruce Mansfield	6094	3	1	1	2	3	3	2	4	2	2	2
Brunner Island	3140	1	0	1	1	1	1	0	2	1	1	0
Brunner Island	3140	2	0	1	1	1	2	1	2	1	1	1
Brunner Island	3140	3	1	1	2	2	2	1	3	2	2	1
Cambria Cogen	10641	1	0	0	1	0	1	0	1	0	0	1
Cambria Cogen	10641	2	0	0	1	0	0	0	0	0	0	0
Cheswick	8226	1	0	1	1	1	1	1	2	1	1	1
Colver Power Project	10143	AAB 01	0	0	1	1	0	1	1	0	1	0
Conemaugh	3118	1	1	1	2	2	3	2	5	2	2	2
Conemaugh	3118	2	1	1	2	2	3	2	5	2	2	2
Ebensburg Power Company	10603	31	0	0	0	1	1	1	0	0	0	0
Eddystone Generating Station	3161	1	0	0	1	1	1	1	2	1	0	0
Eddystone Generating Station	3161	2	1	0	1	1	0	1	2	1	0	0
Eddystone Generating Station	3161	3	0	0	0	0	0	0	1	0	0	0
Elrama	3098	1	0	0	1	0	0	0	0	0	0	0
Elrama	3098	2	0	0	0	0	0	1	1	1	0	0
Elrama	3098	3	0	0	0	0	0	1	1	0	0	0
Elrama	3098	4	0	0	0	1	0	0	0	0	0	0
FPL Energy Marcus Hook, LP	55801	1	0	0	0	1	0	0	0	0	0	0
FPL Energy Marcus Hook, LP	55801	2	0	0	1	0	0	0	1	0	0	0
FPL Energy Marcus Hook, LP	55801	3	0	0	0	0	0	1	0	0	0	0
Fairless Energy, LLC	55298	1A	0	0	1	0	0	0	1	0	1	0

Facility name	ORIS Code	Unit ID	Additional Allocations									
			Year 2010		Year 2011		Year 2012		Year 2013		Year 2014	
			Annual	Ozone	Annual	Ozone	Annual	Ozone	Annual	Ozone	Annual	Ozone
Fairless Energy, LLC	55298	1B	0	0	0	0	0	1	1	0	0	0
Fairless Energy, LLC	55298	2B	0	0	0	1	0	0	1	0	0	0
Fairless Hills Generating Station	7701	PH BLR4	0	0	0	0	0	0	0	0	1	0
GF Weaton	50130	34	1	0	0	0	0	0	0	0	1	0
Gilberton Power Company	10113	31	0	0	0	1	0	0	0	0	0	0
Hatfields Ferry Power Station	3179	1	1	1	1	1	2	1	3	1	1	1
Hatfields Ferry Power Station	3179	2	0	1	1	1	1	1	3	1	1	1
Hatfields Ferry Power Station	3179	3	0	1	1	1	1	0	3	1	1	1
Homer City	3122	1	1	1	1	2	2	1	4	1	1	1
Homer City	3122	2	1	0	1	2	2	2	3	1	1	2
Homer City	3122	3	1	0	1	1	1	1	3	2	1	1
Hunlock Power Station	3176	6	1	0	0	0	0	0	0	0	0	0
Hunterstown Combined Cycle	55976	CT 201	0	0	0	0	0	1	0	0	0	0
Hunterstown Combined Cycle	55976	CT 301	0	0	0	0	0	0	1	0	0	1
Keystone	3136	1	1	1	2	2	2	2	5	2	3	3
Keystone	3136	2	0	1	2	2	4	3	3	2	3	2
Liberty Electric Power Plant	55231	1	0	1	0	0	0	0	1	0	1	0
Lower Mount Bethel Energy	55667	CT 01	0	0	0	0	0	0	1	0	0	0
Lower Mount Bethel Energy	55667	CT 02	0	0	1	0	0	0	0	0	0	0
Martins Creek	3148	1	0	0	0	0	0	0	0	1	0	0
Martins Creek	3148	2	1	0	0	0	0	1	0	1	0	0
Mitchell Power Station	3181	33	0	0	0	1	1	1	0	0	0	0
Montour	3149	1	1	1	2	2	2	1	4	2	1	1
Montour	3149	2	1	0	2	2	2	2	3	2	1	2
Mount Carmel Cogeneration	10343	SG 101	0	0	0	0	0	0	1	1	0	0
New Castle	3138	3	0	0	0	0	0	0	1	0	1	0
New Castle	3138	4	0	0	0	0	0	0	1	0	0	0
New Castle	3138	5	0	0	0	0	0	0	0	0	0	1
Northampton Generating Plant	50888	NG C01	0	0	0	1	1	0	0	0	0	1
Northeastern Power Company	50039	31	0	0	1	0	0	0	1	0	1	1
Ontelaunee Energy Center	55193	CT1	0	0	0	0	1	1	0	0	0	0
Ontelaunee Energy Center	55193	CT2	0	1	1	1	1	0	0	0	1	0



Facility name	ORIS Code	Unit ID	Additional Allocations										
			Year 2010		Year 2011		Year 2012		Year 2013		Year 2014		
			Annual	Ozone	Annual	Ozone	Annual	Ozone	Annual	Ozone	Annual	Ozone	
Panther Creek Energy Facility	50776	1	0	1	0	0	0	0	0	1	1	0	0
Panther Creek Energy Facility	50776	2	0	0	0	0	0	0	0	1	1	0	0
Piney Creek Power Plant	54144	31	1	0	0	0	0	0	0	0	0	0	0
Portland	3113	1	0	1	0	0	0	0	0	1	0	0	0
Portland	3113	2	0	1	1	1	1	1	0	1	0	1	1
Scrubgrass Generating Plant	50974	1	0	1	0	0	0	0	0	0	0	0	0
Scrubgrass Generating Plant	50974	2	0	0	0	0	0	0	0	1	1	0	0
Seward	3130	1	0	0	1	1	1	1	1	1	1	1	0
Seward	3130	2	1	0	0	0	0	1	1	1	1	1	1
Shawville	3131	1	0	0	1	0	0	0	1	0	0	0	0
Shawville	3131	2	1	0	0	0	0	0	0	0	0	0	0
Shawville	3131	3	0	1	0	0	0	0	0	1	0	0	0
Shawville	3131	4	0	0	0	0	1	0	1	1	0	1	0
St. Nicholas Cogeneration Project	54634	1	0	0	0	0	0	1	0	0	0	0	0
Sunbury	3152	1B	0	0	0	0	0	0	1	0	0	0	0
Sunbury	3152	2B	0	0	0	0	0	0	0	1	0	0	0
Sunbury	3152	3	0	0	1	0	0	0	1	1	0	0	0
Sunbury	3152	4	0	0	0	0	0	0	0	0	1	0	1
Titus	3115	1	0	0	1	0	0	0	0	1	0	0	1
Titus	3115	2	0	0	0	0	0	0	0	0	1	0	0
Titus	3115	3	1	0	0	0	0	0	0	0	0	1	0
WPS Westwood Generation, LLC	50611	31	0	0	1	0	0	0	0	0	1	0	0
Wheelabrator-Frackville	50879	GEN 1	0	0	0	0	0	0	1	0	0	0	0
Total reallocated	473*		22	23	49	47	52	46*	100	49*	45	40	

\* Total reallocated is 13 less than the amount given back by FPL Marcus Hook MH50 due to discovered over-allocation during the 2012 and 2013 ozone seasons.

[Pa.B. Doc. No. 11-661. Filed for public inspection April 9, 2011, 9:00 a.m.]

### Interstate Pollution Transport Reduction; Final 2011 Ozone Season Nitrogen Oxide Emission Limits for Nonelectric Generating Units

The Department of Environmental Protection (Department) is providing notice of the final Nonelectric Generating Unit (non-EGU) 2011 Ozone Season Nitrogen Oxide (NOx) emission limitations established in accordance with 25 Pa. Code § 145.8(d) (relating to transition to CAIR NOx trading programs).

Notice of a 15-day public comment period on the proposed limits was published at 41 Pa.B. 1409 (March 12, 2011). The public comment period offered the public an opportunity to review the information and data as a

way to ensure the information was correct. No comments were received.

In this notice, the NOx emissions cap provides 181 tons of NOx emissions for non-EGUs and the other units that need to address their emissions through accounting adjustments, including units that previously participated in the NOx Budget Trading Program; emissions from these units were below the 25-ton exemption threshold. Adjustments were also made for the permanent retirement of NOx allowances due to generation of emission reduction credits. The Department will also use a portion of the 181 tons of the budgeted NOx emissions, if necessary, to address mistakes or miscalculations. This year, the Department is proposing to use 121 tons of the 181 tons of NOx for account adjustments, leaving 60 tons available

for any additional adjustments at the end of the control period.

