

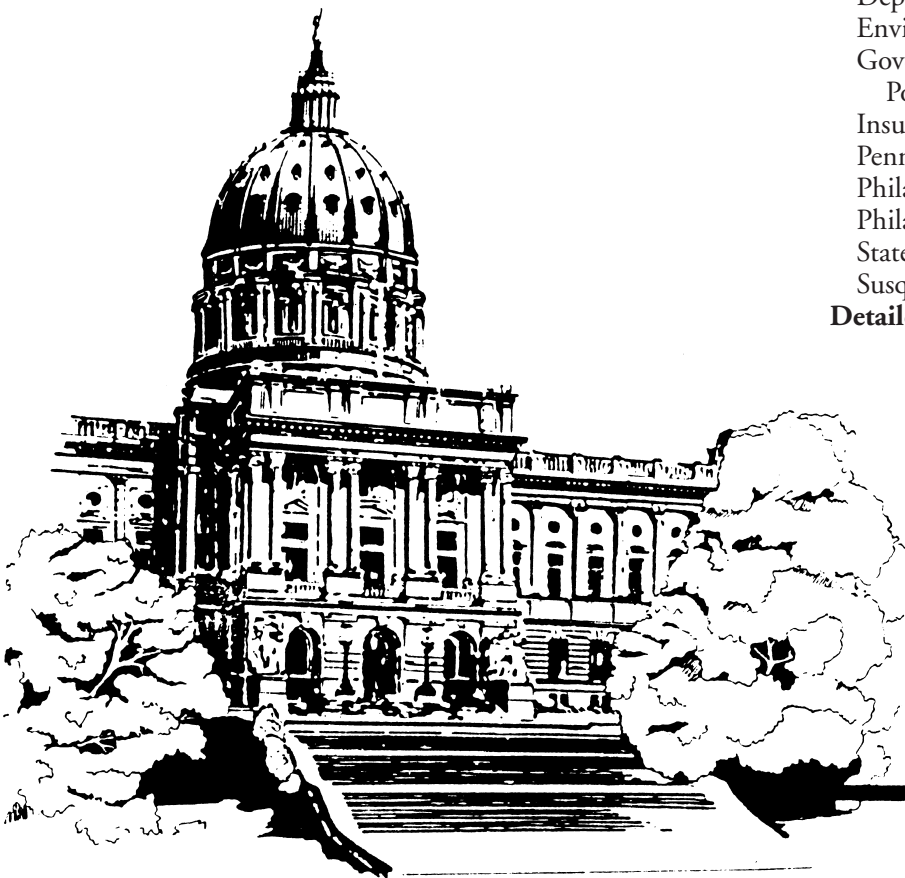
PENNSYLVANIA BULLETIN

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

No. 448, March 2012

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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at www.pacode.com.

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

A chronological table of the history of *Pennsylvania Code* sections may be found at www.legis.state.pa.us.

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

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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 2012.

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7 Pa. Code (Agriculture)

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25 Pa. Code (Environmental Protection)

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40 Pa. Code (Liquor)

Adopted Rules

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49 Pa. Code (Professional and Vocational Standards)

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52 Pa. Code (Public Utilities)

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THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 1]

[EXECUTIVE ORDER NO. 2011-10]

Veteran-Owned Small Business Procurement Initiative

December 7, 2011

Whereas, veterans have rendered and continue to render extraordinary service to the United States;

Whereas, more than three million men and women who have defended our nation's freedoms by serving in the United States Armed Forces have formed their own small businesses following their military service;

Whereas, the commonwealth wants to honor these courageous individuals for their service and to assist them by increasing opportunities for veteran-owned small businesses to participate in commonwealth agency contracts and subcontracts; and

Whereas, in order to achieve this objective, agencies and contractors shall take such action as is appropriate and necessary to inform small businesses owned by veterans, as well as veterans' organizations, of procurement opportunities and to solicit their participation as contractors, subcontractors, suppliers and professional service providers.

Now, Therefore, I, Tom Corbett, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby designate the Department of General Services as the central agency to develop policies and manage the participation of veteran-owned small business enterprises (VBEs) and service-disabled veteran-owned small business enterprises (SDVBEs) in commonwealth procurement opportunities.



Governor

Fiscal Note: 2011-10. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 1. AGENCY OPERATION AND ORGANIZATION

Subchapter XX. VETERAN-OWNED SMALL BUSINESS PROCUREMENT INITIATIVE

Sec.	
1.591.	Purpose.
1.592.	Responsibilities.
1.593.	Definitions.
1.594.	Effective date.
1.595.	Termination date.

§ 1.591. Purpose.

The purpose of this subchapter is to ensure that agencies substantially increase opportunities for VBEs and SDVBEs to participate in Commonwealth contracting opportunities as contractors, subcontractors, suppliers and professional service providers.

§ 1.592. Responsibilities.

(a) The Department of General Services (Department) shall:

(1) Develop and implement policy initiatives to substantially increase contracting and subcontracting opportunities for VBEs and SDVBEs.

(2) Establish a certification process for VBEs and SDVBEs and maintain and update publicly accessible lists of VBEs and SDVBEs that are certified by the Department.

(3) Identify and contact VBEs, SDVBEs and veteran organizations to inform them of Commonwealth procurement opportunities and to solicit their participation as contractors, subcontractors, suppliers and professional service providers.

(4) Identify and contact charitable, nonprofit organizations that manufacture products or perform services and employ veterans with disabilities to identify possible contracting opportunities under 62 Pa.C.S. § 520 (relating to supplies manufactured and services performed by persons with disabilities).

