

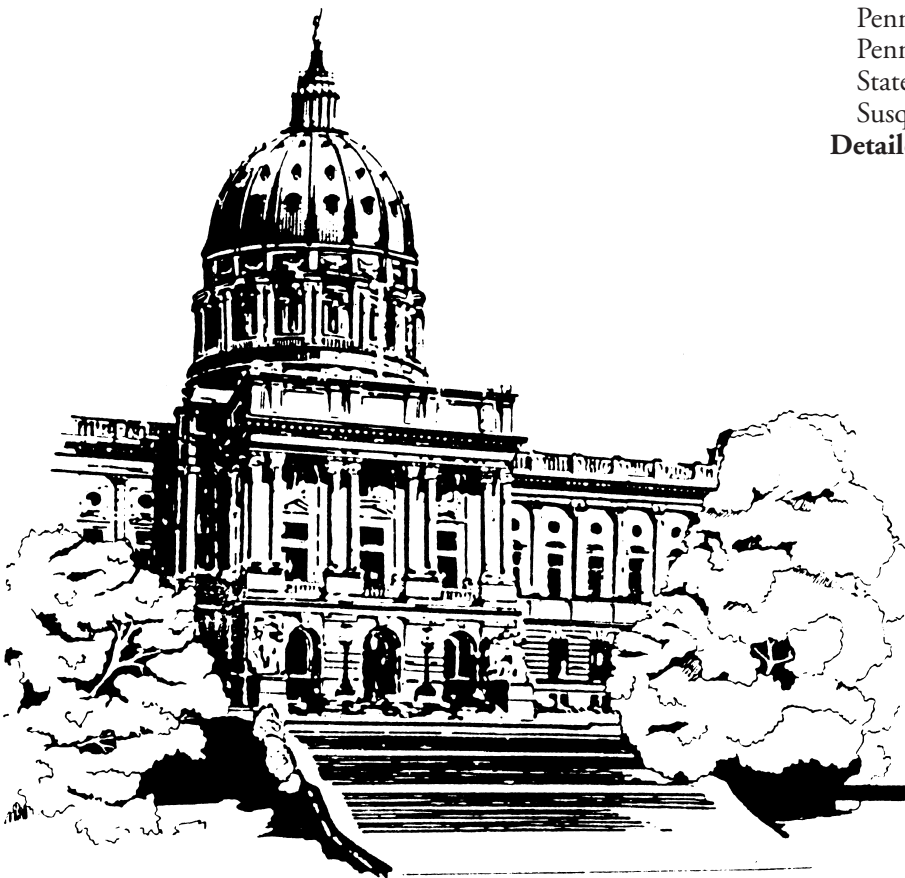
PENNSYLVANIA BULLETIN

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Agencies in this issue

The General Assembly
Delaware River Basin Commission
Department of Environmental Protection
Department of Health
Fish and Boat Commission
Insurance Department
Pennsylvania Convention Center Authority
Pennsylvania Public Utility Commission
State Board of Cosmetology
Susquehanna River Basin Commission

Detailed list of contents appears inside.



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

No. 444, November 2011

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CONTENTS

THE GENERAL ASSEMBLY

Cost-of-living factor under the Public Official Compensation Law 6324

EXECUTIVE AGENCIES

DELAWARE RIVER BASIN COMMISSION

Notices

Meeting and public hearing 6325

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Applications, actions and special notices 6325

Pennsylvania Energy Development Authority Board meeting 6354

Water Resources Advisory Committee special meeting 6354

DEPARTMENT OF HEALTH

Notices

Long-term care nursing facilities; requests for exception 6354

FISH AND BOAT COMMISSION

Notices

Proposed changes to list of class A wild trout waters 6355

2012 Classification of wild trout streams; proposed additions to list 6356

INSURANCE DEPARTMENT

Notices

Application for approval to merge with Harleysville Mutual Insurance Company 6357

PENNSYLVANIA CONVENTION CENTER AUTHORITY

Notices

Independent Auditors' Report 6358

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices

Service of notice of motor carrier applications 6362

STATE BOARD OF COSMETOLOGY

Notices

Bureau of Professional and Occupational Affairs v. Rose E. Frankil; doc. no. 1503-45-2011 6364

SUSQUEHANNA RIVER BASIN COMMISSION

Notices

Public hearing and meeting 6364

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

READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the 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.

**SUBSCRIPTION INFORMATION: (717) 766-0211
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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.

1 Pa. Code (General Provisions)

Adopted Rules
1 2686

4 Pa. Code (Administration)

Adopted Rules
6 1754, 5345, 5348, 6081
7 5350
7a 5345, 5350
247 6217

Statements of Policy

9 522, 614, 1784, 3100, 3733, 4441, 4854, 5388

7 Pa. Code (Agriculture)

Adopted Rules
59 2540
59a 2540

Proposed Rules

144 2123

Statements of Policy

28c 351

25 Pa. Code (Environmental Protection)

Adopted Rules
78 805
86 3084, 4624
87 3084
88 3084
89 3084
90 3084
93 1335, 4751, 4754
105 219
121 4761
127 4761
129 229
208 5360
250 230, 840, 1458
901 3187

Proposed Rules

208 5959
806 3987
901 1173

28 Pa. Code (Health and Safety)

Proposed Rules
1001 5865
1003 5865
1005 5865
1007 5865
1009 5865
1011 5865
1013 5865
1015 5865
1021 5865
1023 5865
1025 5865
1027 5865
1029 5865
1031 5865
1033 5865

31 Pa. Code (Insurance)

Adopted Rules
39 592
39a 592
43 4948
84b 599
84c 600
84d 601
118a 602

34 Pa. Code (Labor and Industry)

Adopted Rules
61 844
63 3094
65 848

37 Pa. Code (Law)

Proposed Rules
431 5961

40 Pa. Code (Liquor)

Adopted
3 6217
5 6218

Proposed Rules

3 4104
5 4104

49 Pa. Code (Professional and Vocational Standards)

Adopted Rules
5 2845
20 16
27 5365
37 2847
43b 2853, 2856
47 4627
48 4627
49 4627

Proposed Rules

5 4958
11 4541
27 1337
31 4982
33 4960
40 4962
42 1909
43b 4535, 4538

52 Pa. Code (Public Utilities)

Adopted Rules
23 4100
56 5473
62 30

Proposed Rules

33 5634
59 1020
111 5624
1001 435
1003 435
1005 435
1011 435
1013 435

561	4421
563	3975
565	3836
567	3000
569	3836
571	5963
573	5963
601a	1769
603a	238
605a	605
609a	1769
611a	1769
613a	605
615a	605
617a	3000
619a	3000
621a	2981
623a	2981
625a	2981
627a	3196, 3732
629a	3196, 3732
631a	3196, 3732
633a	4421
635a	5963
637a	5963
639a	3975
641a	3836
643a	3836
645a	4421
647a	3975
649a	3836
651a	3000
653a	3836
655a	5963
657a	5963
61 Pa. Code (Revenue)	
Adopted Rules	
1001	41
Proposed Rules	
91	6220
901	4638
Statements of Policy	
60	3543
94	5994
67 Pa. Code (Transportation)	
Adopted Rules	
21	5623
83	46
231	6086
Proposed Rules	
23	6088
427	6089
Statements of Policy	
455	4984
101 Pa. Code (General Assembly)	
Statements of Policy	
31	4775
201 Pa. Code (Rules of Judicial Administration)	
Adopted Rules	
7	4417
19	3719, 6085

204 Pa. Code (Judicial System General Provisions)	
Adopted Rules	
29	1894, 4845, 6195
71	1895, 5742
83	331, 2119, 2932, 3526
85	1757, 4202
87	4202
89	4202
91	4202
93	4202
211	1894
Proposed Rules	
29	4084
83	2517, 4200, 4845
207 Pa. Code (Judicial Conduct)	
Adopted Rules	
33	4620
51	332
Proposed Rules	
115	1332
210 Pa. Code (Appellate Procedure)	
Adopted Rules	
5	5620
11	923
15	1999
17	5353
21	5620
63	923, 2837, 4620
67	1456, 2413
Proposed Rules	
1	2212, 5954
3	4529
9	2212, 3968, 4529
15	3968
17	3968, 4529
19	2212, 4529
27	2212
225 Pa. Code (Rules of Evidence)	
Proposed Rules	
I	2795
II	2795
III	2795
IV	2795
V	2795
VI	2795
VII	2795
VIII	2795
IX	2795
X	2795
231 Pa. Code (Rules of Civil Procedure)	
Adopted Rules	
200	7, 214, 215, 333
1000	3526
1910	4531, 4847, 4849, 4851, 5153
1920	1758
3000	333
4000	334
Part II	336, 5743
Proposed Rules	
200	2314
1000	2315
1300	2316
1910	1617, 1618, 1619, 3527

1915 3719
 3000 5062
 Part II 2932

234 Pa. Code (Rules of Criminal Procedure)

Adopted Rules

1 1999
 3 1759
 4 1167
 5 834
 9 1999
 10 216, 834, 3970, 5353

Proposed Rules

1 1008, 2214, 3810, 5538
 4 3812
 5 3810, 5538
 6 2318, 5538
 7 1011
 9 2214
 10 5538
 11 5538

237 Pa. Code (Juvenile Rules)

Adopted Rules

1 2319, 2413, 2429, 2684, 2839, 5062, 5355
 2 2319, 2413, 3180
 3 2319, 2684, 3180
 4 2319, 2413, 3180
 5 2319, 2413, 2684, 3180
 6 2319, 2413, 3180

8 2319
 11 2319, 2413, 2430, 2839
 12 2319, 2413, 2839
 14 2319, 2413
 15 2319, 2413
 16 2319, 2413, 2430, 2434
 18 2413, 2430, 2434, 2839

Proposed Rules

1 8, 1013
 4 2522
 5 3528
 6 3528
 8 8
 11 8
 12 8
 18 8

249 Pa. Code (Philadelphia Rules)

Unclassified 1760, 3534, 3730, 5154

255 Pa. Code (Local Court Rules)

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

THE GENERAL ASSEMBLY

Cost-of-Living Factor Under the Public Official Compensation Law

Under Section 4(d) of the Public Official Compensation Law (Act 72 of 2005), for the 12-month period beginning December 1, 2011, through November 30, 2012, the salary of the members of the General Assembly shall be increased by a cost-of-living factor which is determined by increasing the amount of the salary by the percentage change in the Consumer Price Index for all Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, officially reported by the United States Department of Labor, Bureau of Labor Statistics for the period of November 1, 2010 through October 31, 2011.

The percentage increase and the new salary amount have been determined jointly by the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives as follows:

The CPI-U for the period November 1, 2010 through October 31, 2011 increased by 3.0178%. Therefore, the salary for legislators for the period beginning December 1, 2011 through November 30, 2012 will be \$82,026.11.

Under section 4(d.1) of the Public Official Compensation Law (Act 72 of 2005), for the 12-month period beginning December 1, 2011 through November 30, 2012, the additional compensation of the officers and leaders of the General Assembly shall be increased by a cost-of-living factor which is determined by increasing the amount of the salary by the percentage change in the Consumer Price Index for all Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, officially reported by the United States Department of Labor, Bureau of Labor Statistics for the period from November 1, 2010, through October 31, 2011.

The percentage change and the new compensation amounts have been determined jointly by the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives as follows:

<i>Leadership Position</i>	<i>% Increase</i>	<i>New Compensation</i>
President pro tempore/Speaker	3.0178%	\$46,021.89
Majority Floor Leader	3.0178%	\$36,819.25
Minority Floor Leader	3.0178%	\$36,819.25
Majority Whip	3.0178%	\$27,942.98
Minority Whip	3.0178%	\$27,942.98
Majority Caucus Chairman	3.0178%	\$17,422.70
Minority Caucus Chairman	3.0178%	\$17,422.70
Appropriations Chairman	3.0178%	\$27,942.98
Minority Appropriations Chairman	3.0178%	\$27,942.98
Majority Caucus Secretary	3.0178%	\$11,506.34
Minority Caucus Secretary	3.0178%	\$11,506.34
Majority Caucus Policy Chairman	3.0178%	\$11,506.34
Minority Caucus Policy Chairman	3.0178%	\$11,506.34
Majority Caucus Administrator	3.0178%	\$11,506.34
Minority Caucus Administrator	3.0178%	\$11,506.34

W. RUSSELL FABER,
Chief Clerk
Senate of Pennsylvania

ANTHONY FRANK BARBUSH,
Chief Clerk
House of Representatives

[Pa.B. Doc. No. 11-2032. Filed for public inspection November 23, 2011, 9:00 a.m.]

NOTICES

DELAWARE RIVER BASIN COMMISSION

Meeting and Public Hearing

The Delaware River Basin Commission (Commission) will hold an informal conference followed by a public hearing on Thursday, December 8, 2011, at the West Trenton Volunteer Fire Company, 40 West Upper Ferry Road, West Trenton, NJ. The hearing will be part of the Commission's regularly scheduled business meeting. The conference session and business meeting are both open to the public.

The morning conference session will begin at 10:30 a.m. and will consist of presentations: (a) by A. Scott Andres, P.G. of the Delaware Geological Survey on the Groundwater Availability Report undertaken by the Delaware Water Supply Coordinating Council; (b) by Dr. Thomas J. Fikslin of the Commission on an overview of the Commission's monitoring programs; and (c) by David Sayers of the Commission staff on implementation of the Commission's Water Loss Accountability rule, which will go into effect in calendar year 2012.

Items for Public Hearing. The subjects of the public hearing to be held during the 1:30 p.m. business meeting on December 8, 2011, include draft dockets for which the names and brief descriptions will be posted on the Commission's web site at drbc.net at least 10 days prior to the meeting date. Draft dockets also will be posted on the web site 10 days prior to the meeting date. Additional public records relating to the dockets may be examined at the Commission's offices. Contact William Muszynski at (609) 883-9500, Ext. 221, with any docket-related questions.