The Department made accounting adjustments for the following facilities:

*Retired Units:* Naval Surface Warfare Division Unit 98; Shenango Units: Nos. 6 and 9 (the generation of emission offsets for small non-NOx Budget Trading Program units resulted in a permanent NOx accounting adjustment of 45 tons).

*Exempt Units:* Each of the following units has a 25-ton NOx permit limit: Armagh Compressor Station (Unit 31301); Entriaken Compressor Station (Unit 31601); and the Naval Surface Warfare Division (Unit 100). The Naval Surface Warfare Division (Unit 99) has a 1-ton NOx permit limit. All of these 25-ton exempt status units account for a total adjustment of 76 tons of NOx emissions.

Units subject to the requirements in 25 Pa. Code § 145.8 are required to meet the monitoring and reporting requirements of the United States Environmental Protection Agency's Clean Air Interstate Rule, found in 40 CFR Part 96, Subpart HHHH (relating to monitoring and reporting) and maintain general accounts and account representatives under 40 CFR Part 96, Subparts BBBB and FFFF (relating to CAIR designated representative for CAIR NOx ozone season sources; and CAIR NOx ozone season allowance tracking system). The "Non-EGU 2011 Ozone Season NOx Limits" table lists the following: the Facility Name, ORIS Code, the Unit ID for each non-EGU unit, the operating year, the NOx rate, NOx mass in tons, the heat input for the 2010 Ozone Season, the calculated 2011 rate and the 2011 Ozone Season Limit.

Persons aggrieved by an action may appeal, 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 the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may 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*, 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 of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

Important legal rights are at stake, 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.

Questions concerning this notice should be directed to Randy Bordner at (717) 772-3921. TDD users may contact the Pennsylvania AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

MICHAEL L. KRANCER,  
*Acting Secretary*

**Table 1: Non-EGU 2011 Ozone Season NOx Emission Limits**

<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>Operating Year</i>	<i>NOx Rate lb/MMBtu</i>	<i>NOx Mass tons</i>	<i>Heat Input MMBtu</i>	<i>2011 Rate</i>	<i>2011 OS Limit</i>
Armagh Compressor Station	880071	31301	2010	0	0	0	0.257	0
Bernville Station	880049	32001	2010	0	0	0	0.257	0
ConocoPhillips Co., Trainer Refinery	880025	33	2010	0.1636	48.933	558,135	0.257	72
ConocoPhillips Co., Trainer Refinery	880025	34	2010	0.0035	1.05	602,702	0.257	77
ConocoPhillips Co., Trainer Refinery	880025	35	2010	0.0056	1.789	627,803	0.257	81
Domtar Paper Company, LLC	54638	40	2010	0.3978	149.68	814,359	0.257	104
Domtar Paper Company, LLC	54638	41	2010	0.3978	154.19	832,058	0.257	107
Entriaken Compressor Station	880072	31601	2010	0	0	0	0.257	0
FPL Energy MH50	50074	1	2010	0.1435	0.61	10,083	0.257	1

<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>Operating Year</i>	<i>NOx Rate lb / MMBtu</i>	<i>NOx Mass tons</i>	<i>Heat Input MMBtu</i>	<i>2011 Rate</i>	<i>2011 OS Limit</i>
FPL Energy Marcus Hook, LP	55801	AB01	2010	0.0224	6.035	533,639	0.257	68
FPL Energy Marcus Hook, LP	55801	AB02	2010	0.0286	7.103	490,645	0.257	63
FPL Energy Marcus Hook, LP	55801	AB03	2010	0.0342	7.339	429,647	0.257	55
FPL Energy Marcus Hook, LP	55801	AB04	2010	0.0321	9.52	589,226	0.257	76
Kimberly-Clark Tissue Company	50410	34	2010	1.6548	0.008	10	0.257	0
Kimberly-Clark Tissue Company	50410	35	2010	0.062	84.486	2,747,863	0.257	352
Merck & Company-West Point	52149	39	2010	0.0755	13.691	363,622	0.257	47
Merck & Company-West Point	52149	40	2010	0.0195	7.679	791,256	0.257	101
P H Glatfelter Company	50397	34	2010	0.469	338.65	1,440,121	0.257	185
P H Glatfelter Company	50397	35	2010	0.4875	282.62	1,147,042	0.257	147
P H Glatfelter Company	50397	36	2010	0.2269	205.34	1,811,998	0.257	232
Philadelphia Refinery	52106	150137	2010	0.0348	18.497	1,068,366	0.257	137
Philadelphia Refinery	52106	150138	2010	0.0345	7.551	449,986	0.257	58
Philadelphia Refinery	52106	150139	2010	0.0348	19.811	1,136,839	0.257	146
Philadelphia Refinery	52106	150140	2010	0.0348	25.174	1,443,800	0.257	185
Procter & Gamble Paper Products	50463	328001	2010	0.1627	145.35	1,785,754	0.257	229
Shermans Dale Station	880050	31801	2010	0.7	0.001	4	0.257	0
Sunoco Chemicals Frankford Plant	880007	52	2010	0.0668	14.36	428,349	0.257	55
US Steel (Clairton Coke)	50729	CLBLR1	2010	0.1646	134.89	1,602,401	0.257	206
US Steel (Clairton Coke)	50729	CLBLR2	2010	0.0891	2.972	66,250	0.257	8
US Steel (Edgar Thomson)	50732	ETBLR1	2010	0.0184	12.673	1,407,802	0.257	181
US Steel (Edgar Thomson)	50732	ETBLR2	2010	0.0156	11.678	1,546,841	0.257	198
US Steel (Edgar Thomson)	50732	ETBLR3	2010	0.0177	13.126	1,540,980	0.257	198
United Refining	880099	4	2010	0.047	12.7	537,396	0.257	69
				Totals =	1737.5	26,804,977	0.257	3438

[Pa.B. Doc. No. 11-662. Filed for public inspection April 15, 2011, 9:00 a.m.]

# DEPARTMENT OF HEALTH

[Correction]

## Prehospital Practitioner Scope of Practice

An error occurred in the notice which appeared at 41 Pa.B. 1976 (April 9, 2011). In the explanatory text preceding the chart, the full text of item 1 was not published. The correct version of the notice is as follows:

Under 28 Pa. Code §§ 1003.21(c)(13), 1003.22(e)(3), 1003.23(f), 1003.24(e) and 1003.25(b) and (c), the Department of Health (Department) is publishing the scope of practice for ambulance attendants, first responders, emergency medical technicians (EMTs), EMT—paramedics (EMT-Ps) and prehospital registered nurses (PHRN) under 35 Pa.C.S. §§ 8101—8157 (relating to Emergency Medical Services System Act).

Skills identified may be performed by a prehospital practitioner at the practitioner's level of certification/recognition only if the practitioner has successfully completed training (cognitive, affective and psychomotor) on the specified skill, which includes training to perform the skill on adults, children and infants, as appropriate.

A PHRN with medical command authorization may perform, in addition to those services within an EMT-Ps scope of practice, other services authorized by The Professional Nursing Law (63 P. S. §§ 211—225.5), when authorized by a medical command physician through either online medical command or standing medical treatment protocols. To administer drugs in addition to those permitted by applicable medical treatment protocols, a PHRN must also have received approval to do so by the advanced life support service medical director of the advanced life support ambulance service under which the PHRN is functioning.

This list supercedes the list of skills in the scope of practice of prehospital personnel published at 38 Pa.B. 6565 (November 29, 2008). Two changes have been made. The changes are as follows:

Removing MAST as an approved treatment.

Adding Transport Ventilators for use by ALS providers and Carbon Monoxide Co-oximetry monitoring.

Persons with a disability who require an alternate format of this notice (for example, large print, audiotape, Braille) should contact Robert Cooney, Department of Health, Bureau of Emergency Medical Services, Room 606, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120-0710, (717) 787-8740. Speech or hearing impaired persons may call by using V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Acting Secretary*

Yes—The skill is in the scope of practice for the level of certification

No—The skill is not in the scope of practice for the level of certification

1. May assist higher level practitioner only when in the physical presence and under the direct supervision of the ALS practitioner

2. Additional training and approval by service medical director required

3. The skill may be performed by BLS personnel in accordance with Statewide BLS protocols or medical command order

4. The skill is not approved for the level of certification regardless if taught in a course approved for that level of certification

5. The acronym is explained following the table.

6. Skill may only be used when functioning with a licensed ambulance service or QRS that complies with Department requirement for performing this skill.