(5) Enforce compliance, from participating businesses and other Commonwealth agencies, with this subchapter.

(6) Compile agency-reported information on the participation of VBEs and SDVBEs in Commonwealth contracting opportunities and prepare a written annual report for the Governor. The report must include:

(i) Cumulative information as to agency efforts to increase VBE and SDVBE participation in Commonwealth contracts and subcontracts.

(ii) The actual dollar amount of participation.

(iii) The efforts the Department and the agencies plan to take to improve VBE and SDVBE participation in the succeeding year.

(7) Request information or assistance as may be necessary for carrying out the duties and responsibilities under this subchapter from the Department of Military and Veterans Affairs.

(b) Commonwealth agencies shall:

(1) Develop and document an agency strategy to implement the policy in § 1.591 (relating to purpose).

(2) Encourage and facilitate participation by VBEs and SDVBEs in the award of agency procurement contracts.

(3) Encourage agency contractors to subcontract with VBEs and SDVBEs and actively monitor and evaluate their efforts.

(4) Participate in outreach activities and events to increase the interest and participation of VBEs and SDVBEs in procurement contracts.

(5) Solicit VBEs and SDVBEs to compete for contracting opportunities and disseminate information to VBEs and SDVBEs that will assist these businesses in participating in agency procurement contracts.

(6) Track and report to the Department, annually, on agency efforts to meet the purpose of increasing VBE and SDVBE participation.

(7) Include VBEs and SDVBEs in the competition for those agency contracts that are identified for competition by small businesses.

(8) Consider VBE and SDVBE status as a factor in the procurement process when permitted by law.

(c) Agency heads shall:

(1) Ensure that the agency's commitment to the veteran-owned small business procurement initiative is clearly understood and appropriately implemented and enforced by appropriate agency personnel.

(2) Designate an appropriate employee to supervise the agency's veteran-owned small business procurement initiative and ensure compliance within the agency.

(3) Furnish to the Department, upon request, related information or assistance.

(4) Participate in outreach activities and events to increase interest and participation by VBEs and SDVBEs in Commonwealth procurements.

§ 1.593. Definitions.

(a) The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

SDVBE—Service-disabled veteran-owned small business enterprise—A small business owned and controlled by either of the following:

(i) A service-disabled veteran.

(ii) A surviving spouse or permanent caregiver of a veteran if approved by the Department of General Services.

Service-disabled—A veteran who possesses either a disability rating letter issued by the United States Department of Veterans Affairs or a disability determination from the United States Department of Defense.

Small business—A business that does not exceed the limitation on revenue or number of employees established by the Department of General Services for designation as a small business.

VBE—Veteran-owned small business enterprise—A business owned and controlled by a veteran.

Veteran—A person who served on active duty in the United States Armed Forces, including the Reserve and National Guard, who was one of the following:

(i) Discharged or released from service under honorable conditions.

(ii) A Reservist or member of the National Guard who completed an initial term of enlistment or qualifying period of service

(iii) A Reservist or member of the National Guard who was disabled in the line of duty during training.

(b) These terms shall be further defined by the Department of General Services, with guidance by the Department of Military and Veteran Affairs, in Manual 215.3, Procurement Handbook, as issued by the Department of General Services.

§ 1.594. Effective date.

This subchapter takes effect immediately.

§ 1.595. Termination date.

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

[Pa.B. Doc. No. 12-568. Filed for public inspection March 30, 2012, 9:00 a.m.]

PART I. GOVERNOR'S OFFICE
[4 PA. CODE CH. 6]
[EXECUTIVE ORDER NO. 2012-03]
Pennsylvania Homeland Security

February 22, 2012

Whereas, in response to the September 11, 2001, terrorist attacks on the United States and its people, the President of the United States, George W. Bush, called upon all Americans to be vigilant to the threat of terrorism and to defend our nation against additional and future terrorist attacks; and

Whereas, terrorist attacks may result in mass casualties to civilian populations and disruption of critical government functions, which would jeopardize the national economy and the delivery of services upon which the welfare of citizens and the economic vitality of the nation depend; and

Whereas, the commonwealth must take necessary steps to protect its citizens from these threats and be prepared to act should these events occur; and

Whereas, preparedness involves a continuous cycle of activity to develop the elements necessary to maximize the capability to prevent, protect against, respond to, and recover from domestic incidents, especially major events that require coordination among an appropriate combination of federal, state, local, private sector, and non-governmental entities, in order to minimize the potentially adverse impact on lives, property, and the economy; and

Whereas, the United States Department of Homeland Security requires an all-crimes, all-hazards approach to preparedness requiring the commonwealth to have an efficient and comprehensive approach to prevent, protect, respond, and recover from an incident or event of national significance that necessitates coordination between federal, state, and local entities.

Now, Therefore, I, Tom Corbett, Governor of the Commonwealth of Pennsylvania, by the virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do formally establish the Governor's Office of Homeland Security within the Office of the Governor, and do order and direct as follows.



Governor

Fiscal Note: 2012-3. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

Subchapter E. (Reserved)

(Editor's Note: This subchapter was amended by Executive Order No. 2006-5, which was rescinded by Executive Order No. 2007-10. Executive Order No. 2012-03 rescinds Executive Order No. 2007-10, which was not published in the Pennsylvania Bulletin.)

Sec.
6.41—6.49. (Reserved).