In addition to the hearings on draft dockets, public hearings also will be held during the 1:30 p.m. business meeting on: (a) a resolution extending Docket No. D-69-210 CP Final (Revision 12) for the Exelon Limerick Generating Station Water Supply Modification Demonstration Project and Wadesville Mine Pool Withdrawal and Streamflow Augmentation Demonstration Project (W. Muszynski); (b) a proposed resolution authorizing the Executive Director to issue a request for proposal and enter into an agreement with the winning firm (or firms)

to conduct surface water sampling at natural gas well pad sites; (c) a proposed resolution to adopt the Commission fiscal year 2013 operating budget; and (d) a show cause hearing concerning notices of violation, provided that settlements with the alleged violators are not reached prior to the December meeting date.

Other Agenda Items. Other agenda items will consist of the standard business meeting items: adoption of the minutes of the Commission's September 21, 2011, business meeting, announcements of upcoming meetings and events, a report on hydrologic conditions, reports by the Executive Director and the Commission's General Counsel, public hearings and a public dialogue session.

Opportunities to Comment. Individuals who wish to comment for the record on a hearing item or to address the Commissioners informally during the public dialogue portion of the meeting are asked to sign up in advance by contacting Paula Schmitt of the Commission staff, at paula.schmitt@drbc.state.nj.us or (609) 883-9500, Ext. 224. Written comments on items scheduled for hearing may be submitted in advance of the meeting date to Commission Secretary, P. O. Box 7360, 25 State Police Drive, West Trenton, NJ 08628, fax (609) 883-9522 or paula.schmitt@drbc.state.nj.us. Written comments on dockets should also be furnished directly to the Project Review Section at the previously listed address or fax number or william.muszynski@drbc.state.nj.us.

Individuals in need of an accommodation as provided for in the Americans with Disabilities Act of 1990 who wish to attend the informational meeting, conference session or hearings should contact the Commission Secretary directly at (609) 883-9500, Ext. 203 or through the Telecommunications Relay Services (TRS) at 711, to discuss how the Commission can accommodate their needs.

Agenda Updates. Note that conference items are subject to change and items scheduled for hearing are occasionally postponed to allow more time for the Commission to consider them. Check the Commission's web site closer to the meeting date for changes that may be made after the deadline for filing this notice.

PAMELA M. BUSH, Esq.,
Secretary

[Pa.B. Doc. No. 11-2033. Filed for public inspection November 23, 2011, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, actions and special notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0261530 (Sew) Transfer No. 1	Roddy A. Runyan 1370 Waggoners Gap Road Carlisle, PA 17013	Cumberland County / North Middleton Township	Conodoguinet Creek / 7-B	Y
PA0247405 (Sew)	David R. Stup 5394 Big Creek Road Clearville, PA 15535	Bedford County / Monroe Township	West Branch Sideling Hill / 13-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0023591	Washington Township Municipal Authority PO Box 113 Fryburg, PA 16326	Clarion County Washington Township	East Sandy Creek 16-G	Y

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

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

PA0060089, Sewage, SIC Code 4952, **Middle Smithfield Township**, 25 Municipal Drive, East Stroudsburg, PA 18302-9710. Facility Name: Fernwood WWTP. This existing facility is located in Middle Smithfield Township, **Monroe 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, Bush Kill, is located in State Water Plan watershed 01D and is classified for, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.0 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
CBOD ₅	205	330	XXX	25	40	50
Total Suspended Solids	250	375	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	2000	XXX	10000
Ammonia-Nitrogen						
May 1 - Oct 31	25	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	75	XXX	XXX	9.0	XXX	18.0

The permit contains the following major special condition:

- Whole Effluent Toxicity testing

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

The EPA Waiver is not in effect.

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

PA0009164, SIC Code 3312, **Standard Steel LLC**, 500 N Walnut Street, Burnham, PA 17009-1644. Facility Name: Standard Steel Burnham Plant. This existing facility is located in Burnham Borough, **Mifflin County**.

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

The receiving stream(s), Kishacoquillas Creek is located in State Water Plan watershed 12-A and is classified for Trout Stocking and High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 002 are based on a design flow of 1.09 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
Temperature (MBTUs/day) (°F)	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Intake	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids Effluent Net	XXX	XXX	XXX	15	30	37
Total Suspended Solids Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease Effluent Net	XXX	XXX	XXX	10	20	25
Oil and Grease Intake	XXX	XXX	XXX	Report	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	Total Mo XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	Total Mo XXX	Report	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo	Total Annual				

<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>
Ammonia-Nitrogen	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Total Mo	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Total Mo	XXX	XXX	XXX	XXX	XXX
		Report Total Annual				

The proposed effluent limits for Outfall 003 are based on a design flow of 1.53 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
Temperature (MBTUs/day) (°F)	Report	XXX	XXX	Report	XXX	XXX
	Total Mo					
CBOD ₅	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids						
Effluent Net	XXX	XXX	XXX	15	30	37
Total Suspended Solids						
Intake	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease						
Effluent Net	XXX	XXX	XXX	10	20	25
Oil and Grease						
Intake	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Priority Pollutants	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 004 are based on a design flow of 1.41 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
Temperature (MBTUs/day) (°F)	Report	XXX	XXX	Report	XXX	XXX
	Total Mo					
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids						
Effluent Net	XXX	XXX	XXX	15	30	37
Total Suspended Solids						
Intake	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease						
Intake	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease						
Effluent Net	XXX	XXX	XXX	10	20	25

The proposed effluent limits for Outfall 005 are based on a design flow of 0.32 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
Temperature (MBTUs/day) (°F)	Report	XXX	XXX	Report	XXX	XXX
	Total Mo					

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids Effluent Net	XXX	XXX	XXX	15	30	37
Total Suspended Solids Intake	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease Intake	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease Effluent Net	XXX	XXX	XXX	10	20	XXX

The proposed effluent limits for storm water Outfall 301 are:

<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>
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
CBOD ₅	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Priority Pollutants	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 401 are based on a design flow of 0.0263 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
Trichloroethylene	XXX	XXX	XXX	XXX	Report	XXX
Vinyl Chloride	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 500 are based on a design flow of 4.35 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>
Temperature (MBTUs/day)						
Jan 1-31	XXX	2,060	XXX	XXX	XXX	XXX
Feb 1-29	XXX	1,872	XXX	XXX	XXX	XXX
Mar 1-31	XXX	5,244	XXX	XXX	XXX	XXX
Apr 1-30	XXX	5,970	XXX	XXX	XXX	XXX
May 1-31	XXX	6,000	XXX	XXX	XXX	XXX
Jun 1-30	XXX	5,450	XXX	XXX	XXX	XXX
Jul 1-31	XXX	4,075	XXX	XXX	XXX	XXX
Aug 1-31	XXX	2,547	XXX	XXX	XXX	XXX
Sep 1-30	XXX	2,119	XXX	XXX	XXX	XXX
Oct 1-31	XXX	2,055	XXX	XXX	XXX	XXX
Nov 1-30	XXX	1,880	XXX	XXX	XXX	XXX
Dec 1-31	XXX	1,798	XXX	XXX	XXX	XXX

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.

PA0261637, SIC Code 9999, **NGK Metals Corp**, 917 Highway 11 South, Sweetwater, TN 37874. Facility Name: NGK Metals Manufacturing. This proposed facility is located in Muhlenberg Township, **Berks County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated ground water.

The receiving stream(s), Laurel Run, is located in State Water Plan watershed 3-C and is classified for aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 002 are based on a design flow of 0.13 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	32.5	65	XXX	30	60	75
Total Dissolved Solids	2,168	4,336	XXX	2,000	4,000	5000
Total Beryllium	0.029	0.058	XXX	0.027	0.054	0.067
Total Cadmium	0.003	0.0065	XXX	0.003	0.006	0.007
Hexavalent Chromium	0.036	0.072	XXX	0.033	0.066	0.082
Total Copper	0.014	0.028	XXX	0.013	0.026	0.032
Fluoride	7.15	14.3	XXX	6.6	13.2	16.5
1,1,1-Trichloroethane	Report	Report	XXX	Report	Report	XXX
1,1-Dichloroethylene	0.0009	0.0017	XXX	0.0008	0.002	0.002

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

The EPA Waiver is in effect.

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

PA0218278, SIC Code 3567, **Westinghouse Plasma Corp**, PO Box 410, Madison, PA 15663-0410. Facility Name: Waltz Mill Facility. This existing facility is located in Sewickley Township, **Westmoreland County**.

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

The receiving stream(s), Unnamed Tributary to Sewickley Creek, is located in State Water Plan watershed 19-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0012 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Average Monthly	Daily Maximum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6 Min	XXX	9 Max	XXX
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Dissolved Solids	XXX	XXX	Report	Report	XXX	XXX
Sulfate	XXX	XXX	Report	Report	XXX	XXX
Bromine	XXX	XXX	Report	Report	XXX	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.0012 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Average Monthly	Daily Maximum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6 Min	XXX	9 Max	XXX
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Suspended Solids	XXX	XXX	30	60	XXX	XXX
Total Dissolved Solids	XXX	XXX	Report	Report	XXX	XXX
Sulfate	XXX	XXX	Report	Report	XXX	XXX
Bromine	XXX	XXX	Report	Report	XXX	XXX

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

The EPA Waiver is in effect.

PA0096423, Sewage, **Turkeyfoot Valley Area School District**, R.D. #1, Box 78, Confluence, PA 15424. Facility Name: Turkeyfoot Valley Area School District STP. This existing facility is located in Lower Turkeyfoot Township, **Somerset County**.

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

The receiving stream(s), Casselman River, is located in State Water Plan Watershed 19-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0117 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	0.0117	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	1.0	XXX	2.3
CBOD ₅	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000

The EPA Waiver is in effect.

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

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

WQM Permit No. 2110404, Transfer No. 1, Sewerage, Roddy A. Runyan, 1370 Waggoners Gap Road, Carlisle, PA 17013.

This proposed facility is located in North Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: Seeking approval for Transfer of Permit.

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

WQM Permit No. 0301404-A2, Sewerage, Apollo Ridge Sch. Dist., PO Box 219, Spring Church, PA 15686

This existing facility is located in Kiski Twp., **Armstrong Co.**

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

IV. NPDES Applications for Stormwater Discharges from MS4

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
ESCGP-1	Texas Eastern Transmission, LP 890 Winter Street Suite 300 Waltham, MA 02451	Bedford	Bedford Township	Evitts Creek/HQ

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

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 demon-

strates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

Drugas Property, 324 Beech Ridge Drive, Tobyhanna Township, **Monroe County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 has submitted a Notice of Intent to Remediate (on behalf of his client, Jennifer Lewis, 187 19th Avenue, Brick, NJ 08724), concerning the remediation of soil and groundwater found to have been impacted by kerosene oil as a result of a release from a 275-gallon aboveground storage tank's severed fuel supply line due to an act of vandalism. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard for soil and groundwater. The intended future use of the site is residential. A summary of the Notice of Intent to Remediate was published in the *Pocono Record* on September 8, 2011.

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

Former Gilbert Association Site, 525 Lancaster Avenue, Reading, PA 19607, City of Reading, **Berks County**. Elk Environmental Services, 1420 Clarion Street, Reading, PA 19601, on behalf of 525 Lancaster Avenue, LP, 1030 Reed Avenue, Suite 100, Wyomissing, PA 19610, submitted a Notice of Intent to Remediate site soils contaminated with petroleum hydrocarbons from unregulated underground storage tanks. The site will be remediated to the Residential Statewide Health standard. Future use was not provided.

Former Electroplaters of York, 209 East Willow Street, Wrightsville Borough, **York County**, Wrightsville Borough Sewer & Water Authority, 601 Water Street, Wrightsville, PA 17368, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with inorganics, chlorinated solvents, and VOCs. Proposed future use is a community facility, which is included in the borough's waterfront improvement project.

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

Schuylkill Distributors, Inc., Ralpho Township, **Northumberland County**. David A. Bogovich, President, Northridge Group, Inc. 1172 Ridge Road, Northumberland, PA 17857 on behalf of Schuylkill Distributors, 10 North Cherry Street, Frackville, PA 17931 has submitted a Notice of Intent to Remediate for soil contaminated with approximately 20-gallons of unleaded gasoline. The applicant proposes to remediate the site to meet the Statewide Health Standard.

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

Grosick, Lancaster Township, **Butler County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412 on behalf of Rex Energy Operating Corporation, 476 Rolling Ridge Drive, Suite 300, State College, PA 16801 has submitted a Notice of Intent to Remediate. During the transfer of flowback water to a portable frac tank, the maximum capacity of the tank was exceeded resulting in a release of 500 to 1,000 gallons of flowback fluid to the environment. The site is proposed to be cleaned up within 90 days under the Statewide Health Standard.

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

09-0061C: Donaldson Co., Inc. (1731 Loretta Ave. Feasterville, PA 19053) for installation of an extrusion line control by a regenerative thermal oxidizer in Lower Southampton Township, **Bucks County**. The company manufactures Polytetra Fluoroethylene (PTFE) film for various industrial applications. The pollutant of concern is Volatile Organic Compound (VOC). The Plan Approval and Operating Permit will include monitoring, record keeping and reporting requirements designed to address all applicable air quality requirements.

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

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

10-350C: iDL Worldwide, Inc. (500 Grant Avenue, East Butler, PA 16029) for construction of the Sheet Polymer Mounting Department and the Cyrel Platemaking Operations in East Butler Borough, **Butler County**. This is a State Only facility.

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.

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

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

40-302-173: Pennsylvania Department of Public Works—White Haven Center (827 Oley Valley Road, White Haven, PA 18661-3043) for construction and operation of a coal fired boiler and multiclone collector at their facility in Foster Township, **Luzerne County**. The

sources main emission is particulate matter. The plan approval will include all appropriate testing, monitoring, recordkeeping and reporting requirements designed to keep the operations within all applicable air quality requirements.