7. May only be done as a physician extender under the Medical Practice Act.

8. FDA Approved Hemostatic Agents enclosed in self contained package during treatment

AA—Ambulance Attendant

FR—First Responder

EMT—Emergency Medical Technician

EMT-P—Emergency Medical Technician-Paramedic

TOPIC	SKILL	AA	FR	EMT	EMT-P
Airway/ventilation/ oxygenation	Airway—Nonsurgical Alternative/Rescue Airway—CombiTube™, King LT-D Airway™ or King LTS-D Airway	No	No	No	Yes
Airway/ventilation/ oxygenation	Airway—oral & nasal	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Airway—pharyngeal tracheal lumen (PTL)	No	No	No	No <sup>4</sup>
Airway/ventilation/ oxygenation	Bag-valve-ETT/Non surgical alternative airway ventilation	No	Yes <sup>1</sup>	Yes <sup>1</sup>	Yes
Airway/ventilation/ oxygenation	Bag-valve-mask—with in-line small-volume nebulizer	No	Yes <sup>1</sup>	Yes <sup>1</sup>	Yes
Airway/ventilation/ oxygenation	Bag-valve-mask (BVM) ventilation	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Chest decompression—needle	No	No	No	Yes
Airway/ventilation/ oxygenation	CPAP/BiPAP <sup>5</sup> —demonstrate application of	No	No	Yes <sup>2,3,6</sup>	Yes

TOPIC	SKILL	AA	FR	EMT	EMT-P
Airway/ventilation/ oxygenation	Cricoid pressure (Sellick maneuver)	No	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Cricothyrotomy—needle	No	No	No	Yes
Airway/ventilation/ oxygenation	Cricothyrotomy—open/surgical	No	No	No	Yes
Airway/ventilation/ oxygenation	Cricothyrotomy—overwire (Seldinger) technique	No	No	No	Yes
Airway/ventilation/ oxygenation	End tidal CO <sub>2</sub> monitoring/capnography	No	Yes <sup>1</sup>	Yes <sup>1</sup>	Yes
Airway/ventilation/ oxygenation	Esophageal obturator airway (EOA)/esophageal gastric tube airway (EGTA)	No	No	No	No <sup>4</sup>
Airway/ventilation/ oxygenation	Extubation	No	No	No	Yes
Airway/ventilation/ oxygenation	Flow restricted oxygen powered ventilation device (demand valve)	No	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Gastric decompression—OG <sup>5</sup> & NG <sup>5</sup> tube (suction)	No	No	No	Yes
Airway/ventilation/ oxygenation	Gastric tube insertion—nasal & oral	No	No	No	Yes
Airway/ventilation/ oxygenation	Head-tilt/chin-lift	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Inspiratory Impedance Threshold Device (ITD)	No	No	No	Yes <sup>2</sup>
Airway/ventilation/ oxygenation	Intubation—digital & lighted stylet	No	No	No	Yes
Airway/ventilation/ oxygenation	Intubation—endotracheal tube	No	No	No	Yes
Airway/ventilation/ oxygenation	Intubation—medication paralytics assisted (RSI <sup>5</sup> )	No	No	No	No <sup>4</sup>
Airway/ventilation/ oxygenation	Intubation—nasotracheal & orotracheal	No	No	No <sup>4</sup>	Yes
Airway/ventilation/ oxygenation	Intubation—retrograde	No	No	No	No <sup>4</sup>
Airway/ventilation/ oxygenation	Intubation—transillumination/lighted stylet	No	No	No	Yes
Airway/ventilation/ oxygenation	Jaw thrust & modified jaw thrust (trauma)	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Laryngeal mask airway (LMA)	No	No	No	No <sup>4</sup>
Airway/ventilation/ oxygenation	Mouth-to-mouth, nose, stoma, barrier & pocket mask	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Obstruction—direct laryngoscopy (remove with forceps)	No	No	No	Yes
Airway/ventilation/ oxygenation	Obstruction—manual (Heimlich, finger sweep, chest thrusts) upper airway	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Oxygen therapy—blow-by delivery	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Oxygen therapy—humidifiers	No	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Oxygen therapy—nasal cannula	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Oxygen therapy—non-rebreather mask	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Oxygen therapy—partial rebreather	No	Yes	Yes	Yes

TOPIC	SKILL	AA	FR	EMT	EMT-P
Airway/ventilation/ oxygenation	Oxygen therapy—regulators	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Oxygen therapy—simple face mask	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Oxygen therapy—Venturi mask	No	No	No	Yes
Airway/ventilation/ oxygenation	Peak expiratory flow assessment	No	No	No	Yes
Airway/ventilation/ oxygenation	Pulse oximetry	Yes <sup>1</sup>	Yes <sup>2</sup>	Yes <sup>2</sup>	Yes
Airway/ventilation/ oxygenation	Suctioning—meconium aspiration	No	No	No	Yes
Airway/ventilation/ oxygenation	Suctioning—stoma/tracheostomy	No	No	Yes	Yes
Airway/ventilation/ oxygenation	Suctioning—tracheobronchial	No	No	No	Yes
Airway/ventilation/ oxygenation	Suctioning—upper airway (nasal)	No	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Suctioning—upper airway (oral)	Yes	Yes	Yes	Yes
Airway/ventilation/ oxygenation	Transtracheal jet ventilation	No	No	No	Yes
Airway/ventilation/ oxygenation	Ventilators—automated transport (ATV)	Yes <sup>1</sup>	Yes <sup>2</sup>	Yes <sup>2</sup>	Yes
Airway/ventilation/ oxygenation	Ventilators—transport	No	No	No	Yes
Assessment of	Glasgow Coma Scale (GCS)	Yes	Yes	Yes	Yes
Assessment of	Level of consciousness (LOC)	Yes	Yes	Yes	Yes
Assessment of	Patient assessment skills identified in the NSC <sup>5</sup>	Yes	Yes	Yes	Yes
Assessment of	Vital sign—body temperature	Yes	Yes	Yes	Yes
Assessment of	Vital sign—pulse	Yes	Yes	Yes	Yes
Assessment of	Vital sign—pupils	Yes	Yes	Yes	Yes
Assessment of	Vital sign—respirations	Yes	Yes	Yes	Yes
Assessment of	Vital sign—skin color/temperature & condition (CTC)	Yes	Yes	Yes	Yes
Cardiovascular/ circulation	Blood pressure—auscultation	Yes	Yes	Yes	Yes
Cardiovascular/ circulation	Blood pressure—electronic non-invasive	Yes	Yes	Yes	Yes
Cardiovascular/ circulation	Blood pressure—palpation	Yes	Yes	Yes	Yes
Cardiovascular/ circulation	Cardiac monitoring—apply electrodes	No	Yes <sup>1</sup>	Yes <sup>1</sup>	Yes
Cardiovascular/ circulation	Cardiac monitoring—multi lead	No	No	No	Yes
Cardiovascular/ circulation	Cardiac monitoring—single lead (interpretive)	No	No	No	Yes
Cardiovascular/ circulation	Cardiopulmonary resuscitation (CPR) adult, infant, child, one & two person	Yes	Yes	Yes	Yes
Cardiovascular/ circulation	Cardioversion—synchronized	No	No	No	Yes
Cardiovascular/ circulation	Carotid massage (vagal maneuvers)	No	No	No	Yes
Cardiovascular/ circulation	Defibrillation—Counter shock—manual	No	No	No	Yes