Subchapter LL. OFFICE OF HOMELAND SECURITY

Sec.
6.471. Purpose.
6.472. Responsibilities.
6.473. Composition.
6.474. Staffing and location.
6.475. Designation of State administrative agency.
6.476. Cooperation by State agencies.
6.477. Effective date.
6.478. Termination date.
6.479. Rescission.

§ 6.471. Purpose.

The Office of Homeland Security shall prepare for, prevent, respond and recover from acts of terrorism.

§ 6.472. Responsibilities.

The Office of Homeland Security shall do the following:

- (1) Secure this Commonwealth from acts of terrorism.
- (2) Reduce the vulnerability of critical infrastructure and key resources to terrorist attacks.
- (3) Partner with the United States Department of Homeland Security and other Federal, State and local agencies in matters related to homeland security.
- (4) Work with the Primary State Fusion Center to develop the process of information fusion for the gathering, processing, analyzing and disseminating of information related to homeland security.
- (5) Cooperate with the Pennsylvania Emergency Management Agency in matters relating to emergency management planning, preparedness and response.
- (6) Participate, in concert with the private sector and other Federal, State and local agencies, in a coordinated effort to prepare for, prevent, respond and recover from acts of terrorism.

§ 6.473. Composition.

The Office of Homeland Security (Office) shall consist of the following members:

(1) *Homeland Security Advisor.* The head of the Office shall be the Homeland Security Advisor (Advisor), as appointed by the Governor. The Advisor shall serve as the Commonwealth's primary point of contact with the United States Department of Homeland Security and other Federal, State and local agencies in matters related to homeland security. The Advisor shall advise and report to the Governor.

(2) *Homeland Security Director.* The Office shall be managed by the Homeland Security Director (Director), appointed by the Governor. The Director shall report to the Advisor and to the Governor's Deputy Chief of Staff for Public Safety. The Director shall be assisted by personnel deemed necessary to allow the Office to carry out its responsibilities.

§ 6.474. Staffing and location.

The Homeland Security Director is authorized to select, appoint and employ employees as necessary to carry out the functions of the Office of Homeland Security in accordance with the procedures of the Governor's Office of Administration. The Office of Homeland Security shall be located at Pennsylvania State Police Departmental Headquarters. Personnel assigned to the Office of Homeland Security shall be classified as authorized employees of the Pennsylvania State Police.

§ 6.475. Designation of State administrative agency.

The Pennsylvania Emergency Management Agency is designated as the State administrative agency for the Commonwealth and shall be responsible for the administration and audit functions of Federal grants relating to homeland security. The distribution awards of Federal grant money under the Homeland Security Grant Program and the Urban Areas Security Initiative Grant Program will be made by the Governor's Office, in consultation with the Homeland Security Advisor and the Director of the Pennsylvania Emergency Management Agency, in accordance with the Federal guidelines related to the National Homeland Security Strategy and Federal Grant Guidance as promulgated by United States Department of Homeland Security and Federal Emergency Management Agency for the respective grant years.

§ 6.476. Cooperation by State agencies.

Agencies under the Governor's jurisdiction shall cooperate with and provide assistance and support as needed by the Office of Homeland Security and the Governor's Deputy Chief of Staff for Public Safety to carry out its functions effectively.

§ 6.477. Effective date.

This subchapter takes effect immediately.

§ 6.478. Termination date.

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

§ 6.479. Rescission.

Effective immediately Executive Order 2007-10, Pennsylvania Homeland Security and Emergency Preparedness Organizational Structure is rescinded.

[Pa.B. Doc. No. 12-569. Filed for public inspection March 30, 2012, 9:00 a.m.]

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CHS. 81 AND 83]

Amendment of Rule 214 of the Rules of Disciplinary Enforcement and Rule 8.3 of the Rules of Professional Conduct; No. 107 Disciplinary Rules Doc.

Order

Per Curiam

And Now, this 19th day of March, 2012, upon the recommendation of the Disciplinary Board of the Supreme Court of Pennsylvania; the proposal to amend Pa.R.D.E. 214 having been published for comment in the *Pennsylvania Bulletin*, 41 Pa.B. 4845 (September 10, 2011), and the proposal to amend the Comment to Pa.R.P.C. 8.3 having been submitted without publication in the interests of justice pursuant to Pa.R.J.A. No. 103(a)(3):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 214 of the Pennsylvania Rules of Disciplinary Enforcement and the Comment to Rule 8.3 of the Rules of Professional Conduct are amended in the following form.

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

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 81. RULES OF PROFESSIONAL CONDUCT

Subchapter A. RULES OF PROFESSIONAL CONDUCT

§ 81.4. Rules of Professional Conduct.

The following are the Rules of Professional Conduct:

* * * * *

MAINTAINING THE INTEGRITY OF THE PROFESSION

Rule 8.3. Reporting Professional Misconduct.

* * * * *

Comment:

* * * * *

(8) In addition to reporting a violation of another lawyer, a lawyer is required by the Pennsylvania Rules of Disciplinary Enforcement to self-report in certain circumstances. Pa.R.D.E. 214(a) provides that an attorney convicted of a crime shall report the fact of that conviction within 20 days to the Office of Disciplinary Counsel. For purposes of that rule, the term "crime" means an offense that is punishable by imprisonment in the jurisdiction of

conviction, whether or not a sentence of imprisonment is actually imposed. It does not include parking violations or summary offenses, both traffic and non-traffic, unless a term of imprisonment is actually imposed.