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

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

01-050160: ISP Mineral, Inc.—Charmian Quarry (1455 Old Waynesboro Road, Blue Ridge Summit, PA 17214-0914) for installation of two secondary crushers, REMCo VSI crushers to replace the two existing 48" Gyradisc crushers in Hamiltonban Township, **Adams County**.

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

The company shall be subject to and comply with the relevant provisions of the PA Code including the chapters 123, 127, and 129. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The use of baghouse to control the particulate matter emissions from the source is considered to be Best Available Technology (BAT). The two crushers are subject to New Source Performance Standards (NSPS), Subpart OOO. The facility's actual controlled particulate matter emissions from this plan approval are expected to increase less than 0.5 tpy of TSP and less than 0.1 tpy of PM10, because the replacement unit is rated at 250 tph and existing unit is of 200 tph capacity.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. A person may oppose the proposed plan approval, or may provide the Department with additional information to consider in its review, by filing a written protest with the Department at the address listed 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.

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

Plan approvals issued to sources identified in 25 Pa. Code Section 127.44(b)(1)–(4) or plan approvals issued to sources with limitations on the potential to emit may become part of the SIP, and will be submitted to EPA for review and approval.

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

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

AMS 11184: Kinder Morgan (3300 North Delaware Avenue, Philadelphia, PA 19134) to install internal floating roofs on and be able to store ethanol and other materials with the same vapor pressure in three (3) storage tanks; replace the internal floating roofs on two (2) storage tanks; and install a Vapor Combustion Unit to control Marine Cumene Loading emissions and enable increased cumene loading in the City of Philadelphia, **Philadelphia County**. The project will increase potential annual emissions by 1.5 tons of Volatile Organic Compounds (VOC), 6.2 tons of Nitrogen Oxides (NOx), 9.2 tons of Carbon Monoxide (CO), and less than 0.5 tons for all other pollutants. The plan approval will contain operating, testing, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

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

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

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

46-00194: Freedom Alloys, Inc (155 Railroad Plaza, Royersford, PA 19468) for a non-Title V, State Only Operating Permit renewal, in Royersford Borough, **Montgomery County**. Freedom Alloys, Inc is a facility that produces Beryllium and Copper Alloy ingots. Beryllium, Nickel, and Particulate Matter pollutants are emitted from the facility. A dust collector and HEPA filter are used as control devices. Freedom Alloys is categorized as natural minor facility. The permit includes monitoring, record keeping and reporting requirements to address all applicable air quality requirements.

23-00113: AT&T Communications of Pennsylvania, LLC. (60 West Avenue, Wayne, PA 19087) for a non-Title V, initial State Only Operating Permit in Radnor Township, **Delaware County**. AT&T Communications of Pennsylvania operates two (2) kerosene-fired, combustion turbine electric generators, which are used to provide emergency and demand response power generation for the facility. The primary pollutant of concern is nitrogen oxides (NOx) as a result of the combustion process. The facility is categorized as a natural minor facility. The permit includes monitoring, recordkeeping and reporting requirements designed to address all applicable air quality requirements.

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

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

06-05088: EJB Paving & Materials Co. (1119 Snyder Road, West Lawn, PA 19609) for their batch and drum mix asphalt plants in Ontelaunee Township, **Berks County**.

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

The subject facility has actual emissions of 8.23 tpy of SOx, 9.59 tpy of NOx, 25.76 tpy of CO, 1.17 tpy of PM10 and 2.12 tpy of VOCs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60 Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

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

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

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

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

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

36-05135: StyleCraft Corp. (400 Broad Street, Terre Hill, PA 17581) for operation of their wood furniture manufacturing facility in Terre Hill Borough, **Lancaster County**. This is a renewal of their State-Only 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 has actual emission around 5.95 tpy of VOC. 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.

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

67-03078: Snyder's—Lance, Inc. (1350 York Street, Hanover, PA 17331) for operation of their snack food production facility in Penn Township, **York County**.

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

The subject facility has the following actual emissions: 16 TPY of NO_x; 13 TPY of CO; 1 TPY of PM₁₀; 1 TPY of VOC; and 19,043 TPY of CO_{2e}. The Operating Permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

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

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

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

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S.

§§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

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

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

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

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

Coal Applications Received

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

56841608 and NPDES No. PA 0213721, PBS Coals, Inc., (1574 Stoystown Road, P. O. Box 260, Friedens, PA 15541), to renew the permit for the Cambria Fuel Prep Plant in Stonycreek Township, **Somerset County** and related NPDES permit. Includes renewal of Bureau of Air Quality GPA/GP 12 authorization. No additional discharges. The application was considered administratively complete on November 7, 2011. Application received: May 16, 2011.

30841307, Emerald Coal Resources, LP, (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370), to revise the permit for the Emerald Mine No. 1 in Jefferson Township, **Greene County** to install the E4-1 ventilation borehole, Surface Acres Proposed 0.53. No additional discharges. The application was considered administratively complete on November 7, 2011. Application received: May 12, 2011.

03870701 and NPDES No. PA 0214558, Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201), to transfer the permit and related NPDES permit for the Coal Refuse Disposal #2 in Plumcreek Township, **Armstrong County** to Rosebud Mining Company from TJS Mining, Inc. No additional discharges. The applica-

tion was considered administratively complete on November 8, 2011. Application received: July 13, 2011.

32841317 and NPDES No. PA 0037109, Helvetia Coal Company, (P. O. Box 219, 400 Overview Drive, Shelocta, PA 15774), to renew the permit for the Lucerne No. 9 Mine in Young and Conemaugh Township, **Indiana County** and related NPDES permit for reclamation/water treatment only. No additional discharges. The application was considered administratively complete on November 9, 2011. Application received: June 8, 2011.

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

56060101 and NPDES No. PA0249904. Fieg Brothers, 3070 Stoystown Road, Stoystown, PA 15563, revision of an existing bituminous surface mine to permit the temporary closing of Gobblers Knob Road (T-563) beginning at the intersection with Covered Bridge Road and continuing approximately 1250 feet to Fiegtown Road, and providing a temporary bypass for a period of approximately 2 years in Stonycreek Township, **Somerset County**, affecting 194.6 acres. Receiving stream(s): UT to Buck Run; UT to Schrock Run and UT to Stonycreek River classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is Hooversville Municipal Authority. Application received: October 3, 2011.

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

26050104 and NPDES Permit No. PA0250724. Amerikohl Mining, Inc. (1384 State Route 711, Stahlstown, PA 15687). Renewal application for reclamation only for an existing bituminous surface mine, located in Nicholson Township, **Fayette County**, affecting 209.7 acres. Receiving streams: unnamed tributaries to Jacobs Creek and Georges Creek, classified for the following use: WWF. The potable water supply intakes within 10 miles downstream from the point of discharge: Masontown Water Works and Carmichaels Municipal Authority. Renewal application received: October 21, 2011.

03010103 and NPDES Permit No. PA0202991. Britt Energies, Inc. (P. O. Box 515, Indiana, PA 15701). Renewal application for reclamation only for an existing bituminous surface mine, located in Kiskiminetas and

Conemaugh Townships, **Armstrong and Indiana Counties**, affecting 145.6 acres. Receiving streams: unnamed tributaries to Long Run, Sulfur Run and Kiskiminetas River, classified for the following use: WWF. The potable water supply intake within 10 miles downstream from the point of discharge: Avonmore Municipal Authority. Renewal application received: October 31, 2011.

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

43910102. The Ambrosia Coal & Construction Company (P. O. Box 442, Edinburg, PA 16116) Renewal of an existing bituminous surface and auger mine in Mill Creek Township, **Mercer County** affecting 350.0 acres. Receiving streams: Three unnamed tributaries to Little Sandy Creek, classified for the following uses: CWF. The first downstream potable water supply intake from the point of discharge is Polk Center North Sandy Creek. This renewal is for reclamation only. Application received: November 8, 2011.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

* The parameter is applicable at all times.

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

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

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

Effluent Limits for Noncoal Mining Activities

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

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

* The parameter is applicable at all times.

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

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

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

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

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

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

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

Coal NPDES Draft Permits

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

NPDES No. PA0262960 (Mining permit no. 32100201), Robindale Energy Services, Inc., 224 Grange Hall Road, Armagh, PA 15920, new NPDES permit for coal refuse reprocessing in Brushvalley Township, **Indiana County**, affecting 58.5 acres. Receiving stream(s): Blacklick Creek, classified for the following use(s): trout stocked fishery. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: February 17, 2010.

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

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

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001	Y
002	Y
003	Y
004	Y
005	Y
006	Y
007	Y

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

<i>Outfalls: 001, 002, 003, 004, 005, 006, 007</i> <i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

NPDES No. PA0263320 (Mining permit no. 32110106), Amerikohl Mining, Inc., 1384 State Route 711, Stahlstown, PA 15687 new NPDES permit for bituminous surface mine in Brushvalley Township, **Indiana County**, affecting 67.1 acres. Receiving stream(s): UNTS to Blacklick Creek, classified for the following use(s): cold water fishery. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: July 22, 2011.

There will be no point source discharge from the permit because the operator has chosen to utilize a non-discharge alternative.

NPDES No. PA0263214 (Mining permit no. 32110102), Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, new NPDES permit for bituminous surface mine in Burrell Township, **Indiana County**, affecting 33.8 acres. Receiving stream(s): UNTS to Tom's Run, classified for the following use(s): cold water fishery. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: April 11, 2011.

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

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

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

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

<i>Outfalls: 001, 002</i> <i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.9
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

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—313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

ings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E23-492. Quarry Center, LP, 940 E. Haverford Road, Suite 102, Bryn Mawr, PA 19010, Haverford Township, **Delaware County**, ACOE Philadelphia District.

To construct and maintain an approximately 40-foot span, and 18-foot high bridge across Naylor's Run associated with the proposed commercial development at Llanerch Quarry. The site is located near the intersection of West Chester Pike (S.R. 0003) and Township Line Road (S.R. 0001) (Lansdowne, PA, USGS Quadrangle N: 8.1 inches; W: 3.2 inches).

E09-957. Pennsylvania Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106-7676, Bensalem and Bristol Townships, **Bucks County**, ACOE Philadelphia District.

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; stream mitigation will occur at both the compensatory wetland mitigation site in Middletown Township and 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 2 Mainline Toll Plaza (M.P. 351.43 to M.P. 354.18) & Delaware River Bridge Toll Plaza (M.P. 357.96 to M.P. 358.32) includes the following water obstruction and encroachment activities:

1. To re-grade and restore the intermittent stream within the proposed construction limits that drains to an unnamed tributary to the Neshaminy Creek at station 118+60 (Langhorne, PA Quadrangle N: 1.0 inches, W: 12.5 inches; Latitude: 40° 7' 59.0", Longitude 74° 58' 21.0"). Temporary impact of 26 linear feet of intermittent channel (W1A).

2. To re-grade and restore the perennial stream within the proposed construction limits that drains to an unnamed tributary to the Neshaminy Creek at station 136+74 (Langhorne, PA Quadrangle N: 0.7 inches, W: 11.7 inches; Latitude: 40° 7' 43.92", Longitude: 74° 57' 28.99"). Temporary impact of 442 linear feet of perennial channel (W3C/WC3).

3. To re-grade and restore the perennial stream within the proposed construction limits that drains to an unnamed tributary to the Neshaminy Creek at station 141+50 (Langhorne, PA Quadrangle N: 0.6 inches,

W: 11.5 inches; Latitude: 40° 7' 42.84", Longitude 74° 57' 25.83"). Temporary impact of 55 linear feet of perennial channel (W3C).

4. To place fill for the construction of the roadway widening of I-276 in the emergent and forested wetland that drains to an unnamed tributary to the Neshaminy Creek at station 141+85 (Langhorne, PA Quadrangle N: 0.6 inches, W: 11.5 inches; Latitude: 40° 7' 43.14", Longitude: 74° 57' 25.53"). Permanent impact of 0.018 acres and temporary impact of 0.037 acres of emergent and forested wetland (W4C).

5. To place fill for the construction of the roadway widening of I-276 in the emergent and scrub-shrub wetland that drains to an unnamed tributary to the Neshaminy Creek at station 144+14 (Langhorne, PA Quadrangle N: 0.6 inches, W: 11.3 inches; Latitude: 40° 7' 40.73", Longitude: 74° 57' 18.23"). Permanent impact of 0.003 acres and temporary impact of 0.084 acres of emergent and scrub-shrub wetland (W4).

6. To fill and relocate the perennial stream within the proposed construction limits that drains to an unnamed tributary to the Neshaminy Creek at station 153+40 (Langhorne, PA Quadrangle N: 0.5 inches, W: 10.8 inches; Latitude: 40° 7' 39.12", Longitude 74° 57' 12.27"). Permanent impact of 1,116 linear feet (channel loss) and a temporary impact of 1,872 linear feet of perennial channel (W6C/W6B).

7. To fill the intermittent stream within the proposed construction limits that drains to an unnamed tributary to the Neshaminy Creek at station 152+55 (Langhorne, PA Quadrangle N: 0.5 inches, W: 10.9 inches; Latitude: 40° 7' 40.06", Longitude 74° 57' 13.73"). Permanent impact of 185 linear feet (channel loss) of intermittent channel (W6A).

8. To fill the intermittent stream within the proposed construction limits that drains to an unnamed tributary to the Neshaminy Creek at station 152+80 (Langhorne, PA Quadrangle N: 0.6 inches, W: 10.7 inches; Latitude: 40° 7' 41.30", Longitude 74° 57' 3.96"). Permanent impact of 1,156 linear feet (channel loss) of intermittent channel (W7A).