TOPIC	SKILL	AA	FR	EMT	EMT-P
Cardiovascular/ circulation	Defibrillation—automated external defibrillator (AED)	Yes <sup>2</sup>	Yes <sup>2</sup>	Yes <sup>2</sup>	Yes
Cardiovascular/ circulation	Hemodynamic monitoring/assist (Swan Ganz, arterial, central venous lines)	No	No	No	No <sup>4</sup>
Cardiovascular/ circulation	Intra-aortic balloon pump monitoring/assist	No	No	No	No <sup>4</sup>
Cardiovascular/ circulation	Mechanical CPR device	No	No	No	Yes
Cardiovascular/ circulation	Thrombolytic therapy—initiation	No	No	No	No <sup>4</sup>
Cardiovascular/ circulation	Thrombolytic therapy—monitoring	No	No	No	No <sup>4</sup>
Cardiovascular/ circulation	Transcutaneous pacing	No	No	No	Yes
Cardiovascular/ circulation	Use a (cardiac) magnet to alter the mode of an AICD <sup>5</sup> or pacemaker	No	No	No	Yes
Communications	Verbal patient report to receiving personnel	Yes	Yes	Yes	Yes
Communications	Communications with PSAPs <sup>5</sup> , hospitals, medical command facilities	Yes	Yes	Yes	Yes
Documentation	Out-of-Hospital Do Not Resuscitate (DNR) orders (Act #59)	Yes	Yes	Yes	Yes
Documentation	Patient Care Report completion	Yes	Yes	Yes	Yes
Hazardous materials	Contaminated equipment disposal (sharps & PPE <sup>5</sup> )	Yes	Yes	Yes	Yes
Hazardous materials	Decontamination	Yes	Yes	Yes	Yes
Hazardous materials	Disinfection	Yes	Yes	Yes	Yes
Hazardous materials	PPE <sup>5</sup> (personal protection equipment) use	Yes	Yes	Yes	Yes
Immobilization	Spinal immobilization—helmet stabilization or removal	No	No	Yes	Yes
Immobilization	Spinal immobilization—long board w/pt supine & standing	Yes	Yes	Yes	Yes
Immobilization	Spinal immobilization—manual stabilization & cervical collar	Yes	Yes	Yes	Yes
Immobilization	Spinal immobilization—rapid extrication	No	No	Yes	Yes
Immobilization	Spinal immobilization—seated patient (KED <sup>5</sup> , etc.)	No	No	Yes	Yes
Immobilization	Splinting—manual, ridged, soft, vacuum	Yes	Yes	Yes	Yes
Immobilization	Splinting—traction	Yes	Yes	Yes	Yes
IV Initiation/ maintenance/fluids	Central venous cannulation (femoral vein only)	No	No	No	Yes
IV Initiation/ maintenance/fluids	Central venous line—access of existing catheters	No	No	No	Yes
IV Initiation/ maintenance/fluids	Clean technique	No	No	No	Yes
IV Initiation/ maintenance/fluids	External jugular vein cannulation	No	No	No	Yes
IV Initiation/ maintenance/fluids	Heparin/saline lock insertions as no-flow IV	No	No	No	Yes
IV Initiation/ maintenance/fluids	Indwelling intravenous catheters as described 28 Pa. Code § 1003.23(e)(2)	No	No	Yes	Yes
IV Initiation/ maintenance/fluids	Intraosseous—needle placement & infusion—tibia, femur and humerus	No	No	No	Yes
IV Initiation/ maintenance/fluids	Peripheral venous—initiation (cannulation)	No	No	No	Yes
IV Initiation/ maintenance/fluids	Sub-cutaneous indwelling catheters—access of existing catheters	No	No	No	Yes

TOPIC	SKILL	AA	FR	EMT	EMT-P
IV Initiation/ maintenance/fluids	Vascular access devices in home healthcare—access of existing catheters	No	No	No	Yes
IV Initiation/ maintenance/fluids	Venous (blood sampling)—obtaining	No	No	No	Yes
IV Initiation/ maintenance/fluids	Venous central line (blood sampling)—obtaining	No	No	No	No <sup>4</sup>
IV Initiation/ maintenance/fluids	Arterial line—capped—transport	No	No	Yes	Yes
IV Initiation/ maintenance/fluids	Arterial line—monitoring/assist	No	No	No	No <sup>4</sup>
IV Initiation/ maintenance/fluids	Blood/Blood—by-products	No	No	No	No <sup>4</sup>
Lifting & moving	Patient lifting, moving & transfers per NSC <sup>5</sup>	Yes	Yes	Yes	Yes
Lifting & moving	Patient restraints on transport devices	Yes	Yes	Yes	Yes
Medication administration routes	Endotracheal tube (ET)	No	No	No	Yes
Medication administration routes	Inhalation (aerosolized/nebulized)	No	No	No	Yes
Medication administration routes	Intramuscular (IM)	No	No	No	Yes
Medication administration routes	Intranasal	No	No	No	Yes
Medication administration routes	Intraosseous—tibia, humerus or femur	No	No	No	Yes
Medication administration routes	Intravenous (IV)—bolus	No	No	No	Yes
Medication administration routes	Intravenous (IV) infusion, including by intravenous pump	No	No	No	Yes
Medication administration routes	Nasogastric	No	No	No	Yes
Medication administration routes	Oral	No	No	No	Yes
Medication administration routes	Rectal	No	No	No	Yes
Medication administration routes	Subcutaneous	No	No	No	Yes
Medication administration routes	Sub-lingual	No	No	No	Yes
Medication administration routes	Topical	No	No	No	Yes
Medication administration routes	Auto-injectors	No	No	Yes <sup>3</sup>	Yes
Medications	Activated charcoal	No	No	Yes <sup>3</sup>	Yes
Medications	As published in the <i>Pennsylvania Bulletin</i> by the Department	No	No	No	Yes
Medications	Immunizations	No	No	No	Yes <sup>7</sup>
Medications	Oral glucose	No	No	Yes <sup>3</sup>	Yes
Medications	Over-the-counter medications (OTC)	No	No	No	No <sup>4</sup>
Medications	Oxygen	Yes	Yes	Yes	Yes
Medications	Auto-injected epinephrine—primary use—not patient’s own prescription	No	No	Yes <sup>2,3,6</sup>	Yes
Medications—Patient Assisted	Auto-injected epinephrine	No	No	Yes <sup>3</sup>	Yes
Medications—Patient Assisted	Metered dose inhaler (MDI)—bronchodilator	No	No	Yes <sup>3</sup>	Yes



TOPIC	SKILL	AA	FR	EMT	EMT-P
Medications—Patient Assisted	Nitroglycerin	No	No	Yes <sup>3</sup>	Yes
Patient assessment/management	Behavioral—Restrain violent patient	No	No	Yes	Yes
Patient assessment/management	Blood glucose assessment	No	No	No	Yes
Patient assessment/management	Burns—chemical, electrical, inhalation, radiation, thermal	Yes	Yes	Yes	Yes
Patient assessment/management	Childbirth—umbilical cord cutting	No	Yes	Yes	Yes
Patient assessment/management	Childbirth (abnormal/complications)	No	No	Yes	Yes
Patient assessment/management	Childbirth (normal)—cephalic delivery	Yes	Yes	Yes	Yes
Patient assessment/management	Carbon Monoxide CO—oximetry monitoring	Yes <sup>1</sup>	Yes <sup>2</sup>	Yes <sup>2</sup>	Yes <sup>2</sup>
Patient assessment/management	Dislocation reduction (shoulder)	No	No	No	No <sup>4</sup>
Patient assessment/management	Eye irrigation/care	Yes	Yes	Yes	Yes
Patient assessment/management	Hemorrhage control—diffuse, direct, pressure point, tourniquet, bandaging, hemostatic agents <sup>8</sup>	Yes	Yes	Yes	Yes
Patient assessment/management	Intracranial monitoring/assist	No	No	No	No <sup>4</sup>
Patient assessment/management	As outlined in DOH approved regional & statewide tx <sup>5</sup> & transport protocols	Yes	Yes	Yes	Yes
Patient assessment/management	Multiple Casualty Incident (MCI)/Incident Command System (ICS)	No	Yes	Yes	Yes
Patient assessment/management	Triage (prioritizing patients)—use of tags	Yes	Yes	Yes	Yes
Patient assessment/management	Urinary catheterization	No	No	No	Yes
Rescue	Vehicle access & extrication	Yes	Yes	Yes	Yes

**Acronym****Explanation**

AICD	Automatic Implantable Cardioverter Defibrillators
CPAP/BiPAP	Continuous positive airway pressure/biphasic positive airway pressure
KED	Kendrick Extrication Device
NSC	U.S. Department of Transportation National Standard Curriculum
OG & NG	Oral gastric & nasal gastric tube
PPE	Personal protective equipment
PSAP	Public safety answering point
RSI	Rapid sequence induction
TX	Treatment

[Pa.B. Doc. No. 11-628. Filed for public inspection April 8, 2011, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Federal Poverty Income Guidelines for 2011

The Department of Public Welfare (Department) announces the implementation in this Commonwealth of the 2011 Federal Poverty Income Guidelines (FPIGs) which

were issued by the Department of Health and Human Services and published at 76 FR 3637 (January 20, 2011).

The FPIGs are the basis for the income eligibility limits for several categories of Medicaid whose regulations are published in 55 Pa. Code (relating to public welfare) and administered by the Department. These categories include Healthy Beginnings for Pregnant Women and Qualified Children (55 Pa. Code Chapter 140, Subchapter A (relating to the categorically needy healthy beginnings program for pregnant women and qualified children)),

Healthy Horizons for the Elderly and Disabled (55 Pa. Code Chapter 140, Subchapter B (relating to eligibility provisions for the healthy horizons program for the elderly/disabled)) and Extended Medical Coverage under the Categorically Needy TANF-Related Categories (55 Pa. Code Chapter 140, Subchapter C (relating to eligibility provisions for EMC under the categorically needy program for TANF-related categories)).

The percentages for the Medicaid categories of Healthy Beginnings and Healthy Horizons are set forth as follows:

These percentages apply as follows:

*Healthy Beginnings:*

- a. 185% for pregnant women and infants up to 1 year of age.
- b. 133% for children 1 through 5 years of age.
- c. 100% for children 6 years of age and older.

*Healthy Horizons:*

- a. 100% for persons eligible for the categorically needy, Medicare Buy-In and Medicare cost-sharing benefits.
- b. 120% for persons eligible for the Specified Low-Income Medicare Beneficiaries.
- c. 135% for persons eligible for the Qualifying Individuals Beneficiaries benefits.