(9) Likewise, Pa.R.D.E. 216(e) requires an attorney who has been transferred to disability inactive status or disciplined in another court or by any body authorized by law or by rule of court to conduct disciplinary proceedings against attorneys by any state or territory of the United States or of the District of Columbia, a United States court, or by a federal administrative agency or a military tribunal, by suspension, disbarment, or revocation of license or pro hac vice admission, or who has resigned from the bar or otherwise relinquished his or her license to practice while under disciplinary investigation in another jurisdiction, to report the fact of that transfer, suspension, disbarment, revocation or resignation to the Secretary of the Board within 20 days after the date of the order, judgment or directive imposing or confirming the discipline or transfer to disability inactive status.

Subpart B. DISCIPLINARY ENFORCEMENT

CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

Subchapter B. MISCONDUCT

Rule 214. Attorneys convicted of crimes.

(a) An attorney convicted of a [**serious**] crime shall report the fact of such conviction within 20 days to the [**Secretary of the Board**] Office of Disciplinary Counsel. The responsibility of the attorney to make such report shall not be abated because the conviction is under appeal or the clerk of the court has transmitted a certificate to Disciplinary Counsel pursuant to subdivision (b).

(b) The clerk of any court within the Commonwealth in which an attorney is convicted of any crime, or in which any such conviction is reversed, shall within 20 days after such disposition transmit a certificate thereof to Disciplinary Counsel, who shall file such certificate with the Supreme Court.

(c) Upon being advised that an attorney has been convicted of a crime [**within this Commonwealth**], Disciplinary Counsel shall secure and file a certificate [**in accordance with the provisions of subdivision (b). If the conviction occurred in another jurisdiction, it shall be the responsibility of Disciplinary Counsel to secure and file a certificate**] of such conviction **with the Supreme Court**.

(d)(1) Upon the filing with the Supreme Court of a certified copy of an order demonstrating that an attorney has been convicted of a [**serious**] crime, the Court may enter a rule directing the respondent-attorney to show cause why the respondent-attorney should not be placed on temporary suspension, which rule shall be returnable within ten days.

* * * * *

(5) At any time before a plea or verdict or after a guilty plea or verdict of guilt in the criminal proceeding, Disciplinary Counsel and the respondent-attorney may file

with the Court a joint petition for temporary suspension of the [**respondent-attorney's**] **respondent-attorney** on the ground that the respondent-attorney's temporary suspension is in the best interest of the respondent and the legal system.

Official Note: The subject of the summary proceedings authorized by subdivision (d) [**is**] **will ordinarily be limited to whether the [conditions] condition triggering the application of subdivision (d) [exist] exists**, i.e., proof that the respondent-attorney is the same person as the individual convicted of the offense charged [**and that the offense is a serious crime, and will not include**], **although the Court has the discretion to consider** such subjects as mitigating or aggravating circumstances. The provision of subdivision (d)(3) permitting the respondent-attorney to continue representing existing clients for 30 days is intended to avoid undue hardship to clients and to permit a winding down of matters being handled by the respondent-attorney, and the permissible activities of the respondent-attorney are intended to be limited to only those necessary to accomplish those purposes.

(e) A certificate of a conviction of an attorney for a crime shall be conclusive evidence of the commission of that crime in any disciplinary proceeding instituted against the attorney based upon the conviction.

(f)(1) Upon the [**receipt**] **filing** of a certificate of conviction of an attorney for a [**serious**] crime, [**the Court shall, in addition to any order of suspension it may enter in accordance with the provisions of subdivision (d), also refer the matter to the Board for the institution of a formal proceeding before a hearing committee in the appropriate disciplinary district in which the sole issue to be determined shall be the extent of the final discipline to be imposed, except that a disciplinary proceeding so instituted shall not be brought to hearing until sentencing and all appeals from the conviction are concluded**] **Disciplinary Counsel may commence either an informal or formal proceeding under Enforcement Rule 208, except that Disciplinary Counsel may institute a formal proceeding before a hearing committee or special master by filing a petition for discipline with the Board without seeking approval for the prosecution of formal charges under Enforcement Rule 208(a)(3). If a petition for discipline is filed, a hearing on the petition shall be deferred until sentencing and all direct appeals from the conviction have been concluded. The sole issue at the hearing shall be the extent of the discipline or, where the Court has temporarily suspended the attorney under subdivision (d) of this rule, the final discipline to be imposed.**

Official Note: Subdivision (f)(1) authorizes Disciplinary Counsel to proceed under Rule 208 concurrently with the Court's exercise of jurisdiction under subdivision (d) of this Rule.

* * * * *

(g) [**Upon receipt of a certificate of a conviction of any attorney for a crime other than a serious crime, the Court shall take such action as it deems warranted. The Court may in its discretion take no action with respect to convictions for minor offenses.**

Official Note: The actions the Court may take under subdivision (g) include reference of the mat-

ter to the Office of Disciplinary Counsel for investigation and possible commencement of either a formal or informal proceeding, or reference of the matter to the Board with direction that it institute a formal proceeding.

(h) [**An attorney suspended under the provisions of subdivision (d) may be reinstated immediately upon the filing by the Board with the Court of a certificate demonstrating that the underlying conviction has been reversed, but the reinstatement will not terminate any formal proceeding then pending against the attorney.**

(i) (h) As used in this rule, the term [**"serious crime"**] **"crime"** means [**a crime**] **an offense that is punishable by imprisonment [for one year or upward in this or any other jurisdiction] in the jurisdiction of conviction, whether or not a sentence of imprisonment is actually imposed. It does not include parking violations or summary offenses, both traffic and non-traffic, unless a term of imprisonment is actually imposed.**

(j) (i) For the purposes of this rule, **Enforcement Rule 203(b)(1) and Enforcement Rule 402, "conviction"** means any guilty verdict, whether after trial by judge or jury, or finding of guilt, and any plea of guilty or *nolo contendere* that has been accepted by the court, whether or not sentence has been imposed.