9. To excavate for the construction of a relocated stream channel in the emergent wetland that drains to an unnamed tributary to the Neshaminy Creek at station 155+75 (Langhorne, PA Quadrangle N: 0.6 inches, W: 10.8 inches; Latitude: 40° 7' 41.89", Longitude: 74° 57' 7.42"). Permanent impact of 0.133 acres and temporary impact of 0.110 acres of emergent and forested wetland (W7).

10. To place fill for the construction of the roadway widening of I-276 in the scrub-shrub wetland that drains to an unnamed tributary to the Neshaminy Creek at station 157+50 (Langhorne, PA Quadrangle N: 0.6 inches, W: 10.6 inches; Latitude: 40° 7' 39.23", Longitude: 74° 57' 3.59"). Permanent impact of 0.124 acres of scrub-shrub wetland (W6B).

11. To place fill for the construction of the roadway widening of I-276 in the emergent and scrub-shrub wetland that drains to an unnamed tributary to the Neshaminy Creek at station 161+00 (Langhorne, PA Quadrangle N: 0.7 inches, W: 10.5 inches; Latitude: 40° 7' 42.16", Longitude: 74° 56' 59.01"). Permanent impact of 0.158 acres and temporary impact of 0.240 acres of emergent and scrub-shrub wetland (W8).

12. To fill the intermittent stream within the proposed construction limits that drains to an unnamed tributary

to the Neshaminy Creek at station 168+35 (Langhorne, PA Quadrangle N: 0.5 inches, W: 10.3 inches; Latitude: 40° 7' 40.12", Longitude 74° 56' 50.94"). Permanent impact of 99 linear feet (channel loss) of intermittent channel (W6D).

13. To fill and relocate the perennial stream within the proposed construction limits that drains to an unnamed tributary to the Neshaminy Creek at station 162+20 (Langhorne, PA Quadrangle N: 0.6 inches, W: 10.2 inches; Latitude: 40° 7' 41.79", Longitude 74° 56' 53.17"). Permanent impact of 207 linear feet (channel loss) and temporary impact of 1,737 linear feet of perennial channel (W8A).

14. To place fill for the construction of a culvert extension associated with the roadway widening of I-276 in the scrub-shrub wetland that drains to an unnamed tributary to the Neshaminy Creek at station 175+50 (Langhorne, PA Quadrangle N: 0.6 inches, W: 9.7 inches; Latitude: 40° 7' 41.99", Longitude: 74° 56' 41.22"). Permanent impact of 0.028 acres of scrub-shrub wetland (W8D).

15. To fill and relocate the intermittent stream within the proposed construction limits that drains to an unnamed tributary to the Neshaminy Creek at station 176+75 (Langhorne, PA Quadrangle N: 0.6 inches, W: 9.6 inches; Latitude: 40° 7' 41.72", Longitude 74° 56' 37.69"). Temporary impact of 690 linear feet of intermittent channel (W8B).

16. To place in culvert the perennial stream within the proposed construction limits that drains to an unnamed tributary to the Neshaminy Creek at station 176+20 (Langhorne, PA Quadrangle N: 0.4 inches, W: 9.6 inches; Latitude: 40° 7' 39.57", Longitude 74° 56' 40.32"). Permanent impact of 326 linear feet and temporary impact of 237 linear feet of perennial channel (W12A).

17. To fill the intermittent stream within the proposed construction limits that drains to an unnamed tributary to the Neshaminy Creek at station 204+19 (Langhorne, PA Quadrangle N: 0.5 inches, W: 8.3 inches; Latitude: 40° 7' 41.05", Longitude 74° 56' 3.58"). Permanent impact of 478 linear feet (channel loss) of intermittent channel (W14B).

18. To place in culvert and re-grade the perennial stream within the proposed construction limits that drains to an unnamed tributary to the Neshaminy Creek at station 206+10 (Langhorne, PA Quadrangle N: 0.6 inches, W: 8.3 inches; Latitude: 40° 7' 41.07", Longitude 74° 56' 1.51"). Permanent impact of 99 linear feet and temporary impact of 140 linear feet of perennial channel (W14A).

19. To place fill for the construction of the roadway widening of I-276 in the forested wetland that drains to an unnamed tributary to the Neshaminy Creek at station 208+9 (Langhorne, PA Quadrangle N: 0.5 inches, W: 8.1 inches; Latitude: 40° 7' 40.88", Longitude: 74° 55' 59.15").

Permanent impact of 0.113 acres and temporary impact of 0.111 acres of emergent and forested wetland (W14).

20. To place in culvert and re-grade the perennial stream within the proposed construction limits that drains to an unnamed tributary to the Neshaminy Creek at station 211+79 (Langhorne, PA Quadrangle N: 0.6 inches, W: 8.0 inches; Latitude: 40° 7' 41.37", Longitude 74° 55' 56.08"). Permanent impact of 115 linear feet and temporary impact of 147 linear feet of perennial channel (W13A).

21. To fill and relocate the perennial stream within the proposed construction limits that drains to an unnamed tributary to the Neshaminy Creek at station 212+79 (Langhorne, PA Quadrangle N: 0.7 inches, W: 7.5 inches; Latitude: 40° 7' 42.86", Longitude 74° 55' 49.59"). Permanent impact of 189 linear feet (channel loss) and temporary impacts of 926 linear feet of perennial channel (W13B).

22. To fill and relocate the intermittent stream within the proposed construction limits that drains to an unnamed tributary to the Neshaminy Creek at station 211+40 (Langhorne, PA Quadrangle N: 0.6 inches, W: 7.5 inches; Latitude: 40° 7' 41.58", Longitude 74° 55' 51.09"). Temporary impacts of 1,154 linear feet of intermittent channel (W13C).

23. To place in culvert and re-grade the perennial stream within the proposed construction limits that drains to an unnamed tributary to the Neshaminy Creek at station 176+65 (Langhorne, PA Quadrangle N: 0.4 inches, W: 9.6 inches; Latitude: 40° 7' 33.37", Longitude 74° 56' 32.74"). Permanent impact of 75 linear feet (culvert) and temporary impact of 206 linear feet of perennial channel (SA5).

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

[E30-07-004] Alpha Shale Resources LP, 171 Hillpointe Drive, Suite 301, Washington, PA 15317. To construct an access road, associated with a gas well pad and a centralized wastewater impoundment, crossing T40637 to House Run in Jackson Township, **Greene County**, Pittsburgh ACOE District, State Water Plan Basin 19-B, (Holbrook, PA Quadrangle; N 11.6 inches; W 19.2 inches; Latitude: N 39° 51' 20.13"; Longitude: W 80° 19' 56.84"), Tenmile Creek Watershed. The applicant proposes to install two 60-foot long HDPE culverts (two 5-foot diameter) crossing the stream channel of T40637 to House Run (HQ-WWF) to serve as permanent access to a gas well and a centralized wastewater impoundment. The upstream watershed drainage at the access road crossing is approximately 1,485 acres (2.3 mi²).

<i>Stream Name</i>	<i>Coordinates</i>	<i>Proposed Linear Impact</i>
T40637 to House Run	39° 51' 20.13" 80° 19' 56.84"	60 ft. (culverts)

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0024686 Sew	Mid Mon Vly WPCP 1 Anderson St. Allenport, PA 15412-0197	Washington Co Allenport Boro	Monongahela River, UNT to Monongahela River & UNT to Spruce Run	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0044041 (Industrial Waste)	PA Fish & Boat Commission Corry Station 13365 Route 6 Corry, PA 16407	Erie County Wayne Township	Unnamed tributary to South Branch French Creek and Spencer Creek 16-A	Y
PA0100951	Pennsylvania Electric Co. 2800 Pottsville Pike Reading, PA 19612	Erie County Harborcreek Township	Four Mile Creek 15	Y

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

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

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

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 & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bethel Township Berks County	PAG02000608041	Thomas McKeon 1-78 Industrial Park (Lot 1) Berks County Industrial Development Authority 633 Court Street- 14th Floor Reading, PA 19601	UNT Little Swatara Creek /CWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Bethel Township Berks County	PAG02000608041	Thomas McKeon 1-78 Industrial Park (Lot 2) Berks County Industrial Development Authority 633 Court Street- 14th Floor Reading, PA 19601	UNT Little Swatara Creek /CWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Bethel Township Berks County	PAG02000607067R	Andrew Kolb Prologis One Meadowlands Plaza, Suite 100 East Rutherford, NJ 07073	UNT Little Swatara Creek/CWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Birdsboro Boro. Berks County	PAG02000611051	PennDOT District 5-0 1002 Hamilton Street Allentown, PA 18101	Schuylkill River/ WWF, MF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Centre Township Berks County	PAG02000611027	Ken Reigel & Karen Little 2930 Belleman's Church Rd Mohrsville, PA 19541	UNT Irish Creek/WWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142

NOTICES

6343

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Centre Township Berks County	PAG02000606073R	Richard Snyder Snyder Developers 119 West Lancaster Avenue Shillington, PA 19607	UNT to Schuylkill River /WWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Douglass Twp. Berks County	PAG02000611048	Karl and Lucinda Yorgey 301 Grist Mill Road Boyertown, PA 19512	Ironstone Creek/ Schuylkill River/ TSF, MF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Exeter Township Berks County	PAG02000611049	Exeter Township, Berks County Authority 4975 DeMoss Road Reading, PA 19606	Antietam Creek/CWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Maidencreek Twp. Berks County	PAG02000610026	Marco Folino Rodolfo Folino & Sons 68 South Hampton Drive Wyomissing, PA 19610	Willow Creek/CWF; MF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Maidencreek Twp. Berks County	PAG02000611030	Dean Miller Reading Area Water Auth. 815 Washington Street Reading, PA 19601	Maiden Creek-Lake Ontelaunee/ WWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Maidencreek Twp. Berks County	PAG02000604033R(1)	John M. Majewski DiGiorgio Mushroom Corp. PO Box 96 Temple, PA 19560	Willow Creek/ CWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Maxatawny Twp. Berks County	PAG02000611023	Peter Clelland BT Kutztown, LP 200 Witmer Road, Suite 200 Harsham, PA 19044	Sacony Creek/ TSF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Oley Township Berks County	PAG02000606091(1)	Michael Balash 155 Mill Road Fleetwood, PA 19522	Furnace Creek /CWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Robeson Twp. Berks County	PAG02000606036R	Rodney Trusty P. O. Box 184 Mohnton, PA 19540	UNT to Indian Corn Creek/ CWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Robeson Twp. Berks County	PAG02000611039	Rebecca Huyett 244 Huyett Road Mohnton, PA 19540	UNT to Sleepy Hollow Run/ CWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Spring Township Berks County	PAG02000607041(1)	Meridian Boulevard Investors, Inc. 1735 Market St., Ste A-400 Philadelphia, PA 19103	Tulpehocken Creek/ WWF; MF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Union Township Berks County	PAG02000610029	Christopher Canavan Centennial Acquisitions LP/ Prospect Acquisitions LP/ Pinnacle Acquisitions LP 404 Sumneytown Pike North Wales, PA 19454	Schuylkill River/WWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Upper Bern Twp. Berks County	PAG2000611050	John M. Hix Skylines Acres, Inc. 381 Skyline Drive Bernville, PA 19506	Trib. 02170 to Irish Creek/ WWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
East Pennsboro Township & Wormleysburg Borough Cumberland Co.	PAG02002111017	Robert Gill East Pennsboro Township 98 South Enola Drive Enola, PA 17025	UNT to Conodoguinet Creek/WWF	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle PA 17013 717-240-7812
Lower Swatara Township, Dauphin County	PAG02002206066R1	Phoenix Contact Inc Douglas Ferguson 586 Fulling Mill Rd Middletown, PA 17057	Swatara Creek/WWF	Dauphin County Conservation District 1451 Peter's Mountain Rd Dauphin, PA 17018-9504 Ph:717-921-8100
Antrim Township Franklin County	PAG02002811030	Mr. Darrell Martin Marcreek Farms 4437 Hill Road Greencastle, PA 17225	Conococheague Creek/WWF	Franklin Co. Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Chambersburg Borough Franklin County	PAG02002811031	McDonald's USA, LLC 801 Lakeview Drive Blue Bell, PA 19422	UNT to Conococheague Creek/TSF; MF	Franklin Co. Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Greene Township Franklin County	PAG02002811025	Mr. Jere Stouffer JSL, LLC 2185 Carbaugh Avenue Chambersburg, PA 17201	Rowe Run /CWF; MF	Franklin Co. Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Guilford Twp. Franklin County	PAG02002811027	Dave Frey 900 Kriner Road Chambersburg, PA 17202	UNT Conococheague Creek/CWF; MF	Franklin Co. Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Letterkenny Twp. Franklin County	PAG02002811021	Randy Quinn Letterkenny Army Depot 1 Overcash Ave, Bldg 14 Chambersburg, PA 17202	Muddy Run/ WWF	Franklin Co. Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Peters Township Franklin County	PAG02002811016	Mr. Robert Friese 3931 Warm Spring Road Chambersburg, PA 17201	West Branch Conococheague Creek/TSF; MF	Franklin Co. Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499