Persons	100% of FPIG		120% of FPIG		133% of FPIG		135% of FPIG	
	Month	Annual	Month	Annual	Month	Annual	Month	Annual
1	\$908	\$10,890	\$1,089	\$13,068	\$1,207	\$14,484	\$1,226	\$14,702
2	\$1,226	\$14,710	\$1,471	\$17,652	\$1,631	\$19,565	\$1,655	\$19,859
3	\$1,545	\$18,530	\$1,853	\$22,236	\$2,054	\$24,645	\$2,085	\$25,016
4	\$1,863	\$22,350	\$2,235	\$26,820	\$2,478	\$29,726	\$2,515	\$30,173
5	\$2,181	\$26,170	\$2,617	\$31,404	\$2,901	\$34,807	\$2,945	\$35,330
6	\$2,500	\$29,990	\$2,999	\$35,988	\$3,324	\$39,887	\$3,374	\$40,487
7	\$2,818	\$33,810	\$3,381	\$40,572	\$3,748	\$44,968	\$3,804	\$45,644
8	\$3,136	\$37,630	\$3,763	\$45,156	\$4,171	\$50,048	\$4,234	\$50,801
Each Additional Person	\$319	\$3,820	\$382	\$4,584	\$424	\$5,081	\$430	\$5,157

Persons	185% of FPIG		200% of FPIG		235% of FPIG		250% of FPIG	
	Month	Annual	Month	Annual	Month	Annual	Month	Annual
1	\$1,679	\$20,147	\$1,815	\$21,780	\$2,133	\$25,592	\$2,269	\$27,225
2	\$2,268	\$27,214	\$2,452	\$29,420	\$2,881	\$34,569	\$3,065	\$36,775
3	\$2,857	\$34,281	\$3,089	\$37,060	\$3,629	\$43,546	\$3,861	\$46,325
4	\$3,446	\$41,348	\$3,725	\$44,700	\$4,377	\$52,523	\$4,657	\$55,875
5	\$4,035	\$48,415	\$4,362	\$52,340	\$5,125	\$61,500	\$5,453	\$65,425
6	\$4,624	\$55,482	\$4,999	\$59,980	\$5,874	\$70,477	\$6,248	\$74,975
7	\$5,213	\$62,549	\$5,635	\$67,620	\$6,622	\$79,454	\$7,044	\$84,525
8	\$5,802	\$69,616	\$6,272	\$75,260	\$7,370	\$88,431	\$7,840	\$94,075
Each Additional Person	\$589	\$7,067	\$637	\$7,640	\$749	\$8,977	\$796	\$9,550

There are different resource limits for each of the Healthy Horizons programs.

Additional information on the programs is available at the county assistance offices.

This notice shall take effect upon publication in the *Pennsylvania Bulletin* and apply retroactively to January 20, 2011.

*Public Comments*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Income Maintenance, Edward J. Zogby,

Director, Bureau of Policy, Room 431, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-4081. Comments received within 30 calendar days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

GARY ALEXANDER,  
*Acting Secretary*

**Fiscal Note:** 14-NOT-684. No fiscal impact; (8) recommends adoption.

## Annex A

## TITLE 55. PUBLIC WELFARE

## PART II. PUBLIC ASSISTANCE MANUAL

## Subpart C. ELIGIBILITY REQUIREMENTS

## CHAPTER 140. SPECIAL MA ELIGIBILITY PROVISIONS

## Subchapter C. ELIGIBILITY PROVISIONS FOR EMC UNDER THE CATEGORICALLY NEEDY PROGRAM FOR TANF-RELATED CATEGORIES

## APPENDIX A

EXTENDED MEDICAL COVERAGE (EMC)  
MONTHLY INCOME LIMITS  
185% OF THE 2011 FEDERAL POVERTY  
INCOME GUIDELINES

Family Size	185% of the Federal Poverty Income Guidelines
1	\$1,679
2	\$2,268
3	\$2,857
4	\$3,446
5	\$4,035
6	\$4,624
7	\$5,213
8	\$5,802
Each Additional Person	\$589

[Pa.B. Doc. No. 11-663. Filed for public inspection April 15, 2011, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Lucky Cherry Slots 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 Lucky Cherry Slots.

2. *Price:* The price of a Pennsylvania Lucky Cherry Slots instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Lucky Cherry Slots instant lottery game ticket will contain one play area consisting of “SPIN 1,” “SPIN 2,” “SPIN 3,” “SPIN 4,” “SPIN 5,” “SPIN 6,” “SPIN 7,” “SPIN 8,” “SPIN 9,” “SPIN 10,” “SPIN 11” and “SPIN 12.” Each “SPIN” is played separately. Each “SPIN” features a play area and a “PRIZE” area. The play symbols and their captions located in the play area are: BAR (BAR) symbol, Bell (BEL) symbol, Cherry (CHERRY) symbol, Coins (COINS) symbol, Diamond (DMND) symbol, Dollar (DLAR) symbol, Pot of Gold (GOLD) symbol, Horse Shoe (SHOE) symbol, Star (STAR) symbol, 7 (SEVN) symbol, HOT (HOT) symbol and a Bill (BILL) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “PRIZE” area of each “SPIN” are: \$5<sup>00</sup> (FIV DOL), \$6<sup>00</sup> (SIX DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTN), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100<sup>00</sup> (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$6, \$10, \$15, \$20, \$30, \$40, \$50, \$100, \$500, \$1,000, \$10,000 and \$100,000. The player can win up to 12 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,000,000 tickets will be printed for the Pennsylvania Lucky Cherry Slots instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with three like play symbols in the same “SPIN,” and a prize symbol of \$100,000 (ONEHUNTHO) appears in the “PRIZE” area to the right of that “SPIN,” on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets with three like play symbols in the same “SPIN,” and a prize symbol of \$10,000 (TEN THO) appears in the “PRIZE” area to the right of that “SPIN,” on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets with three like play symbols in the same “SPIN,” and a prize symbol of \$1,000 (ONE THO) appears in the “PRIZE” area to the right of that “SPIN,” on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets with a Bill (BILL) symbol in a “SPIN,” and a prize symbol of \$1,000 (ONE THO) appears in the “PRIZE” area to the right of that “SPIN,” on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets with three like play symbols in the same “SPIN,” and a prize symbol of \$500 (FIV HUN) appears in the “PRIZE” area to the right of that “SPIN,” on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets with a Bill (BILL) symbol in a “SPIN,” and a prize symbol of \$500 (FIV HUN) appears in the “PRIZE” area to the right of that “SPIN,” on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets with three Cherry (CHERRY) symbols in the same “SPIN,” and a prize symbol of \$100 (ONE HUN) appears in the “PRIZE” area to the right of that “SPIN,” on a single ticket, shall be entitled to a prize of \$300.

(h) Holders of tickets with three like play symbols in the same “SPIN,” and a prize symbol of \$100 (ONE HUN) appears in the “PRIZE” area to the right of that “SPIN,” on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets with a Bill (BILL) symbol in a “SPIN,” and a prize symbol of \$100 (ONE HUN) appears in the “PRIZE” area to the right of that “SPIN,” on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets with three like play symbols in the same “SPIN,” and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “PRIZE” area to the right of that “SPIN,” on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets with a Bill (BILL) symbol in a “SPIN,” and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “PRIZE” area to the right of that “SPIN,” on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets with three Cherry (CHERRY) symbols in the same "SPIN," and a prize symbol of \$15<sup>00</sup> (FIFTN) appears in the "PRIZE" area to the right of that "SPIN," on a single ticket, shall be entitled to a prize of \$45.

(m) Holders of tickets with three like play symbols in the same "SPIN," and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the "PRIZE" area to the right of that "SPIN," on a single ticket, shall be entitled to a prize of \$40.

(n) Holders of tickets with a Bill (BILL) symbol in a "SPIN," and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the "PRIZE" area to the right of that "SPIN," on a single ticket, shall be entitled to a prize of \$40.

(o) Holders of tickets with three like play symbols in the same "SPIN," and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the "PRIZE" area to the right of that "SPIN," on a single ticket, shall be entitled to a prize of \$30.

(p) Holders of tickets with three Cherry (CHERRY) symbols in the same "SPIN," and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "PRIZE" area to the right of that "SPIN," on a single ticket, shall be entitled to a prize of \$30.

(q) Holders of tickets with three like play symbols in the same "SPIN," and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "PRIZE" area to the right of that "SPIN," on a single ticket, shall be entitled to a prize of \$20.

(r) Holders of tickets with three like play symbols in the same "SPIN," and a prize symbol of \$15<sup>00</sup> (FIFTN) appears in the "PRIZE" area to the right of that "SPIN," on a single ticket, shall be entitled to a prize of \$15.