[Pa.B. Doc. No. 12-570. Filed for public inspection March 30, 2012, 9:00 a.m.]

PART V. PROFESSIONAL ETHICS AND CONDUCT
[204 PA. CODE CH. 82]

Amendment of Rule 103 of the Rules for Continuing Legal Education; No. 564 Supreme Court Rules Doc.

Order

Per Curiam

And Now, this 19th day of March, 2012, upon the recommendation of the Pennsylvania Continuing Legal Education Board; the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 103 of the Pennsylvania Rules for Continuing Legal Education is amended in the following form.

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

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 82. CONTINUING LEGAL EDUCATION

Subchapter A. PROFESSIONAL RESPONSIBILITY

Rule 103. Board

* * * * *

(g) **Immunity.** The Board, and its members, employees and agents are immune from all civil liabil-

ity for conduct and communications occurring in the performance of their official duties relating to the administration of the continuing legal education requirements.

[Pa.B. Doc. No. 12-571. Filed for public inspection March 30, 2012, 9:00 a.m.]

PART V. PROFESSIONAL ETHICS AND CONDUCT
[204 PA. CODE CH. 83]
Amendment of Rules 216 and 218 of the Rules of Disciplinary Enforcement; No. 106 Disciplinary Rules Doc.

Order

Per Curiam

And Now, this 19th day of March, 2012, upon the recommendation of the Disciplinary Board of the Supreme Court of Pennsylvania; the proposal having been submitted without publication in the interests of justice pursuant to Pa.R.J.A. No. 103(a)(3):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 216 and 218 of the Pennsylvania Rules of Disciplinary Enforcement are amended in the following form.

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

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart B. DISCIPLINARY ENFORCEMENT

CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

Subchapter B. MISCONDUCT

Rule 216. Reciprocal discipline and disability.

(a) Upon receipt of a certified copy of [**an order, judgment or disciplinary directive**] a final adjudication of [**another**] any court[,] or any body authorized by law or by rule of court to conduct disciplinary proceedings against attorneys by any state or territory of the United States or of the District of Columbia, a United States court, or a federal [**government**] administrative agency or a military tribunal demonstrating that an attorney admitted to practice in this Commonwealth has been disciplined by suspension, disbarment, or revocation of license or pro hac vice admission, or has resigned from the bar or otherwise relinquished his or her license to practice while under disciplinary investigation in another jurisdiction or has been transferred to disability inactive status, the Supreme Court shall forthwith issue a notice directed to the respondent-attorney containing:

(1) a copy of [**said order, judgment or directive from the other court, federal government agency or military tribunal**] the final adjudication described in paragraph (a); and

(2) an order directing that the respondent-attorney inform the Court within 30 days from service of the notice, of any claim by the respondent-attorney that the imposition of the identical or comparable discipline or **disability inactive status** in this Commonwealth would be unwarranted, and the reasons therefor.

The Board shall cause this notice to be served upon the respondent-attorney by mailing it to the address furnished by the respondent-attorney in the last registration statement filed by such person in accordance with Enforcement Rule 219(d) (relating to periodic assessment of attorneys) or, in the case of a foreign legal consultant, by serving it pursuant to the designation filed by the foreign legal consultant under Pennsylvania Bar Admission Rule 341(b)(8).

(b) In the event the discipline imposed in the [**other court, federal government agency or military tribunal**] original jurisdiction has been stayed there, any reciprocal discipline imposed in the Commonwealth shall be deferred until such stay expires.

(c) Upon the expiration of 30 days from service of the notice issued pursuant to the provisions of subdivision (a) of this rule, the Supreme Court may impose the identical or comparable discipline or **transfer to disability inactive status** unless Disciplinary Counsel or the respondent-attorney demonstrates, or the Court finds that upon the face of the record upon which the discipline is predicated it clearly appears:

* * * * *

(e) An attorney who has been **transferred to disability inactive status** or disciplined in another court or by any body authorized by law or by rule of court to conduct disciplinary proceedings against attorneys by any state or territory of the United States or of the District of Columbia, a United States court, or by a federal [**government**] administrative agency or a military tribunal, by suspension, disbarment, or revocation of license or pro hac vice admission, or who has resigned from the bar or otherwise relinquished his or her license to practice while under disciplinary investigation in another jurisdiction, shall report the fact of such **transfer**, suspension, disbarment, revocation or resignation to the Secretary of the Board within 20 days after the date of the order, judgment or directive imposing or confirming the discipline or **transfer to disability inactive status**.

Rule 218. Reinstatement.

* * * * *

(b) A person who has been disbarred may not apply for reinstatement until the expiration of at least five years from the effective date of the disbarment, except that a person who has been disbarred pursuant to Rule 216 (relating to reciprocal discipline and disability) may apply for reinstatement at any earlier date on which reinstatement may be sought in the jurisdiction of initial discipline.

* * * * *

[Pa.B. Doc. No. 12-572. Filed for public inspection March 30, 2012, 9:00 a.m.]

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CHS. 1 AND 21]

Proposed Amendments to Pa.Rs.A.P. 124, 2116, 2118, 2135 and 2140

The Appellate Court Procedural Rules Committee proposes to amend Pa.Rs.A.P. 124, 2116, 2118, 2135, and 2140. These amendments are being submitted for public comments and suggestions prior to their submission to the Supreme Court.