NOTICES

6345

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Quincy Township Franklin County	PAG02002811023	Quincy Twp. Supervisor's 7575 Mentzer Gap Road Waynesboro, PA 17268	UNT Antietam Creek/CWF	Franklin Co. Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Ayr Township Fulton County	PAG02002911004	David Washabaugh IV Fulton Industrial Dev. Assn 201 Lincoln Way W Ste 101 McConnellsburg, PA 17233	UNT to Big Cove Creek/ CWF; MF	Fulton Co. Conservation District 216 North Second Street, Suite 15 McConnellsburg, PA 17233 717.485.3547
Ephrata Township Lancaster County	PAG02003611091	LNR Property, LP 406 Long Lane East Earl, PA 17519	Cocalico Creek/ WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5
East Lampeter Township Lancaster County	PAG02003611089	J. Curtis Stumpf 1947 Lincoln Hwy East Lancaster, PA 17602	UNT Conestoga River/WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5
East Hanover Township, Lebanon County	PAG02003811014	Joseph Silbaugh Conrads Olde Mill LP East Hanover Township	Indiantown Run/WWF	Lebanon County Conservation District 2120 Cornwall Road, Suite 5 Lebanon, PA 17042 717-272-3908 extension 149
Greenwood Twp. Perry County	PAG02035011009	PPL Electric Utilities Corp. Mr. Gilbert Trinidad Two North Ninth Street Allentown, PA 18101	Wildcat Run/ CWF	Perry Co. Conservation District 31 West Main Street, PO Box 36 New Bloomfield, PA 17068 717.582.8988, Ext. 4
Marysville Borough Perry County	PAG02035011007	Mr. Scott Weaver Marysville Borough 200 Overcrest Road Marysville, PA 17053	Susquehanna River/WWF	Perry Co. Conservation District 31 West Main Street, PO Box 36 New Bloomfield, PA 17068 717.582.8988, Ext. 4
Chanceford Twp. York County	PAG02006711027	Jacob M Fisher 83A Lower Valley Road Christiana, PA 17509	Mill Branch/ WWF	York Co. Conservation District 118 Pleasant Acres Road York, PA 17403 717.840.7430
Fairview Twp. York County	PAG02006711004	Neil Barr/Deer Run Assoc. 4075 Market Street Camp Hill, PA 17011	Fishing Creek/ TSF	York Co. Conservation District 118 Pleasant Acres Road York, PA 17403 717.840.7430
Fairview Twp. York County	PAG02006711006	Kevin Scheurich Pennsylvania Turnpike Commission PO Box 67676 Harrisburg, PA 17106	Marsh Run/ Susquehanna River/WWF; MF	York Co. Conservation District 118 Pleasant Acres Road York, PA 17403 717.840.7430

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Fairview Twp. York County	PAG02006711035	Daniel Ehrhart, FedEx Ground Package System Inc 1000 FedEx Drive Moon Township, PA 15108	UNT to Fishing Creek/CWF; TSF	York Co. Conservation District 118 Pleasant Acres Road York, PA 17403 717.840.7430
Fairview Twp. York County	PAG2006704138R1	Michael Manning Woodbridge Farms Assoc. 1520 Slate Hill Road Camp Hill, PA 17011	Big Springs Run/TSF	York Co. Conservation District 118 Pleasant Acres Road York, PA 17403 717.840.7430
Hanover Borough York County	PAG02006711038	Tim Mummert Mummert Enterprises 8 Stuart Avenue Hanover, PA 17331	UNT to Oil Creek/WWF	York Co. Conservation District 118 Pleasant Acres Road York, PA 17403 717.840.7430
Hellam Township York County	PAG020067070591	Robert Argento E. Z. Four Investors One Waterford Professional Center York, PA 17402	Wildcat Run and Kreutz Creek/WWF	York Co. Conservation District 118 Pleasant Acres Road York, PA 17403 717.840.7430
Manchester Twp. York County	PAG02006711034	Quay & Darlene Smith S&S Equipment Co. 25 Marianne Drive York, PA 17406	Codorus Creek/ WWF	York Co. Conservation District 118 Pleasant Acres Road York, PA 17403 717.840.7430
Newberry Twp. York County	PAG02006711030	John Huenke Hopewell Management, LP 4400 Bridgeview Road Stewartstown, PA 17363	Susquehanna River/WWF	York Co. Conservation District 118 Pleasant Acres Road York, PA 17403 717.840.7430
Penn Township York County	PAG0200611041	David Danner 666 Cooper Road Hanover, PA 17331	Plum Creek/ WWF	York Co. Conservation District 118 Pleasant Acres Road York, PA 17403 717.840.7430
Penn Township York County	PAG02006711031	Elliot Leibowitz LCL-York Village Associates, LP 199 Baldwin Road, Ste 140 Parsippany, NJ 70542	Oil Creek/ WWF	York Co. Conservation District 118 Pleasant Acres Road York, PA 17403 717.840.7430
Penn Township York County	PAG02006703088R	Joseph Myers J. A. Myers Homes 160 Ram Drive Hanover, PA 17331	Plum Creek and Conewago Creek/WWF	York Co. Conservation District 118 Pleasant Acres Road York, PA 17403 717.840.7430
Penn Township York County	PAG02006711025	James Butt Snyder's-Lance Inc. 1250 York Street Hanover, PA 17331	Codorus Creek/ WWF	York Co. Conservation District 118 Pleasant Acres Road York, PA 17403 717.840.7430
Springettsbury Township York County	PAG02006703034R1	Timothy Pasch 2645 Carnegie Road York, PA 17402	UNT to Kreutz Creek/WWF	York Co. Conservation District 118 Pleasant Acres Road York, PA 17403 717.840.7430

*Facility Location:
Municipality &
County*

Permit No.
PAG02006706073R

*Applicant Name &
Address*
Century 21 Heritage
Realty
Kim E. Moyer
1 Waterford Professional
Center
York, PA 17402

Receiving Water / Use
UNT to Beaver
Creek/CWF

*Contact Office & Phone
No.*
York Co. Conservation
District
118 Pleasant Acres Road
York, PA 17403
717.840.7430

Winsor Township
York County

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

*Facility Location:
Municipality &
County*

Permit No.
PAG02001411012

*Applicant Name &
Address*
Stocker
Chevrolet-Subaru-Saab
Inc
701 Benner Pike
State College PA 16801

*Receiving
Water / Use*
UNT to Spring Creek
CWF

*Contact Office &
Phone No.*
Centre County
Conservation District
414 Holmes Ave Ste 4
Belleville PA 16823
(814) 355-6817

College Township
Centre County

Permit No.
PAG02005911013

*Applicant Name &
Address*
Keith Yarger
Southern Tioga School
District
241 Main St
Blossburg PA 16912

*Receiving
Water / Use*
Tioga River
CWF, MF

*Contact Office &
Phone No.*
Tioga County
Conservation District
50 Plaza Ln
Wellsboro PA 16901
(570) 724-1801 Ext. 5

Blossburg Borough
Tioga County

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

*Facility Location:
Municipality &
County*

Permit No.
PAG02001111016

*Applicant Name and
Address*
Municipal Authority of
the Borough of Portage
606 Cambria Street
Portage, PA 15946

*Receiving
Water / Use*
Trout Run (CWF)

*Contact Office and
Phone No.*
Cambria County CD
401 Candlelight Drive
Suite 221
Ebensburg, PA 15931

Cambria County
Portage Township

General Permit Type—PAG-10

*Facility Location:
Municipality &
County*

Permit No.
PAG106145

*Applicant Name &
Address*
Laurel Mtn Midstream
Operating, LLC
1550 Coraopolis Hts Rd
Ste 140
Moon Twp, PA 15108

*Receiving
Water / Use*
UNT of Indian Crk

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

Springfield Twp
Fayette Co

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

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

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

assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

Drugas Property, 324 Beech Ridge Drive, Tobyhanna Township, **Monroe County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 has submitted a Final Report (on behalf of his client, Jennifer Lewis, 187 19th Avenue, Brick, NJ 08724), concerning the remediation of soil and groundwater found to have been impacted by kerosene oil as a result of a release from a 275-gallon aboveground storage tank's severed fuel supply line due to an act of vandalism. The report was submitted to document attainment of the Residential Statewide Health Standard for soil and groundwater. A public notice regarding the submission of the Final Report was published in the *Pocono Record* on September 8, 2011.

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

Schuylkill Distributors, Inc. Ralpho Township, **Northumberland County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857 on behalf of Schuylkill Distributors, 10 North Cherry Street, Frackville PA 17931 has submitted a Final Report concerning remediation of site soil contaminated with 20-gallons of unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Spencer Trucking accident at Interstate 80 MM190E, Greene Township, **Clinton County**. Northridge Group Incorporated, 1172 Ridge Road, Northumberland, Pa 17857 on behalf of Spencer Trucking, 12975 State Route 405, Watsontown, PA 17777 has submitted a Final Report with 90 days of release concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Ezeflow USA, Inc.—Flowline Division (Former "Low" Area), Shenango Township & City of New Castle, **Lawrence County**. American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murraysville, PA 15668-1848 on behalf of Ezeflow USA, Inc., 1400 New Butler Road, New Castle, PA 16107 has submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site soils contaminated with Arsenic, Lead, Mercury and site groundwater contaminated with Dissolved Arsenic. The report/plan is intended to document remediation of the site to meet the Site-Specific Standard.

Pennsylvania Timber Property—Former Fuel Dispenser Site, City of Johnsonburg, **Elk County**. Geosyntec Consultants, 600 W. Germantown Pike, Suite 400, Plymouth Meeting, PA 19462 on behalf of Pennsylvania Timber, LLC, c/o HMC Inc., 600 Atlantic Avenue, Floor 15, Boston, MA 02210 has submitted a Final Report concerning remediation of site soils contaminated with Benzene, Ethylbenzene, Naphthalene, Toluene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Xylenes (Total), PAHs, Lead, and Total Leaded Gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

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

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

The Department has received the following plans and reports:

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

Wegmans Distribution Center, 820 Keystone Boulevard, Highridge Industrial Park, Butler Township, **Schuylkill County**. Martin Gilgallon and Dean Cruciani, Pennsylvania Tectonics, Inc., 826 Main Street, Peckville, PA 18452 submitted a Final Report (on behalf of their client, Wegmans Food Markets, P. O. Box 30844, 1500 Brooks Avenue, Rochester, NY 14603-0844), concerning the remediation of soil found to have been impacted by diesel fuel as a result of a release from a runaway tractor-trailer unit's saddle tank fuel system. The report documented attainment of the Residential Statewide Health Standard for soil and was approved on November 7, 2011. The report was originally submitted within 90 days of the release.

AIR QUALITY

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

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

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

GP9-46-0051: Highway Materials, Inc.—Plymouth Meeting Quarry (5100 Joshua Road, Plymouth Meeting, PA 19462) on November 9, 2011, to construct and operate under GP9-46-0051 for (2) two diesel or #2 fuel oil internal combustion engines in Whitemarsh Township, **Montgomery County**.

GP3-46-0097: Highway Materials, Inc.—Plymouth Meeting Quarry (5100 Joshua Road, Plymouth Meeting, PA 19462) on November 9, 2011, to construct and operate under GP3-46-0097 for a portable Nonmetallic Mineral Processing Plant in Whitemarsh Township, **Montgomery County**.

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

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

GP1-38-03003A: Bayer HealthCare LLC (400 West Stoeber Avenue, Myerstown, PA 17067) on November 7, 2011, to install and operate a 20.4 MMBtu boiler, fired with natural gas and/or #2 oil, at their pharmaceutical manufacturing facility in Myerstown Borough, **Lebanon County**.

GP3-21-GL-11-03: John. W. Gleim Jr., Inc. (625 Hamilton St., Carlisle, PA 17013) on November 8, 2011, to relocate a crusher, screen and two conveyors to the Sparks Tract Lots 2 and 3 on Ames Drive in Dickinson Township, **Cumberland County**.

GP11-21-GL-11-03: John W. Gleim, Jr., Inc. (625 Hamilton Street, Carlisle, PA 17013) on November 8,

2011, to relocate two (2) non-road engines to the Sparks Tract Lots 2 and 3 on Ames Drive in Dickinson Township, **Cumberland County**.

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

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

GP5-30-00175C: Laurel Mountain Midstream, LLC (1550 Coraopolis Height Road, 2nd Floor, Moon Township, PA 15108) on November 8, 2011, to install and operate four (4) additional natural gas-fired compressor engines, Caterpillar model G3516B rated at 1,380 brake horsepower, each controlled by an oxidation catalyst, and one (1) 150 MMsfd dehydration unit with reboiler rated at 2.67 MMBtu/hr, controlled by a flare, at their Davis Compressor Station located in Jefferson Township, **Greene County**.

GP5-63-00942B: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street Tower 2, Suite 700, Denver, CO 80202-2126) on November 9, 2011, to install and operate one new rich burn natural gas-fired compressor engine rated at 1,480 bhp and controlled by a three-way catalyst at the Dryer Compressor Station, located in Independence Township, **Washington County**. A total of four compressor engines are authorized for operation at this site.

GP9-63-00942B: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street Tower 2, Suite 700, Denver, CO 80202-2126) on November 9, 2011, to install and operate one new emergency generator driven by a diesel-fired engine rated at 197 bhp at the Dryer Compressor Station, located in Independence Township, **Washington County**. A total of two emergency diesel-fired engines are authorized for operation at this site.

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

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

GP14-33-186A: Harmony Cremation Services, LLC (1532 Young Road, Punxsutawney, PA 15767) on November 1, 2011, to operate a human crematory (BAG-GPA/GP-14) in Punxsutawney Borough, **Jefferson County**.

GP5-43-320A: Vista Resources, Inc.—Deer Creek Compressor Station (Grange Road, Mercer, PA 161347) on November 1, 2011, to operate natural gas fired compressor engines (BAG-GPA/GP-5) in Deer Creek Township, **Mercer County**.

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

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

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

23-0003U: ConocoPhillips Co. (4101 Post Road, Trainer, PA 19061-3812) on November 9, 2011, to install two (2) new boilers at their Trainer facility in Trainer Borough, **Delaware County**. The boilers will be subject to federal NSPS subparts Db and Ja, and MACT Standards of Subpart DDDDD. This facility is a Title V facility. This installation and modification will result in minor emission increases. 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

66-310-024: Noxen Sand and Materials (2162 Chase Road, Shavertown, PA 18708-9771) on November 10, 2011, to construct a new non-coal mineral processing plant with water sprays at their facility in Noxen Township, **Wyoming County**.

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

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

10-2810: II-VI, Inc. (375 Saxonburg Boulevard, Saxonburg, PA 16056) on November 2, 2011, to construct an additional Hydrogen Selenide production process and associated scrubber in the existing DH building in Clinton Township, **Butler County**. This is a State Only facility.