(s) Holders of tickets with a Bill (BILL) symbol in a "SPIN," and a prize symbol of \$15<sup>00</sup> (FIFTN) appears in

the "PRIZE" area to the right of that "SPIN," on a single ticket, shall be entitled to a prize of \$15.

(t) Holders of tickets with three Cherry (CHERRY) symbols in the same "SPIN," and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "PRIZE" area to the right of that "SPIN," on a single ticket, shall be entitled to a prize of \$15.

(u) Holders of tickets with three like play symbols in the same "SPIN," and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "PRIZE" area to the right of that "SPIN," on a single ticket, shall be entitled to a prize of \$10.

(v) Holders of tickets with a Bill (BILL) symbol in a "SPIN," and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "PRIZE" area to the right of that "SPIN," on a single ticket, shall be entitled to a prize of \$10.

(w) Holders of tickets with three like play symbols in the same "SPIN," and a prize symbol of \$6<sup>00</sup> (SIX DOL) appears in the "PRIZE" area to the right of that "SPIN," on a single ticket, shall be entitled to a prize of \$6.

(x) Holders of tickets with three like play symbols in the same "SPIN," and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "PRIZE" area to the right of that "SPIN," on a single ticket, shall be entitled to a prize of \$5.

(y) Holders of tickets with a Bill (BILL) symbol in a "SPIN," and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "PRIZE" area to the right of that "SPIN," 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:

<i>Reveal 3 Like Symbols In The Same Spin, Win Prize Shown To The Right Of That Spin. Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets</i>
\$5 w/BILL	\$5	20	300,000
\$5	\$5	18.75	320,000
\$5 × 2	\$10	60	100,000
\$10 w/BILL	\$10	60	100,000
\$10	\$10	60	100,000
\$5 × 3	\$15	120	50,000
\$5 w/THREE CHERRY SYMBOLS	\$15	75	80,000
\$15 w/BILL	\$15	300	20,000
\$15	\$15	120	50,000
\$5 × 4	\$20	300	20,000
\$10 × 2	\$20	200	30,000
\$20	\$20	40	150,000
\$5 × 8	\$40	600	10,000
(\$6 × 5) + (\$5 × 2)	\$40	600	10,000
\$10 w/THREE CHERRY SYMBOLS + \$10	\$40	600	10,000
\$20 × 2	\$40	600	10,000
\$40 w/BILL	\$40	600	10,000
\$40	\$40	600	10,000
\$5 × 10	\$50	1,200	5,000
\$10 w/THREE CHERRY SYMBOLS + (\$10 × 2)	\$50	1,200	5,000
\$15 w/THREE CHERRY SYMBOLS + \$5	\$50	1,200	5,000
\$20 + \$30	\$50	1,200	5,000
\$50 w/BILL	\$50	1,200	5,000
\$50	\$50	1,200	5,000
(\$5 × 4) + (\$10 × 8)	\$100	3,429	1,750
\$10 × 10	\$100	1,263	4,750

Reveal 3 Like Symbols In The Same Spin, Win Prize Shown To The Right Of That Spin. Win With Prize(s) Of:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 6,000,000 Tickets
\$15 w/THREE CHERRY SYMBOLS + (\$5 × 11)	\$100	1,263	4,750
\$20 × 5	\$100	3,429	1,750
\$50 × 2	\$100	3,429	1,750
\$100 w/BILL	\$100	4,000	1,500
\$100	\$100	1,263	4,750
(\$40 × 10) + (\$50 × 2)	\$500	30,000	200
\$100 w/THREE CHERRY SYMBOLS + (\$100 × 2)	\$500	30,000	200
\$500 w/BILL	\$500	30,000	200
\$500	\$500	30,000	200
\$100 × 10	\$1,000	60,000	100
\$1,000 w/BILL	\$1,000	60,000	100
\$1,000	\$1,000	60,000	100
\$1,000 × 10	\$10,000	600,000	10
\$10,000	\$10,000	600,000	10
\$100,000	\$100,000	600,000	10

Reveal a "BILL" (BILL) symbol, win prize shown to the right of that spin automatically.

Reveal 3 "CHERRY" (CHERRY) symbols in the same spin, win 3 times the prize shown to the right of that spin.

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 Lucky Cherry Slots instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Lucky Cherry Slots, prize money from winning Pennsylvania Lucky Cherry Slots 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 Lucky Cherry Slots instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Lucky Cherry Slots or through normal communications methods.

DANIEL MEUSER,  
Acting Secretary

[Pa.B. Doc. No. 11-664. Filed for public inspection April 15, 2011, 9:00 a.m.]

**Pennsylvania Pure Gold '11 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 Pure Gold '11.

2. *Price:* The price of a Pennsylvania Pure Gold '11 instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania Pure Gold '11 instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area, a "YOUR NUMBERS" area and a separate "FAST CASH BONUS" area containing one play symbol. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Gold Ring (GLDRING) symbol, 10X (10 TIMES) symbol and 24K (WIN24K) symbol. The play symbols and their captions located in the "FAST CASH BONUS" area are: Bell (BELL) symbol, Cherry (CHERRY) symbol, Gold Bar (GOLDBAR) symbol, Horse Shoe (SHOE) symbol and a Star (STAR) symbol. The "FAST CASH BONUS" area is played separately from the rest of the game.

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), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY

FIV), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$24,000 (TWYFORTH) and \$240,000 (THUNFRYTHO). The prize symbols and their captions located in the "FAST CASH BONUS" area are: \$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), \$400 (FOR HUN), \$500 (FIV HUN) and \$1,000 (ONE THO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$400, \$500, \$1,000, \$24,000, and \$240,000. The prizes that can be won in the "FAST CASH BONUS" area are: \$10, \$20, \$25, \$40, \$50, \$100, \$400, \$500 and \$1,000. A player can win up to 15 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,000,000 tickets will be printed for the Pennsylvania Pure Gold '11 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$240,000 (THUNFRYTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$240,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$24,000 (TWYFORTH) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$24,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 24K (WIN24K) symbol, on a single ticket, shall be entitled to a prize of \$24,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$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 with a Gold Bar (GOLDBAR) symbol in the "FAST CASH BONUS" area, and a prize symbol of \$1,000 (ONE THO) appears to the right of the Gold Bar (GOLDBAR) 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 is a Gold Ring (GLDRING) symbol and a prize symbol of \$500 (FIV HUN) appears under the Gold Ring (GLDRING) 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 (10 TIMES) symbol, and a prize symbol of \$100 (ONE HUN) appears under the 10X (10 TIMES) 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 matches any of the "WINNING NUMBERS" play symbols 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.

(i) Holders of tickets with a Gold Bar (GOLDBAR) symbol in the "FAST CASH BONUS" area and a prize symbol of \$500 (FIV HUN) appears to the right of the Gold Bar (GOLDBAR) symbol, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10 TIMES) symbol, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears under the 10X (10 TIMES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(l) Holders of tickets with a Gold Bar (GOLDBAR) symbol in the "FAST CASH BONUS" area and a prize symbol of \$400 (FOR HUN) appears to the right of the Gold Bar (GOLDBAR) symbol, on a single ticket, shall be entitled to a prize of \$400.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10 TIMES) symbol, and a prize symbol of \$40<sup>00</sup> (FORTY) appears under the 10X (10 TIMES) symbol, on a single ticket, shall be entitled to a prize of \$400.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Ring (GLDRING) symbol and a prize symbol of \$100 (ONE HUN) appears under the Gold Ring (GLDRING) symbol, on a single ticket, shall be entitled to a prize of \$200.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets with a Gold Bar (GOLDBAR) symbol in the "FAST CASH BONUS" area and a prize symbol of \$100 (ONE HUN) appears to the right of the Gold Bar (GOLDBAR) symbol, on a single ticket, shall be entitled to a prize of \$100.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Ring (GLDRING) symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears under the Gold Ring (GLDRING) symbol, on a single ticket, shall be entitled to a prize of \$100.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10 TIMES) symbol, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the 10X (10 TIMES) symbol, on a single ticket, shall be entitled to a prize of \$100.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Ring (GLDRING) symbol and a prize symbol of \$40<sup>00</sup> (FORTY) appears under the Gold Ring (GLDRING) symbol, on a single ticket, shall be entitled to a prize of \$80.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(u) Holders of tickets with a Gold Bar (GOLDBAR) symbol in the "FAST CASH BONUS" area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears to the right of the Gold Bar (GOLDBAR) symbol, on a single ticket, shall be entitled to a prize of \$50.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Ring

(GLDRING) symbol and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears under the Gold Ring (GLDRING) symbol, on a single ticket, shall be entitled to a prize of \$50.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a 10X (10 TIMES) symbol, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears under the 10X (10 TIMES) symbol, on a single ticket, shall be entitled to a prize of \$50.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40<sup>00</sup> (FORTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(y) Holders of tickets with a Gold Bar (GOLDBAR) symbol in the “FAST CASH BONUS” area and a prize symbol of \$40<sup>00</sup> (FORTY) appears to the right of the Gold Bar (GOLDBAR) symbol, on a single ticket, shall be entitled to a prize of \$40.