Proposed new material is in bold faced type and deleted material is bracketed and in bold faced type.

All communications in reference to the proposed amendment should be sent no later than May 7, 2012 to:

Dean R. Phillips, Counsel
D. Alicia Hickok, Deputy Counsel
Scot Withers, Deputy Counsel
Appellate Court Procedural Rules Committee
Pennsylvania Judicial Center
601 Commonwealth Ave., Suite 6200
P. O. Box 62635
Harrisburg, Pennsylvania 17106-2635
or Fax to (717) 231-9551
or E-Mail to appellaterules@pacourts.us

An Explanatory Comment precedes the proposed amendment and has been inserted by this Committee for the convenience of the bench and bar. It will not constitute part of the rule nor will it be officially adopted or promulgated.

*By the Appellate Court
Procedural Rules Committee*

HONORABLE RENÉE COHN JUBELIRER,
Chair

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE I. PRELIMINARY PROVISIONS

CHAPTER 1. GENERAL PROVISIONS

DOCUMENTS GENERALLY

Rule 124. Form of **Legal** Papers; Number of Copies.

(a) *Size and other physical characteristics.*—All [**documents**] **legal papers** filed in an appellate court shall be on 8 1/2 inch by 11 inch paper and shall comply with the following requirements:

(1) The [**document**] **legal paper** shall be prepared on white paper (except for covers, dividers and similar sheets) of good quality.

(2) The first sheet (except the cover of a brief or reproduced record) shall contain a 3 inch space from the top of the paper for all court stampings, filing notices, etc.

(3) The text must be double spaced, but quotations more than two lines long may be indented and single spaced. Except as provided in subdivision (2), margins must be at least one inch on all four sides.

(4) The lettering shall be clear and legible and no smaller than 14 point [**12**] in the body of the legal

papers and point 12 in footnotes. The lettering shall be on only one side of a page, except that exhibits and similar supporting documents, briefs and reproduced records may be lettered on both sides of a page.

(5) Any metal fasteners or staples must be covered. [**Documents and**] **Legal** papers must be firmly bound.

* * * * *

Official Note: The 2012 amendment increases the minimum font size from point 12 to point 14 for the text of any legal papers and expressly imposes a requirement that footnotes be in a minimum font size of point 12. See Rules 2135 and 2140 regarding length of briefs—page limits and word counts.

ARTICLE II. APPELLATE PROCEDURE

CHAPTER 21. BRIEFS AND REPRODUCED RECORD

CONTENT OF BRIEFS

Rule 2116. Statement of Questions Involved.

(a) *General rule.*—The statement of the questions involved must state concisely the issues to be resolved, expressed in the terms and circumstances of the case but without unnecessary detail. The statement [**shall be no more than two pages and**] will be deemed to include every subsidiary question fairly comprised therein. No question will be considered unless it is stated in the statement of questions involved or is fairly suggested thereby. Each question shall be followed by an answer stating simply whether the court or government unit agreed, disagreed, did not answer, or did not address the question. If a qualified answer was given to the question, appellant shall indicate the nature of the qualification, or if the question was not answered or addressed and the record shows the reason for such failure, the reason shall be stated briefly in each instance without quoting the court or government unit below.

Official Note: [Based on former Supreme Court Rule 52, and makes no change in substance. See also former Superior Court Rule 42 and former Commonwealth Court Rule 93.

The 2008 amendments are intended to reinforce the importance placed upon a party's] The Rule requires a statement of a limited number of concise questions that enable the court to understand the nature of the legal issue, and in a general way what points it will be called on to decide. Thus, a party should incorporate the pertinent terms and circumstances of the case, but without details such as names, dates, amounts or particulars that are irrelevant to the resolution of the issues presented to the court.

[Previously, some practitioners violated Pa.R.A.P. 124 to avoid the 15-line and one-page restrictions of Pa.R.A.P. 2116 by adjusting fonts, spacing, and margins. Appellate courts may find issues to be waived when they are not set forth in compliance with the Rules of Appellate Procedure. The increase from one to two pages should provide ample space for most parties to articulate their questions in an informative yet concise manner. A party requiring more than two pages for a statement of questions should file an application under Pa.R.A.P. 123 asking for extra pages, explaining why additional pages are needed, and attaching the proposed questions to the application. See Pa.R.A.P. 105.]

In 2008, this Rule was amended to limit the statement of questions involved to two pages. Prior to that time the limit was a single page. In conjunction with 2012 amendments to Rules 2135 and 2140 adopting an optional word limit in lieu of page limits, the 2012 amendment eliminates the page limit for the statement of questions involved. Parties are advised that the appellate courts strongly disfavor a statement that is not concise.

The current language of the Rule is consistent with the standard set forth in Pa.R.A.P. 1115(a)(3) for questions presented for review in a Petition for Allowance of Appeal to the Supreme Court.

Rule 2118. Summary of Argument.

The summary of argument shall be a concise summary of the argument of the party in the case, suitably paragraphed. [**The summary of argument should not exceed one page and should never exceed two pages. The summary of argument should not be a mere repetition of the statement of questions presented.**] The summary should be a succinct, although accurate and clear picture of the argument actually made in the brief concerning the questions.

Official Note: [Based on former Supreme Court Rule 54 and former Superior Court Rule 47 and extends the rule to the Commonwealth Court.]