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

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

AMS 11211: Kraft Foods Global, Inc.—Nabisco Biscuit Division (12000 Roosevelt Boulevard, Philadelphia, PA 19116) on November 8, 2011, to replace a Catalytic Oxidizer with a Regenerative Thermal Oxidizer as a control device for Ovens No. 1A & 4. and modify the Volatile Organic Compound (VOC) control requirement from the Ovens #1A & 4 from 90 percent destruction efficiency to 90 percent destruction efficiency or to a concentration of 20 ppmv whichever is less stringent in the City of Philadelphia, **Philadelphia County**. The plan approval will contain operating, testing, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

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

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

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

26-00588: Laurel Mountain Midstream, LLC (1550 Coraopolis Heights Road, Suite 140, Moon Township, PA 15108) on November 10, 2011, to extend the period of temporary operation of the three new ultra lean burn natural gas-fired compressor engines rated at 1,380 bhp each and controlled by oxidation catalysts, and to allow the continued construction of the natural gas-fired turbine rated at 16,847 bhp covered under plan approval PA-26-00588 until May 16, 2011, at Shamrock Compressor Station located in German Township, **Fayette County**. The plan approval has been extended.

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

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

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

09-00147: Northtec LLC (411 Sinclair Road, Bristol, PA 19007) on November 9, 2011, to operate a cosmetic powder processing plant in Bristol Township, **Bucks County**. The renewal permit is for a non-Title V (State Only) facility. The facility does not have the potential to emit major amounts of criteria pollutants; therefore the facility is categorized as a Natural Minor. Emissions from Source ID 102 (Pressing) and 103 (Compounding) are now vented indoors; therefore the sources have been removed from Section A (Site Inventory) and Section D (Source Level) and now appear in Section G (Miscellaneous) of the renewal permit. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

38-03058: Lebanon Industries (3000 State Drive, Lebanon, PA 17042-8803) on November 7, 2011, for the secondary aluminum processing facility in South Lebanon Township, **Lebanon County**.

67-03146: Johnson Controls (PO Box 1592-091B, York, PA 17405-1592) on November 7, 2011, for the air conditioning and heating equipment manufacturing facility in Spring Garden Township, **York County**.

05-05023: New Enterprise Stone & Lime Co., Inc. (PO Box 77, New Enterprise, PA 16664-0077) on November 8, 2011, for their batch asphalt manufacturing operations at the Ashcom Quarry in Snake Spring Township, **Bedford County**. The State-only permit was renewed.

67-03037: Hard Chrome Specialists, Inc. (41 Leigh Drive, York, PA 17402-9474) on November 8, 2011, for their chrome and nickel plating facility in Manchester Township, **York County**. The State-only permit was renewed.

06-03005: Akzo Nobel Coatings, Inc. (150 Columbia Street, Reading, PA 17601-1748) on November 8, 2011, for their powder coating manufacturing facility in Reading City, **Berks County**. The State-only permit was renewed.

22-03018: Millersburg Area School District (799 Center Street, Millersburg, PA 17061-1411) on November 8, 2011, for their coal-fired boiler at their Lenkerville Elementary School in Upper Paxton Township, **Dauphin County**. The State-only permit was renewed.

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

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

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

06-05036: Cryovac, Inc. (PO Box 295, Reading, PA 19603-0295) on November 7, 2011, for their polystyrene foam product manufacturing facility in Muhlenberg Township, **Berks County**. The Title V permit was administratively amended to include the PAL provisions of Plan Approval No. 06-05036B.

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

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

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

BASF Corporation (370 Frankfort Road, Monaca, PA 15061-2210) Per Title 25 Pa. Code Section 127.449(i), this Notice is for the following de minimis emission increase at the BASF Corporation Monaca Plant, located in Monaca Borough, **Beaver County**:

The project consists of the installation and temporary operation of two natural gas-fired Powerhouse Model B-948 (or equivalent) Boilers rated at 32.1 MMBtu/hr. Emissions from the project will not exceed 1.0 tpy per boiler NOx, 1.1 tpy per boiler CO, and 0.2 tpy per boiler of all other criteria and hazardous pollutants, based on a maximum operation time of 72.7 days (1744 hours).

The list of de minimis increases includes the following projects:

<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>
7-10-10	EFI Vutek digital printer	0.001			0.02	
5-12-11	Tiger M-Press digital printer	0.002				
11-8-11	Rubber Molding Finishing	0.358				
11-8-11	Die Board Production	0.075				
11-8-11	Die Making Operations	0.1	0.001	0.004	0.119	0.331
Total Reported Increases		0.536	0.001	0.004	0.139	0.331
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).

Nov. 2011
Sept. 2008

Temporary Boilers
Temporary Boilers

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

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

10-00350: iDL Worldwide—Cloverleaf Group, Inc. (500 Grant Avenue, PO Box 569, East Butler, PA 16029) for its facility located in East Butler Borough, **Butler County**. The De minimis emission increase is for the construction of the Rubber Molding Finishing, Die Board Production, & Die Making Operations. 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 22, 2008.

Noncoal Permits Actions

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

10010310. Allegheny Mineral Corporation (P. O. Box 1022, Kittanning, PA 16201) Renewal of existing NPDES Permit No. PA0241962 in Mercer & Pine Townships, **Butler & Mercer Counties**. Receiving streams: Unnamed tributary to Swamp Run. Application received: May 5, 2011. Permit Issued: November 7, 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

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

66114120. Meshoppen Blasting, Inc., (P. O. Box 127, Meshoppen, PA 18630), construction blasting for Jokah well site in Windham Township, **Wyoming County** with an expiration date of January 31, 2012. Permit issued: November 9, 2011.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E05-359: Pennsylvania Department of Transportation, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, Pennsylvania 16648, in Harrison and Napier Townships, **Bedford County**, ACOE Baltimore District

To: 1) remove the existing structure, 2) construct and maintain a two-span pre-stressed concrete spread box beam bridge skewed 45° having a total clear span of 97.8 feet, a width of 40.0 feet, and an minimum underclearance of 9.6 feet across Raystown Branch Juniata River (TSF, MF), and 3) construct and maintain a plastic pipe stormwater outfall having a diameter of 1.5 feet at the bridge location, all for the purpose of improving transportation safety and roadway standards. The project is located along SR 0096 (Bedford, PA Quadrangle, N: 2.9 inches, W: 16.5 inches; Latitude: 40°00'59", Longitude: -76°37'4") in Harrison and Napier Townships, Bedford County.

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

E03-453. North Buffalo Township, 149 McHaddon Road, Kittanning, PA 16201, North Buffalo Township, **Armstrong County**. The applicant proposes to construct and maintain riprap and plant vegetation along the banks of an unnamed tributary to Glade Run (TSF), to remove debris for an approximate length of 180 feet in four locations for the purpose of reducing channel bank erosion and flooding. The total length of the project in said stream is 858 feet starting from SR 3007 and extending to T-864. The project is located in North Buffalo Township, Armstrong County (Kittanning, PA Quadrangle N: 2.37 inches; W: 10.66 inches; Latitude: 40° 45' 47"; Longitude: 79° 34' 37").

E63-631. John Slusarczyk, 1 Sam Road, West Brownsville, PA 15417, West Brownsville Borough, **Washington County**. The applicant proposes to operate and maintain fill for an approximate length of 700 feet in the right floodway of an unnamed tributary to Lilly Run (WWF) located along Wilson Road in West Brownsville Borough, Washington County (California, PA Quadrangle N: 6.00 inches; W: 2.85 inches; Latitude: 40° 01' 59"; Longitude: 79° 53' 43").

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

9/21/2011

ESCGP-1 No.: ESX11-125-0082

Applicant Name: Range Resources—Appalachia LLC

Contact Person Glenn Truzzi

Address: 380 Southpointe Boulevard

City: Canonsburg State: PA Zip Code: 15317

County: Washington Township: North Franklin

Receiving Stream (s) And Classifications: Chartiers

Creek/Chartiers Creek Watershed, Other

9/15/2011

ESCGP-1 No.: ESX11-051-0034

Applicant Name: Chevron Appalachia LLC

Contact Person: Jeremy Hirtz

Address: 800 Mountain View Drive

City: Smithfield State: PA Zip Code: 15478

County: Fayette Township(s): Luzerne

Receiving Stream(s) and Classifications: Wallace Run,

UNT to Wallace Run, UNT to Lilly Run/Middle

Monongahela River, Other

09/19/11

ESCGP-1 No.: ESX11-129-0031

Applicant Name: Chevron Appalachia LLC

Contact Person: Jeremy Hirtz

Address: 800 Mountain View Drive

City: Smithfield State: PA Zip Code: 15478

County: Westmoreland Township(s): Sewickley

Receiving Stream(s) and Classifications: UNT to Youghiogheny River WWF/Monongahela River, Other

09/30/2011

ESCGP-1 No.: ESX11-125-0090

Applicant Name: Chevron Appalachia LLC

Contact Person: Jeremy Hirtz

Address: 800 Mountain View Drive

City: Smithfield State: PA Zip Code: 15478

County: Washington Township(s): West Bethlehem and Deemston

Receiving Stream(s) and Classifications: UNTs to Plum Run/Tenmile Creek Watershed, Other

10/04/2011

ESCGP-1 No.: ESX11-125-0092

Applicant Name: Range Resources—Appalachia LLC

Contact Person: Glenn Truzzi

Address: 380 Southpointe Boulevard

City: Canonsburg State: PA Zip Code: 15317

County: Washington Township(s): Buffalo

Receiving Stream(s) and Classifications: UNT to Buffalo Creek/Wheeling—Buffalo Creek Watershed, Other

09/23/2011

ESCGP-1 No.: ESX11-007-0014

Applicant Name: Chesapeake Appalachia LLC

Contact Person: Eric Haskins

Address: 101 North Main Street

City: Athens State: PA Zip Code: 18810

County: Beaver Township(s): Brighton

Receiving Stream(s) and Classifications: Sixmile Run WWF, Other

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
11-46-006	Lankenau Hospital 100 Lancaster Avenue Wynnewood, PA 19096 Attn: Michael Harms	Montgomery	Lower Merion Township	1 AST storing diesel fuel	30,000 gallons

SPECIAL NOTICES

Authorization to Extract Noncoal (Industrial Minerals)

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

25111003. Kirila Contractors, Inc. (P. O. Box 179, Brookfield, OH 44403). Authorization to extract noncoal (industrial minerals) in Fairview Township, **Erie County** to supply fill material for the Walmart construction site. Receiving streams: Unnamed tributary to Walnut Creek. GP-103 Application received: October 24, 2011. Authorization approved: November 8, 2011.

[Pa.B. Doc. No. 11-2034. Filed for public inspection November 23, 2011, 9:00 a.m.]

Pennsylvania Energy Development Authority Board Meeting

A meeting of the Pennsylvania Energy Development Authority (Authority) Board is scheduled to be held on Friday, December 2, 2011, at 9 a.m., in the Susquehanna Room, 16th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Questions concerning this schedule or agenda items can be directed to Thomas Bell at (717) 772-5942 or tbell@pa.gov. This schedule, an agenda for the meeting and notices of meeting changes will be available through the Public Participation Center on the Department of Environmental Protection's web site at www.depweb.state.pa.us.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Thomas Bell or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL L. KRANCER,
Secretary

[Pa.B. Doc. No. 11-2035. Filed for public inspection November 23, 2011, 9:00 a.m.]

Water Resources Advisory Committee Special Meeting

The Water Resources Advisory Committee will hold a special meeting on Friday, December 16, 2011, beginning at 9:30 a.m. in Room 105, Rachel Carson State Office Building, Harrisburg, PA. The purpose of the meeting is to review and develop recommendations on draft Chapter 93 Water Quality Standards Triennial Rulemaking.

Questions concerning this schedule or agenda items can be directed to Duke Adams at (717) 783-7404 or ranadams@pa.gov. This schedule, an agenda for the meeting and notices of meeting changes will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at www.depweb.state.pa.us.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Tom Franklin directly at (717) 787-0122 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL L. KRANCER,
Secretary

[Pa.B. Doc. No. 11-2036. Filed for public inspection November 23, 2011, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building).

Mulberry Square
411-1/2 West Mahoning Street
Punxsutawney, PA 15767

Village at Pennwood
909 West Street
Pittsburgh, PA 15221

The following long-term care nursing facility is seeking exception to 28 Pa. Code § 205.36(g) (relating to bathing facilities).

Lutheran Community at Telford
235 North Washington Street
Telford, PA 18969
FAC ID 124502

The following long-term care nursing facility is seeking exception to 28 Pa. Code § 205.36(h).

Lutheran Community at Telford
235 North Washington Street
Telford, PA 18969
FAC ID 124502

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,
Secretary

[Pa.B. Doc. No. 11-2037. Filed for public inspection November 23, 2011, 9:00 a.m.]

FISH AND BOAT COMMISSION

Proposed Changes to List of Class A Wild Trout Waters

The Fish and Boat Commission (Commission) is considering changes to its list of Class A Wild Trout Streams. Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource to conserve that resource and the angling it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries. The Commission manages these stream sections solely for the perpetuation of the wild trout fishery with no stocking.

Criteria developed for Class A Wild Trout fisheries are species specific. Wild Trout Abundance Class Criteria include provisions for:

(i) *Wild Brook Trout Fisheries*

(A) Total brook trout biomass of at least 30 kg/ha (26.7 lbs/acre).

(B) Total biomass of brook trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Brook trout biomass must comprise at least 75% of the total trout biomass.

(ii) *Wild Brown Trout Fisheries*

(A) Total brown trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brown trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Brown trout biomass must comprise at least 75% of the total trout biomass.

(iii) *Mixed Wild Brook and Brown Trout Fisheries*

(A) Combined brook and brown trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brook trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Total biomass of brown trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(D) Brook trout biomass must comprise less than 75% of the total trout biomass.