(z) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Gold Ring (GLDRING) symbol and a prize symbol of \$20<sup>00</sup> (TWENTY) appears under the Gold Ring (GLDRING) symbol, on a single ticket, shall be entitled to a prize of \$40.

(aa) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(bb) Holders of tickets with a Gold Bar (GOLDBAR) symbol in the “FAST CASH BONUS” area and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears to the right of the Gold Bar (GOLDBAR) symbol, on a single ticket, shall be entitled to a prize of \$25.

(cc) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol

of \$20<sup>00</sup> (TWENTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(dd) Holders of tickets with a Gold Bar (GOLDBAR) symbol in the “FAST CASH BONUS” area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears to the right of the Gold Bar (GOLDBAR) symbol, on a single ticket, shall be entitled to a prize of \$20.

(ee) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Gold Ring (GLDRING) symbol and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the Gold Ring (GLDRING) 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 matches any of the “WINNING NUMBERS” play symbols 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.

(gg) Holders of tickets with a Gold Bar (GOLDBAR) symbol in the “FAST CASH BONUS” area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears to the right of the Gold Bar (GOLDBAR) symbol, on a single ticket, shall be entitled to a prize of \$10.

(hh) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Gold Ring (GLDRING) symbol and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears under the Gold Ring (GLDRING) 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 matches any of the “WINNING NUMBERS” play symbols 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 Of The Winning Numbers, Win Prize Shown Under The Matching Number, Win With Prize(s) Of:*

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets</i>
\$5 × 2	24	250,000
BONUS w/\$10	17.14	350,000
\$10	20	300,000
\$5 × 4	120	50,000
\$10 × 2	120	50,000
\$10 w/GOLD RING	120	50,000
(BONUS w/\$10) + \$10	60	100,000
BONUS w/\$20	60	100,000
\$20	60	100,000
\$5 × 5	300	20,000
(\$5 w/GOLD RING) + (\$5 × 3)	300	20,000
BONUS w/\$25	300	20,000
\$25	300	20,000
\$5 × 8	600	10,000
(BONUS w/\$10) + (\$10 × 3)	600	10,000
\$20 w/GOLD RING	600	10,000
BONUS w/\$40	600	10,000
\$40	600	10,000
\$5 w/10X	600	10,000
\$10 × 5	600	10,000
\$25 w/GOLD RING	600	10,000

*When Any Of Your Numbers Match Any Of The Winning Numbers, Win Prize Shown Under The Matching Number, Win With Prize(s) Of:*

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 6,000,000 Tickets
BONUS w/\$50	\$50	600	10,000
\$50	\$50	300	20,000
\$10 × 10	\$100	600	10,000
\$10 w/10X	\$100	600	10,000
(\$20 w/GOLD RING) + (\$20 × 3)	\$100	600	10,000
\$25 × 4	\$100	600	10,000
(\$40 w/GOLD RING) + (\$5 × 4)	\$100	600	10,000
\$50 w/GOLD RING	\$100	600	10,000
(BONUS w/\$50) + \$50	\$100	600	10,000
BONUS w/\$100	\$100	600	10,000
\$100	\$100	600	10,000
(\$20 × 10) + (\$40 × 5)	\$400	8,571	700
\$40 × 10	\$400	8,571	700
\$40 w/10X	\$400	8,571	700
(\$50 w/GOLD RING) + (\$50 × 6)	\$400	8,571	700
(BONUS w/\$100) + (\$100 × 3)	\$400	8,571	700
BONUS w/\$400	\$400	8,571	700
\$400	\$400	8,571	700
(\$25 × 10) + (\$50 × 5)	\$500	15,000	400
\$50 w/10X	\$500	15,000	400
(\$100 w/GOLD RING) + (\$100 × 3)	\$500	15,000	400
(BONUS w/\$400) + (\$20 × 5)	\$500	15,000	400
BONUS w/\$500	\$500	15,000	400
\$500	\$500	15,000	400
(\$40 × 5) + (\$400 × 2)	\$1,000	17,143	350
(\$50 × 10) + (\$100 × 5)	\$1,000	17,143	350
\$100 w/10X	\$1,000	17,143	350
\$500 w/GOLD RING	\$1,000	17,143	350
(BONUS w/\$500) + \$500	\$1,000	17,143	350
BONUS w/\$1,000	\$1,000	17,143	350
\$1,000	\$1,000	17,143	350
\$24,000 w/24K	\$24,000	240,000	25
\$24,000	\$24,000	240,000	25
\$24,000 w/24K × 10	\$240,000	1,200,000	5
\$240,000	\$240,000	1,200,000	5

“GOLD RING” (GLDRING) symbol = win double the prize shown under it.

“10X” (10 TIMES) symbol = win 10 times the prize shown under it.

“24K” (WIN24K) symbol = win \$24,000 instantly!

FAST CASH BONUS = Reveal a “GOLD BAR” (GOLDBAR) symbol, win prize shown to the right of it.

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 Pure Gold '11 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Pure Gold '11, prize money from winning Pennsylvania Pure Gold '11 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 Pure Gold '11 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Pure Gold '11 or through normal communications methods.

DANIEL MEUSER,  
*Acting Secretary*

[Pa.B. Doc. No. 11-665. Filed for public inspection April 15, 2011, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under section 2003(e)(7) of The Administrative Code of 1929 (71



P. S. § 513(e)(7)), intends to sell certain land owned by the Department.

The following property is available for sale by the Department.

*Parcel No. 11—Located in the City of Erie, Erie County*

This parcel contains approximately 1.484 acres of land situated adjacent to the East Side Connector bike trail between East 9th and East 10th Streets. The property will be sold in “as is condition.” The estimated fair market value of the parcel is \$325,000. It has been determined that the land is no longer needed for present or future transportation purposes.

Interested public entities are invited to express their interest in purchasing the site and to obtain additional information, within 30 calendar days from the date of publication of this notice, to William G. Petit, P.E., District Executive, Department of Transportation, Engineering District 1-0, 255 Elm Street, P. O. Box 398, Oil City, PA 16301.

BARRY J. SCHOCH, P.E.,  
*Acting Secretary*

[Pa.B. Doc. No. 11-666. Filed for public inspection April 15, 2011, 9:00 a.m.]

### Governor’s Transportation Funding Advisory Commission Meeting

This notice announces the first meeting of the Governor’s Transportation Funding Advisory Commission (Advisory Commission).

This Advisory Commission, composed of State government leaders and industry experts, has been established by Governor Tom Corbett to explore innovative solutions for this Commonwealth’s ongoing challenges supporting transportation investment and to advise the Governor on possible legislative and regulatory changes.

The agenda for each meeting, including meeting materials, will be available through the Advisory Commission section of the Department of Transportation’s (Department) web site at <http://www.dot.state.pa.us>.

The initial meeting will be held on Monday, April 25, 2011, from 10 a.m. to 3 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Seating in the conference room is limited, so individuals planning on attending are requested to contact Nolan Ritchie at (717) 787-2913 or [nritchie@state.pa.us](mailto:nritchie@state.pa.us) so that the Department can anticipate the level of public attendance. The Department is unable to reserve seating for guests. In addition, public comment can be directed to the Transportation Funding Advisory Commission, Office of the Governor, 225 Main Capitol Building, Harrisburg, PA 17120, [TFAC@state.pa.us](mailto:TFAC@state.pa.us).

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Nolan Ritchie at (717) 787-2913 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

BARRY J. SCHOCH, P.E.,  
*Acting Secretary*

[Pa.B. Doc. No. 11-667. Filed for public inspection April 15, 2011, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Voluntary Surrender of Pennsylvania Certificate of Authority Filed by Shared Services Insurance Group

Shared Services Insurance Group, a domestic stock casualty insurance company, has submitted an application for approval to surrender its Insurance Department (Department) Certificate of Authority.

Persons wishing to comment on the grounds of public or private interest concerning the surrender are invited to submit a written statement to the Department within 14 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the writer; identification of the application to which the comment is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the comment and the relevant facts upon which it is based. Written statements should be directed to Robert Brackbill, Company Licensing Division, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or [rbrackbill@state.pa.us](mailto:rbrackbill@state.pa.us).

MICHAEL F. CONSEDINE,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 11-668. Filed for public inspection April 15, 2011, 9:00 a.m.]

### Liberty Mutual Fire Insurance Company; The First Liberty Insurance Corporation; Private Passenger Automobile; Rate Revisions

On March 24, 2011, the Insurance Department (Department) received from Liberty Mutual Fire Insurance Company (LMFIC) and The First Liberty Insurance Corporation (TFLIC) a filing for rate level changes for private passenger automobile insurance.