Because the summary of argument, if properly prepared, will be helpful to the court in following oral argument and will often render unnecessary inquiries by the court which consume time allowed for argument, counsel are urged to prepare the summary with great care. **In conjunction with 2012 amendments to Rules 2135 and 2140 adopting an optional word limit in lieu of page limits, the 2012 amendment eliminates a two page limit on the length of the summary of argument. Parties are advised that the appellate courts strongly disfavor a summary that is not concise.**

Rule 2135. Length of Briefs.

(a) *General Rule.* **The length of briefs shall be measured by either page count or word count. Unless otherwise provided by an appellate court:**

(1) a principal brief shall not exceed [70] 30 pages [**of production**] when produced on a word processor/computer or typewriter **if the page count method is used, or 14,000 words, as verified by a certificate of compliance, if the word count method is used.**

(2) a reply brief shall not exceed [25] 15 pages [**of production**] when produced on a word processor/computer or typewriter **if the page count method is used, or 7,000 words, as verified by a certificate of compliance, if the word count method is used.**

(b) *Supplementary Matter.* [**Pages**] **The cover of the brief and pages** containing the table of contents, tables of citations, **certificate of service** and any addendum containing opinions, etc., or any other similar supplementary matter provided for by these rules shall not count against the page limitations **or word counts** set forth in subdivision (a) of this rule.

(c) Neither an attorney nor an unrepresented party shall evade the page limitation requirements by inappropriate and excessive use of footnotes or by materially altering the requirements for margins and font size set forth in Rule 124.

(d) *Size and physical characteristics.* Size and other physical characteristics of briefs shall be consistent with the requirements of Rule 124 for legal papers generally.

(e) *Certificate of compliance.* A principal or reply brief that relies on the word count provisions of this rule must include a certificate by the attorney or unrepresented party stating that the brief complies with the volume limitation. The person preparing the certificate may rely on the word count of the word processing system used to prepare the brief.

Official Note[—2003]: The 2003 amendment eliminates a confusing distinction between typewritten, word processor/computer and conventional offset printing methods of production which are no longer meaningful. In light of the 1979 amendments eliminating paperbooks and the advances in word processor/computer technology, offset printing of briefs has become obsolete as a method for production of briefs. The 2003 amendment permits typewritten briefs despite the fact that the vast majority of briefs are produced on word processor/computers.

A principal brief is any party's initial brief and, in the case of a cross appeal, the appellant's second brief, which responds to the initial brief in the cross appeal. See the notes to Pa.R.A.P. 2136. Reply briefs permitted by Rule 2113 and any subsequent brief permitted by leave of court are subject to the page limit set by this rule.

It is important to note that each appellate court has the option of reducing the number of pages allowed for a brief, either by general rule, see Chapter 33 (Business of the Supreme Court), Chapter 35 (Business of the Superior Court), and Chapter 37 (Business of the Commonwealth Court), or by order in a particular case.

The 2012 amendments are intended to provide objective criteria for the length of briefs and to eliminate incentives to adjust margins, reduce font size or improperly use footnotes to avoid the existing brief length page limitations by incorporating an optional word count following the Federal Rules of Appellate Procedure. Brief length may be measured either by page count or by word count; if the word count method is used, the brief must be accompanied by a certificate of compliance indicating that the word count does not exceed the applicable limitation. Concurrent amendments to Rule 124 regarding margins, font sizes, and line spacing, in conjunction with permitting the use of word counts, promote readability of briefs. Where page limits are used rather than word counts, filers are cautioned to comply strictly with Rule 124 requirements concerning font size, line spacing, and margins and to avoid misusing footnotes in order to include more words on a page. In an extraordinary case, a party may file a Rule 123 application asking for relief from the page or word count limits prior to the date on which the brief is due.

Rule 2140. Brief on Remand or Following Grant of Reargument or Reconsideration.

* * * * *

(d) *Page limits.*—A substituted brief shall not exceed [70 pages when produced on a word processor/computer or typewriter] the maximum length of a principal brief as set forth in Rule 2135(a)(1). A supplemental brief shall not exceed [40 pages] 20 pages in length when produced on a word processor/computer or typewriter if the page count method is used, or 9,300 words, as verified by a certificate of compliance, if the word count method is used. A reply brief shall not exceed [25 pages when produced on a word processor/computer or typewriter] the maximum length of a reply brief as set forth in Rule 2135(a)(2).

(e) *Certificate of compliance.*—A brief subject to this rule that relies on the word count provisions of this rule must include a certificate by the attorney or an unrepresented party stating that the brief complies with the volume limitation. The person preparing the certificate may rely on the word count of the word processing system used to prepare the brief.

Official Note: The number of copies of original, substituted and supplemental briefs to be filed on reargument or reconsideration is to be set by the Prothonotary of the Appellate Court with jurisdiction over the appeal and may be changed from time to time without notice to bar.

See 2012 amendments to Rule 2135 (length of briefs) and the Note regarding word counts and page limits generally.

Explanatory Comment

The Appellate Court Procedural Rules Committee proposes amendments to Rules of Appellate Procedure 124, 2116, 2118, 2135, and 2140 that would provide an optional word count as an objective method for measuring the length of briefs. See Rules 124, 2135 and 2140. The proposal would eliminate incentives to abuse the use of footnotes and to evade the formatting rules in order to increase the length of briefs. The requirement of 14 point font size will make briefs more readable. The proposal would also eliminate page limits on the statement of questions involved, see Pa.R.A.P. 2116, and the summary of the argument, see Pa.R.A.P. 2118. The proposed word count limits are consistent with those used in the Federal Rules of Appellate Procedure. See Fed.R.A.P. 32.

[Pa.B. Doc. No. 12-573. Filed for public inspection March 30, 2012, 9:00 a.m.]