(E) Brown trout biomass must comprise less than 75% of the total trout biomass.

(iv) *Wild Rainbow Trout Fisheries*

Total biomass of rainbow trout less than 15 cm (5.9 inches) in total length of at least 2.0 kg/ha (1.78 lbs/acre).

For a water to be removed from the Class A Wild Trout Streams designation, total trout biomass must be documented as follows the set criteria for two consecutive stream examinations.

During recent surveys, Commission staff have documented the following stream sections to have Class A Wild Trout populations. The Commission intends to consider adding these waters to its list of Class A Wild Trout Streams at its meeting on January 30 and 31, 2012.

<i>County</i>	<i>Stream</i>	<i>Section</i>	<i>Limits</i>	<i>Brook Trout (kg/ha)</i>	<i>Brown Trout (kg/ha)</i>	<i>Length (miles)</i>	<i>Survey Year</i>
Bedford	Three Springs Run	02	SR 869 Bridge in New Enterprise to mouth	—	45.44 54.95 58.37	2.00	2009 2010 2011
Clearfield	Right Branch Moose Creek	01	Headwaters to mouth	34.52	—	1.80	2011
Clinton	Green Run	01	Headwaters to mouth	52.17	—	1.09	2011
Clinton	Harveys Run	01	Headwaters to inflow of Upper Castanea Reservoir	34.85	—	1.33	2011
Clinton	Harveys Run	02	Outflow of Upper Castanea Reservoir to mouth	38.87	27.45	1.05	2011
Luzerne	UNT to Laurel Run	01	Headwaters to mouth	32.57	—	1.43	2011
Lehigh	Schaefer Run	02	0.44 mile upstream of the mouth to mouth	—	116.85	0.44	2009
Monroe	Pocono Creek	03	100 meters upstream SGL lower boundary downstream 2.15 miles to 0.92 mile upstream from confluence of Scott Run	4.75	59.59	2.15	2010

<i>County</i>	<i>Stream</i>	<i>Section</i>	<i>Limits</i>	<i>Brook Trout (kg/ha)</i>	<i>Brown Trout (kg/ha)</i>	<i>Length (miles)</i>	<i>Survey Year</i>
Monroe	Pocono Creek	04	From 1.48 km (0.92 mile) upstream from the confluence of Scot Run RM 12.74 to 0.60 km (0.37 mile) downstream from the Bartonsville Avenue (SR 3023) bridge RM 6.92	2.36	70.05	5.82	2010
Monroe	Pocono Creek	05	From 0.60 km (0.37 mile) downstream from the Bartonsville Avenue (SR 3023) bridge RM 6.92 downstream to the confluence of Flagler Run RM 1.46	—	41.46	5.46	2010
Northampton	Martins Creek	04	Dam outflow to mouth	—	174.21	1.90	2010
Northampton	UNT to Delaware River	01	Headwaters to mouth	—	98.26	2.85	2011
Pike	UNT to Shohola Creek RM 17.35 (1st downstream SR 0739 in SGL 180)	01	Headwaters to mouth	64.25	—	1.47	2010
Pike	Vantine Brook	01	Headwaters to Mill Dam at SR 2001	46.71	—	1.97	2011
Westmoreland	UNT to Freeman Run	01	Headwaters to mouth	52.11	—	1.19	2011

Persons with comments, objections or suggestions concerning the additions are invited to submit comments in writing to Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 11-2038. Filed for public inspection November 23, 2011, 9:00 a.m.]

2012 Classification of Wild Trout Streams; Proposed Additions to List

Under 58 Pa. Code § 57.11 (relating to listing of wild trout streams), it is the policy of the Fish and Boat Commission (Commission) to accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The Commission's Fisheries Management Division maintains the list of wild trout streams. The Executive Director, with the approval of the Commission, will from time to time publish the list of wild trout streams in the *Pennsylvania Bulletin*. The listing of a stream section as a wild trout stream is a biological designation that does not determine how it is managed. The Commission relies upon many factors in determining the appropriate management of streams.

At the next Commission meeting on January 30 and 31, 2012, the Commission will consider changes to its list of wild trout streams. Specifically, the Commission will consider the addition of the following streams or portions of streams to the list:

<i>County</i>	<i>Stream Name</i>	<i>Tributary To</i>	<i>Section Limits</i>
Bedford	Shawnee Branch	Raystown Branch Juniata River	Headwaters to backwaters of Shawnee Lake
Bedford	Tar Water Creek	Little Wills Creek	Headwaters to UNT
Carbon	Beaver Run	Lehigh River	Headwaters to mouth

<i>County</i>	<i>Stream Name</i>	<i>Tributary To</i>	<i>Section Limits</i>
Carbon	Robertson Run	Lehigh River	Headwaters to mouth
Clearfield	Burns Run	Montgomery Run	Headwaters to mouth
Clearfield	Coupler Run	Montgomery Run	Headwaters to mouth
Bedford	Shawnee Branch	Raystown Branch Juniata River	Headwaters to backwaters of Shawnee Lake
Bedford	Tar Water Creek	Little Wills Creek	Headwaters to UNT
Carbon	Beaver Run	Lehigh River	Headwaters to mouth
Carbon	Robertson Run	Lehigh River	Headwaters to mouth
Clearfield	Burns Run	Montgomery Run	Headwaters to mouth
Luzerne	UNT to Black Creek at Rock Glen	Black Creek	Headwaters to mouth
Luzerne	UNT to Laurel Run (Wheelbarrow Run)	Laurel Run	Headwaters to mouth
Northampton	UNT to Delaware River	Delaware River	Headwaters to mouth
Potter	Teed Hollow	Cowanesque River	Headwaters to mouth
Schuylkill	Swope Valley Run	Swatara Creek	Headwaters to mouth
Susquehanna	East Branch Canawacta Creek	Canawacta Creek	Headwaters to mouth
Venango	Lamb Run	Allegheny River	Headwaters to mouth
Venango	McCrea Run	Allegheny River	Headwaters to mouth
Westmoreland	UNT to Freeman Run	Freeman Run	Headwaters to mouth

Persons with comments, objections or suggestions concerning the classification of the streams listed may submit them in writing to Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 11-2039. Filed for public inspection November 23, 2011, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Merge with Harleysville Mutual Insurance Company

Nationwide Mutual Insurance Company, an Ohio domiciled mutual casualty insurance company, has submitted a plan of merger, whereby it proposes to merge with Harleysville Mutual Insurance Company, a Pennsylvania domiciled mutual casualty insurance company. The survivor of the merger would be Nationwide Mutual Insurance Company. The filing was made under the requirements set forth under 15 Pa.C.S. §§ 1921—1932 (relating to merger, consolidation, share exchanges and sale of assets); sections 205—207 of the GAA Amendments Act of 1990 (15 P. S. §§ 21205—21207); and section 1402 of The Insurance Company Act of 1921 (40 P. S. § 991.1402).

Persons wishing to comment on the grounds of public or private interest in this merger are invited to submit a written statement to the Insurance Department (Department) on or before January 20, 2012. Each written statement must include name, address and telephone number of the author; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement and the relevant facts upon which it is based. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or rbrackbill@pa.gov.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 11-2040. Filed for public inspection November 23, 2011, 9:00 a.m.]

PENNSYLVANIA CONVENTION CENTER AUTHORITY

Independent Auditors' Report

Board of Directors
Pennsylvania Convention Center Authority

We have audited the accompanying statements of net assets of the Pennsylvania Convention Center Authority (the Authority) as of June 30, 2011 and 2010, and the related statements of revenue, expenses, and changes in fund net assets and cash flows for the year then ended. These financial statements are the responsibility of the Authority's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control over financial reporting. Accordingly, we express no such opinion. An audit also includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly in all material respects the financial position of the Authority as of June 30, 2011 and 2010, and the changes in its net assets and its cash flows for the years then ended, in conformity with accounting principles generally accepted in the United States.

The required supplementary information, Management's Discussion and Analysis is not a required part of the basic financial statements, but is supplementary information required by the Governmental Accounting Standards Board. This supplementary information is the responsibility of the Authority's management. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the supplementary information. However, we did not audit such information, and we do not express an opinion on it.

Our audit was performed for the purpose of forming an opinion on the basic financial statements of the Authority taken as a whole. The Combining Schedule of Net Assets, Combining Schedule of Revenues, Expenses, and Changes in Fund Net Assets, Schedule of General Fund Operating Expenses, and Schedule for Rollforward of Property, Plant and Equipment and Schedule of Funding Progress for Retirees Benefit Plan (OPEB) are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information, except for the portion marked "unaudited," on which we express no opinion, has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, is fairly stated, in all material respects, in relation to the basic financial statements taken as a whole.

Mitchell & Titus, LLP
October 25, 2011

GREGORY J. FOX,
Chairperson

PENNSYLVANIA CONVENTION CENTER AUTHORITY

Statements of Net Assets

As of June 30, 2011 and 2010

	<u>2011</u>	<u>2010</u>
ASSETS		
Cash and cash equivalents	\$ 33,346,750	\$ 59,179,959
Receivables, net	3,786,151	4,227,082
Total current assets	<u>37,132,901</u>	<u>63,407,041</u>
Prepaid expenses and other assets	861,677	714,571
Property, plant, and equipment	915,305,106	806,578,746
Less accumulated depreciation	<u>(168,315,162)</u>	<u>(150,748,645)</u>
	<u>746,989,944</u>	<u>655,830,101</u>
Welcome Fund receivable	<u>122,000,000</u>	<u>122,000,000</u>
Total assets	<u>906,984,522</u>	<u>841,951,713</u>
LIABILITIES AND FUND NET ASSETS		
Accounts payable and other accrued expenses	10,747,599	25,259,577
Operating agreement liability	3,334,311	2,512,575
Deferred revenue	3,036,470	3,015,294
Current portion of term loan payable	610,391	-
Current portion of net OPEB liability	157,532	116,809
Total current liabilities	<u>17,886,303</u>	<u>30,904,255</u>
Loan payable	127,389,609	122,000,000
Net OPEB liability	<u>2,641,682</u>	<u>2,184,592</u>
Total liabilities	<u>147,917,594</u>	<u>155,088,847</u>
Restricted fund net assets	<u>\$ 759,066,928</u>	<u>\$ 686,862,866</u>

The accompanying notes are an integral part of these financial statements.

PENNSYLVANIA CONVENTION CENTER AUTHORITY
Statements of Revenues, Expenses, and Changes in Fund Net Assets
For the Years Ended June 30, 2011 and 2010

	2011	2010
OPERATING REVENUES		
<i>Convention Center events</i>		
Space license fees	\$ 5,073,090	\$ 4,040,404
Commissions	4,382,860	3,863,416
Other	423,688	515,804
Total operating revenues	9,879,638	8,419,624
Operating expenses*	28,026,487	24,712,627
Operating loss	(18,146,849)	(16,293,003)
Depreciation	17,566,517	8,342,452
Operating loss after depreciation	(35,713,366)	(24,635,455)
NON-OPERATING REVENUE (EXPENSE)		
Hotel tax income	24,165,787	19,756,445
Interest income	123,262	237,634
Lease and service fee	-	24,710,419
Operating Agreement expense	(3,224,987)	(2,865,690)
Lease and Service Agreement termination expense	-	(15,512,758)
Interest expense	(88,970)	(33,776,031)
Gain from extinguishment of debt	-	207,426,821
Grant Income	1,994,614	-
Welcome Fund loan proceeds	-	122,000,000
Welcome Fund loan interest and fee revenue	1,855,415	1,946,530
Welcome Fund loan interest and fee expense	(1,855,415)	(1,946,530)
Other expenses	(1,580,065)	(5,502,480)
Other income	500,000	2,530,000
Total non-operating revenue, net	21,889,641	319,004,360
Increase in net assets before contributions	(13,823,725)	294,368,905
Capital contributions	86,027,787	196,266,952
Increase in net assets	72,204,062	490,635,857
Restricted fund net assets, beginning of year	686,862,866	196,227,009
Restricted fund net assets, end of year	\$ 759,066,928	\$ 686,862,866

*See supplemental schedule for details of operating expenses.

The accompanying notes are an integral part of these financial statements.

PENNSYLVANIA CONVENTION CENTER AUTHORITY

Statements of Cash Flows

For the Years Ended June 30, 2011 and 2010

	<u>2011</u>	<u>2010</u>
CASH FLOWS FROM OPERATING ACTIVITIES		
Cash received from Convention Center events	\$ 9,401,304	\$ 8,372,805
Salaries and administrative costs paid to employees	(5,727,792)	(5,572,414)
Payments to suppliers for services	<u>(20,291,020)</u>	<u>(16,363,824)</u>
Net cash used in operating activities	<u>(16,617,508)</u>	<u>(13,563,433)</u>
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES		
Hotel tax income received from City/Commonwealth	24,966,784	19,301,688
Cash received from Commonwealth for extinguishment of debt	-	207,426,821
Other expenses	(1,580,065)	(5,502,480)
Cash received from grants	1,900,000	1,750,000
Interest income	123,262	-
Other income	<u>500,000</u>	<u>2,500,000</u>
Net cash provided by noncapital financing activities	<u>25,909,981</u>	<u>225,476,029</u>
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES		
Lease and service fee received from City	-	24,472,606
Operating Agreement/Lease and Service fee reimbursed to the Commonwealth/City	(2,403,251)	(1,271,621)
Delegation funds received from Commonwealth	86,027,787	196,266,952
Increase in construction in progress	(119,229,885)	(303,088,540)
Extinguishment of debt	-	(187,660,000)
Lease and service agreement termination expense	-	(15,512,758)
Principal paid on refunding revenue bonds	-	(14,165,000)
Interest paid on refunding revenue bonds	-	(29,773,637)
Interest and fees received (paid) on Welcome Fund Loan	(935,334)	(1,890,771)
Welcome Fund loan fees received from Commonwealth	2,012,475	869,388
Term loan/Welcome Fund loan proceeds	<u>6,000,000</u>	<u>122,000,000</u>
Net cash used in capital and related financing activities	<u>(28,528,208)</u>	<u>(209,753,381)</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
Sale of investments, net	-	32,738,011
Interest income on investments	-	312,730
Purchase of fixed assets, net	<u>(6,597,473)</u>	<u>(698,788)</u>
Net cash (used in) provided by investing activities	<u>(6,597,473)</u>	<u>32,351,953</u>
Net (decrease) increase in cash	(25,833,208)	34,511,168
Cash and cash equivalents, beginning of the year	<u>59,179,959</u>	<u>24,668,791</u>
Cash and cash equivalents, end of the year	<u><u>\$ 33,346,751</u></u>	<u><u>\$ 59,179,959</u></u>
RECONCILIATION OF OPERATING (LOSS) TO NET CASH USED IN OPERATING ACTIVITIES		
Operating loss	\$ (35,713,366)	\$ (24,635,455)
<i>Adjustments to reconcile operating loss to net cash used in operating activities</i>		
Depreciation and amortization	17,566,517	11,380,236
Bad debt expense	47,000	68,139
<i>Change in assets and liabilities</i>		
Accounts receivable	(594,124)	(283,504)
Other assets	(117,105)	17,615
Deferred revenue	115,790	236,685
Accounts payable and other accrued expenses	<u>2,077,779</u>	<u>(347,149)</u>
Net cash used in operating activities	<u><u>\$ (16,617,509)</u></u>	<u><u>\$ (13,563,433)</u></u>

The accompanying notes are an integral part of these financial statements.