LMFIC requests overall increases of 7.1%, amounting to annual increases of \$5,724,000 to be effective August 5, 2011, for renewal business. This overall figure represents an average; the effect of this filing on the rates for individual consumers may vary.

TFLIC requests overall increases of 7.3%, amounting to annual increases of \$11,821,000 to be effective August 5, 2011, for renewal business. This overall figure represents an average; the effect of this filing on the rates for individual consumers may vary.

Unless formal administrative action is taken prior to May 23, 2011, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department’s web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under “How to Find...” click on “View Current Rate Filings.”

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [xlu@state.pa.us](mailto:xlu@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 11-669. Filed for public inspection April 15, 2011, 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 Philadelphia, 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 Philadelphia Regional Office, Fairmount Hearing Room, 801 Market Street, Philadelphia, PA 19107.

Appeal of Carrie W. Colquhette; file no. 11-130-99787; State Farm Mutual Automobile Insurance Company; Doc. No. P11-03-027; May 20, 2011, 3:30 p.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director, (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 11-670. Filed for public inspection April 15, 2011, 9:00 a.m.]

### Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with the termination of the insured's homeowners policy. The administrative

hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by an appellant to appear at a 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 Thomas; file no. 11-130-100647; MMG Insurance Company; Doc. No. P11-04-001; May 24, 2011, 9:30 a.m.

Parties may appear with or without counsel and offer relevant testimony and/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.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (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, (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 11-671. Filed for public inspection April 15, 2011, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Governor's Office*

Management Directive No. 205.38—Emergency Evacuation and Safe Assembly, Amended February 23, 2011.

Management Directive No. 580.28—Reallocation to a Lower Class in the Classified Service, Amended March 30, 2011.

MARY JANE PHELPS,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 11-672. Filed for public inspection April 15, 2011, 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 Sheraton, Harrisburg-Hershey, 4650 Lindle Road, Harrisburg, PA at 10 a.m. on Tuesday, April 26, 2011.

Individuals with 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. 11-673. Filed for public inspection April 15, 2011, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by May 2, 2011. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Application of the following for approval to begin operating as common carriers for transportation of persons as described under the application.**

**A-2011-2233609. Marco Tralongo, t/a Quality Limousine Service** (4806 Gardenville Road, Pittsburgh, Allegheny County, PA 15236)—in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in Pennsylvania; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.**

**A-2011-2231468. Health Ride Plus, Inc.** (406 Magnolia Street, Northern Cambria, Cambria County, PA 15714), for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service from points in the Counties of Clarion, Elk, Indiana, Jefferson, Cambria, Clearfield, Somerset, Blair, Bedford, Huntingdon, Centre and Mifflin, to points in Pennsylva-

nia, and return; which is to be a transfer of all the rights from A-00107235 F0003 & F0003, Am-A, subject to the same limitations and conditions. *Attorney:* J. Dennis Previte, Esquire, P. O. Box 785, Northern Cambria, PA 15714.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.**

**A-2011-2229831. Frank A. Stumpo, t/a Franks Moving Service** (1407 West 26th Street, Erie, Erie County, PA 16508)—household goods in use, from points in Erie County, to points in Pennsylvania, and vice versa.

**Application of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of household goods by transfer of rights as described under the application.**

**A-2011-2233671. Bekins A-1 Movers, Inc., t/a Ace Moving and Storage** (125 Stewart Road, Wilkes-Barre, PA 18706-1462), household goods in use: (1) from points in the City of Nanticoke, Luzerne County, and within an airline distance of 3 miles of the limits of said City and from points in the Township of Newport, Luzerne County, to points in the County of Luzerne and vice versa; (2) between points in the City of Nanticoke, Luzerne County; (3) between points in the City of Wilkes-Barre, Luzerne County, and within 3 miles of the limits of said City; and (4) from points in the City of Wilkes-Barre, Luzerne County and within 3 miles of the limits of the said City, to other points in Pennsylvania, and vice versa, between points in Pennsylvania, which is to be a transfer of all the right authorized under the certificate issued at A-00099670, Delphine Painter, t/a Painter's Van Lines, subject to the same limitations and conditions. *Attorney:* Craig A. Doll, 25 West Second Street, P. O. Box 403, Hummelstown, PA 17036-0403.

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. LAN Trans Co., Inc.;*  
*Doc. No. C-2010-2213376*

## COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other Bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That LAN Trans Co., Inc., Respondent, maintains a principal place of business at PO Box 52221, Philadelphia, PA 19116.

2. That Respondent was issued a certificate of public convenience by this Commission on February 7, 2005, at Docket No. A-00121006, F. 2, on February 18, 2005, at Docket No. A-00121006, F. 4, and on March 2, 2005, at Docket No. A-00121006, F. 5, for call or demand authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide this Commission with a current list of all of its vehicles

utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine LAN Trans Co, Inc. the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, Michael E. Hoffman, Director of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

Michael E. Hoffman, Director  
Motor Carrier Services and Enforcement  
Division  
Bureau of Transportation and Safety

#### NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this Complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request the Commission to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

Date of Service: March 23, 2011 Re-Served

Docket Number: C-2011-2230352

Harunoo Rashid  
Rashid Transportation, LLC  
P. O. Box 7494  
Steelton, PA 17113

*Pennsylvania Public Utility Commission Bureau of  
Transportation and Safety  
vs.  
Rashid Transportation, LLC*

Dear Sir/Madam:

The Pennsylvania Public Utility Commission has delegated its authority to initiate prosecutory proceedings to several bureaus in the Commission with enforcement responsibilities.

Pursuant to this delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff has filed the attached complaint against you.

Please refer to the Notice page at the conclusion of this complaint for detailed instructions on how to proceed. Alternative formats of this material are available for persons with disabilities.

Any questions may be directed to the Technical Review Section of the Bureau of Transportation and Safety at (717) 787-1168.

Very truly yours,

Rosemary Chiavetta  
Secretary

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Harunoo Rashid,  
Rashid Transportation, LLC;  
Doc. No. C-2011-2230352, A-6411001*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Rashid Transportation, LLC, respondent, maintains its principal place of business at P. O. Box 7494, Steelton, Dauphin County, PA 17113.

2. That respondent was issued a certificate of public convenience by this Commission on November 24, 2009, at Docket No. A-6411001, for paratransit authority.

3. That on April 5, 2010, a voluntary suspension was granted for Rashid Transportation, LLC, at Docket No. A-2010-2163414 until March 9, 2011. The respondent was advised in the April 5, 2010 letter, that it was required to notify the Commission, in writing, of its intentions to resume operations on or before March 9, 2011, and file acceptable evidence of insurance, or a complaint for abandonment of service would be instituted against it. No communication has been received by the respondent.

4. That respondent, by failing to file an application for discontinuance of paratransit service with this Commission, violated 52 Pa. Code § 3.381(a)(1)(v) and 66 Pa.C.S. § 1102(a)(2).

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke Rashid Transportation, LLC's certificate of public convenience at A-6411001, for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, Michael E. Hoffman, Director of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

Michael E. Hoffman, Director  
Motor Carrier Services and Enforcement  
Division  
Bureau of Transportation and Safety

NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is

the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination, or order of the Commission is a separate and distinct offense, subject to additional penalties.

C. If you file an Answer which admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission issue an order imposing a penalty, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may impose an additional fine of up to \$1,000.

D. If you file an answer which contests the complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the optional fine set forth above.

E. If you have questions regarding this Complaint, or if you would like an alternative format of this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Kayla Enterprises, Ltd.;  
Doc. No. C-2010-2213160*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other Bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Kayla Enterprises, Ltd., Respondent, maintains a principal place of business at 5937 A North Hutchinson Street, Philadelphia, PA 19141.

2. That Respondent was issued a certificate of public convenience by this Commission on June 28, 2004, at Docket No. A-00120764, F. 2, on October 20, 2004, at Docket No. A-00120764, F. 3, and November 24, 2004, at Docket No. A-00120764, F. 4, for call or demand authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide

this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Kayla Enterprises, Inc. the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, Michael E. Hoffman, Director of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

Michael E. Hoffman, Director  
Motor Carrier Services and Enforcement  
Division  
Bureau of Transportation and Safety

#### NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this Complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request the Commission to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 11-674. Filed for public inspection April 15, 2011, 9:00 a.m.]

#### **Telecommunications**

**A-2011-2233866. Verizon North, LLC and NTELOS.** Joint Petition of Verizon North, LLC and NTELOS for approval of interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and NTELOS, by its counsel, filed on April 1, 2011, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North, LLC and NTELOS joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 11-675. Filed for public inspection April 15, 2011, 9:00 a.m.]