[Pa.B. Doc. No. 11-2041. Filed for public inspection November 23, 2011, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by December 12, 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.

Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Ali R, Inc.;
Doc. No. C-2011-2256907; A-00120445

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of The Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings, which are prosecutory in nature to the Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Ali R, Inc., Respondent, maintains a principal place of business at 1100 Spring Garden Street, Philadelphia, PA 19123.
2. That Respondent was issued a Certificate of Public Convenience by this Commission on March 30, 2004, at A-00120445.
3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC. Respondent was also told that, if it chose to retain the authority under the jurisdiction of this Commission, an acceptable tariff must be filed showing the rates for the transportation service. Respondent failed to file an acceptable tariff.
4. That Respondent was advised by letter dated August 31, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11(a). Respondent was given an additional 60 days to file an acceptable tariff. Again, Respondent failed to file an acceptable tariff.
5. That, on March 1, 2010, a Complaint was instituted against Respondent at C-2010-2129819 for failure to file an acceptable tariff. Respondent was given 30 days to file an answer to the complaint or to file a tariff and pay a \$250 penalty. No response was received; therefore, the Complaint was adjudicated by Secretarial Letter dated July 8, 2011.

6. That, to date, Respondent has failed to file an acceptable tariff showing the rates for the transportation service provided. This is a violation of 52 Pa. Code § 23.11(a) and § 29.314(b)(6). The Bureau of Investigation and Enforcement's penalty for this violation is cancellation of the Certificate of Public Convenience.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission cancel Ali R, Inc.'s Certificate of Public Convenience at A-00120445 for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA. 17105-3265

VERIFICATION

I, Michael E. Hoffman, Manager, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/12/2011 _____

Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the cancellation of your Certificate of Public Convenience or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth in the Complaint.

E. If you would like an alternative format to this Complaint (for persons with disabilities) or if you have questions regarding this Complaint, please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Dialmaad Cab, Inc.;
Doc. No. C-2011-2256917; A-00117459*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings, which are prosecutory in nature to the Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Dialmaad Cab, Inc., Respondent, maintains a principal place of business at 1100 Spring Garden Street, Philadelphia, PA 19123.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on August 6, 2001, at A-00117459.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC. Respondent was also told that, if it chose to retain the authority under the jurisdiction of this Commission, an acceptable tariff must be filed showing the rates for the transportation service. Respondent failed to file an acceptable tariff.

4. That Respondent was advised by letter dated September 11, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11(a). Respondent was given an additional 60 days to file an acceptable tariff. Again, Respondent failed to file an acceptable tariff.

5. That, on April 14, 2010, a Complaint was instituted against Respondent at C-2010-2133704 for failure to file an acceptable tariff. Respondent was given 30 days to file an answer to the complaint or to file a tariff and pay a \$250 penalty. No response was received; therefore, the Complaint was adjudicated by Secretarial Letter dated July 8, 2011.

6. That, to date, Respondent has failed to file an acceptable tariff showing the rates for the transportation service provided. This is a violation of 52 Pa. Code § 23.11(a) and § 29.314(b)(6). The Bureau of Investigation and Enforcement's penalty for this violation is cancellation of the Certificate of Public Convenience.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission cancel Dialmaad Cab, Inc.'s Certificate of Public Convenience at A-00117459 for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA. 17105-3265

VERIFICATION

I, Michael E. Hoffman, Manager, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/12/2011 _____

Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the cancellation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in this Complaint, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth in the Complaint. If you would like an alternative format to this Complaint (for persons with disabilities) or if you have questions regarding this Complaint, please contact the Compliance Office at (717) 787-1227.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 11-2042. Filed for public inspection November 23, 2011, 9:00 a.m.]

STATE BOARD OF COSMETOLOGY

Bureau of Professional and Occupational Affairs v. Rose E. Frankil; Doc. No. 1503-45-2011

On August 18, 2011, Rose E. Frankil, license no. CO267954 of Bensalem, Bucks County, had her license suspended for nonpayment of a previously imposed civil penalty.

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and final order represents the State Board of Cosmetology's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

MARY LOU ENOCHES,
Chairperson

[Pa.B. Doc. No. 11-2043. Filed for public inspection November 23, 2011, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Public Hearing and Meeting

The Susquehanna River Basin Commission (Commission) will hold a public hearing as part of its regular business meeting on December 15, 2011, at 8:30 a.m. at the Best Western East Mountain Inn and Suites, 2400 East End Boulevard—Route 115 (Exit 170-A off I-81), Wilkes-Barre, PA. At the public hearing the Commission will consider: (1) the rescission of three docket approvals; (2) action on certain water resources projects; and (3) a request for partial fee waiver from SWEPI LP. Details concerning the matters to be addressed at the public hearing and business meeting are contained in the Supplementary Information section of this notice.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436, rcairo@srbc.net; or Stephanie L. Richardson, Secretary to the Commission, (717) 238-0423, Ext. 304, fax (717) 238-2436, srichardson@srbc.net.

Supplementary Information

In addition to the public hearing and its related action items identified as follows, the business meeting also includes actions or presentations on the following items: (1) a presentation on the Commission's new Anthracite Remediation Strategy in conjunction with the Eastern Pennsylvania Coalition for Abandoned Mine Reclamation; (2) a resolution concerning the use of lesser quality water; (3) presentation of the Commission's William Jeanes Award; (4) a report on hydrologic conditions in the basin; (5) a resolution concerning Fiscal Year (FY) 2013 Federal

funding of the Susquehanna Flood Forecast and Warning System and National Streamflow Information Program; (6) a presentation of the Commission's Morrison Cove Report; (7) consideration of a final rulemaking action; (8) consideration of an administrative appeal settlement; (9) a revision of the by-laws relating to the Commission's Investment Policy; (10) presentation of the FY 2011 Audit Report; and (11) ratification/approval of grants/contracts. The Commission will also hear Legal Counsel's report.

Public Hearing—Projects Scheduled for Rescission Action

1. Project Sponsor and Facility: EXCO Resources (PA), LLC (Pine Creek) (Docket No. 20081203), Cummings Township, Lycoming County, PA.

2. Project Sponsor and Facility: EXCO Resources (PA), LLC (Unnamed Tributary to Sandy Run) (Docket No. 20081209), Burnside Township, Centre County, PA.

3. Project Sponsor and Facility: Possum Valley Municipal Authority (Docket No. 20090636), Menallen Township, Adams County, PA.

Public Hearing—Projects Scheduled for Action

1. Project Sponsor: Anadarko E&P Company, LP. Project Facility: Sproul State Forest—Council Run, Snow Shoe Township, Centre County, PA. Application for groundwater withdrawal of up to 0.715 mgd (30-day average) from Well PW-11.

2. Project Sponsor: Bioenergy International, LLC. Project Facility: Bionol Clearfield, LLC, Clearfield Borough, Clearfield County, PA. Modification to conditions of the surface water withdrawal approval (Docket No. 20070904).

3. Project Sponsor: Borough of Ephrata. Project Facility: Ephrata Area Joint Authority, Ephrata Borough, Lancaster County, PA. Modification to conditions of the groundwater withdrawal approval (Docket No. 20110902).

4. Project Sponsor and Facility: Carrizo (Marcellus), LLC (Mosquito Creek-2), Karthaus Township, Clearfield County, PA. Application for surface water withdrawal of up to 2.160 mgd.

5. Project Sponsor and Facility: Central New York Oil and Gas Company, LLC (Susquehanna River), Wilmot Township, Bradford County, PA. Application for surface water withdrawal of up to 0.540 mgd.

6. Project Sponsor and Facility: Central New York Oil and Gas Company, LLC, Wilmot Township, Bradford County, PA. Application for consumptive water use of up to 0.105 mgd.

7. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River—Babcock), Ulster Township, Bradford County, PA. Application for surface water withdrawal of up to 3.000 mgd.

8. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River—Elmglade), Wilmot Township, Bradford County, PA. Application for surface water withdrawal of up to 2.016 mgd.

9. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Towanda Creek—Sechrist), Canton Township, Bradford County, PA. Application for surface water withdrawal of up to 0.504 mgd.

10. Project Sponsor: Clark Trucking, LLC. Project Facility: Northeast Division (Lycoming Creek), Lewis Township, Lycoming County, PA. Application for surface water withdrawal of up to 0.500 mgd.

11. Project Sponsor: Clark Trucking, LLC. Project Facility: Northeast Division (Muncy Creek), Muncy Creek Township, Lycoming County, PA. Application for surface water withdrawal of up to 0.700 mgd.

12. Project Sponsor and Facility: Dunn Lake, LLC (Dunn Pond), Ararat Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.999 mgd.

13. Project Sponsor and Facility: EXCO Resources (PA), LLC (Muncy Creek—McClintock), Penn Township, Lycoming County, PA. Application for surface water withdrawal of up to 1.500 mgd.

14. Project Sponsor: Glenn O. Hawbaker, Inc. Project Facility: Greens Landing Aggregate Plant, Athens Township, Bradford County, PA. Application for surface water withdrawal of up to 0.249 mgd.

15. Project Sponsor: Glenn O. Hawbaker, Inc. Project Facility: Greens Landing Aggregate Plant, Athens Township, Bradford County, PA. Application for consumptive water use of up to 0.249 mgd.

16. Project Sponsor: Hazleton Creek Properties, LLC. Project Facility: Hazleton Mine Reclamation, Hazleton City, Luzerne County, PA. Modification to increase groundwater withdrawal by an additional 0.145 mgd, for a total of 0.200 mgd (30-day average) (Docket No. 20110307).

17. Project Sponsor and Facility: Keystone Clearwater Solutions, LLC (Babb Creek), Morris Township, Tioga County, PA. Application for surface water withdrawal of up to 0.950 mgd.

18. Project Sponsor and Facility: Stanley S. Karp, Sr. (Tunkhannock Creek), Nicholson Borough, Wyoming County, PA. Application for surface water withdrawal of up to 0.510 mgd.

19. Project Sponsor and Facility: Sugar Hollow Trout Park and Hatchery, Eaton Township, Wyoming County, PA. Modification to project features and conditions of the groundwater withdrawal approval (Docket No. 20100913).

20. Project Sponsor and Facility: Sugar Hollow Water Services, LLC (Susquehanna River—Chellis), Eaton Township, Wyoming County, PA. Application for surface water withdrawal of up to 1.500 mgd.

21. Project Sponsor: The Municipal Authority of the Borough of Berlin. Project Facility: Berlin Borough Municipal Authority, Allegheny Township, Somerset County, PA. Modification to conditions of the groundwater withdrawal approval (Docket No. 19980702).

22. Project Sponsor and Facility: Walker Township Water Association, Walker Township, Centre County, PA. Modification to increase the total groundwater system withdrawal limit from 0.523 mgd to 0.753 mgd (30-day average) (Docket No. 20070905).

23. Project Sponsor and Facility: Williams Production Appalachia, LLC (Middle Branch Wyalusing Creek), Forest Lake Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.750 mgd.

24. Project Sponsor and Facility: Williams Production Appalachia, LLC (Snake Creek-2), Franklin Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.999 mgd.

25. Project Sponsor and Facility: Williams Production Appalachia, LLC (Susquehanna River), Great Bend Township, Susquehanna County, PA. Commission-initiated modification to project features and conditions of the surface water withdrawal approval (Docket No. 20090303), making a correction and reducing the approved surface water withdrawal amount from 3.00 mgd to 1.00 mgd.

26. Project Sponsor and Facility: Williams Production Appalachia, LLC (Susquehanna River-2), Great Bend Township, Susquehanna County, PA. Application for surface water withdrawal of up to 2.000 mgd.

Opportunity to Appear and Comment

Interested parties may appear at the hearing to offer written or oral comments to the Commission on any matter on the hearing agenda, or at the business meeting to offer written or oral comments on other matters scheduled for consideration at the business meeting. The chair of the Commission reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing and business meeting. Written comments may also be mailed to the Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391, or submitted electronically to Richard A. Cairo, General Counsel, rcairo@srbc.net or Stephanie L. Richardson, Secretary to the Commission, srichardson@srbc.net. Comments mailed or electronically submitted must be received prior to December 9, 2011, to be considered.

Authority: Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: November 10, 2011.

PAUL O. SWARTZ,
Executive Director

[Pa.B. Doc. No. 11-2044. Filed for public inspection November 23, 2011, 9:00 a.m.]