**PART II. INTERNAL OPERATING PROCEDURES
[210 PA. CODE CH. 67]**

[Correction]

Amendment to Commonwealth Court Internal Operating Procedures

An error occurred in the document which appeared at 40 Pa.B. 6388, 6390 (November 6, 2010). The amendment to § 67.53 was printed incorrectly. The correct version of § 67.53 is as follows:

Annex A

TITLE 210. APPELLATE PROCEDURE

PART II. INTERNAL OPERATING PROCEDURES

CHAPTER 67. COMMONWEALTH COURT

Subchapter A. INTERNAL OPERATING PROCEDURES OF THE COMMONWEALTH COURT DECISIONS

§ 67.53. Reporting of Opinions; Determination as to Reporting.

A. Each judge who is the author of an opinion of a panel or the court en banc shall indicate, in circulating the opinion to the other members of the court, the authoring judge's recommendation as to whether the opinion should be reported. A decision generally should be reported when it:

1. establishes a new rule of law;
 2. applies an existing rule of law to facts significantly different than those stated in prior decisions;
 3. modifies or criticizes an existing rule of law;
 4. resolves an apparent conflict of authority;
 5. involves a legal issue of continuing public interest;
- or
6. constitutes a significant, non-duplicative contribution to law because it contains:

(a) an historical review of the law,

(b) a review of legislative history,

(c) a review of conflicting decisions among the courts of other jurisdictions.

B. The recommendation shall govern the determination as to reporting, unless a majority of the commissioned members of the court disagree with it. Opinions of a single judge shall be filed but not reported unless, because of the unique character of the case, the [**executive administrator, the**] prothonotary or the authoring judge shall recommend that the opinion be reported and a two-thirds majority of the commissioned members of the court shall concur with the recommendation.

[Pa.B. Doc. No. 12-574. Filed for public inspection March 30, 2012, 9:00 a.m.]

**Title 231—RULES OF
CIVIL PROCEDURE**

PART I. GENERAL

[231 PA. CODE CH. 1910]

Proposed Amendments to the Rules of Civil Procedure Relating to Domestic Relations Matters; Recommendation 116

The Domestic Relations Procedural Rules Committee is planning to recommend that the Supreme Court of Pennsylvania amend the Rules of Civil Procedure relating to domestic relations matters as set forth herein. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

Notes and explanatory comments which appear with proposed amendments have been inserted by the commit-

tee for the convenience of those using the rules. Reports, notes and comments will not constitute part of the rules and will not be officially adopted or promulgated by the Supreme Court.

The committee solicits and welcomes comments and suggestions from all interested persons prior to submission of this proposal to the Supreme Court of Pennsylvania. Please submit written comments no later than Friday, August 3, 2012 directed to:

Patricia A. Miles, Esquire
Counsel, Domestic Relations Procedural Rules Committee
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 6200
P. O. Box 62635
Harrisburg, PA 17106-2635
Fax: 717 231-9531
E-mail: domesticrules@pacourts.us

Deleted material is bold and [bracketed]. New material is bold.

*By the Domestic Relations
Procedural Rules Committee*

HONORABLE KEVIN M. DOUGHERTY,
Vice-Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1910. ACTIONS FOR SUPPORT

Rule 1910.16-1. Amount of Support. Support Guidelines.

(a) *Applicability of the Support Guidelines.*

* * * * *

(2) In actions in which the plaintiff is a public body or private agency pursuant to Rule 1910.3, the amount of the order shall be calculated under the guidelines based upon each obligor's net monthly income as defined in Rule 1910.16-2, with the public or private entity's income as zero. In such cases, each parent shall be treated as a separate obligor and a parent's obligation will be based upon his or her own monthly net income without regard to the income of the other parent.

(i) The amount of basic child support owed to other children not in placement shall be deducted from each parent's net income before calculating support for the child or children in placement, including the amount of direct support the guidelines assume will be provided by the custodial parent.

Example 1. Mother and Father have three children and do not live in the same household. Mother has primary custody of two children and net income of \$2,000 per month. Father's net monthly income is \$3,000. The parties' third child is in foster care placement. Pursuant to the schedule at Rule 1910.16-3, the basic child support amount for the two children with Mother is [\$1,350] \$1,369. As Father's income is 60% of the parties' combined monthly net income, his basic support obligation to Mother is [\$810] \$821 per month. The guidelines assume that Mother will provide [\$540] \$548 per month in direct expenditures to the two children in her home. The agency/obligee brings an action against each parent

for the support of the child in placement. Father/obligor's income will be [\$2,190] \$2,179 for purposes of this calculation (\$3,000 net less [\$810] \$821 in support for the children with Mother). Because the agency/obligee's income is zero, Father's support for the child in placement will be 100% of the schedule amount of basic support for one child at the [\$2,190] \$2,179 income level, or [\$528] \$520 per month. Mother/obligor's income will be [\$1,460] \$1,452 for purposes of this calculation (\$2,000 net less [\$540] \$548 in direct support to the children in her custody). Her support obligation will be 100% of the schedule amount for one child at that income level, or [\$354] \$348 per month.

Example 2. Mother and Father have two children in placement. Father owes child support of \$500 per month for two children of a former marriage. At the same income levels as above, Father's income for determining his obligation to the children in placement would be \$2,500 (\$3,000 less \$500 support for two children of prior marriage). His obligation to the agency would be [\$866] \$848 per month (100% of the schedule amount for two children at the \$2,500 per month income level). Mother's income would not be diminished as she owes no other child support. She would owe [\$698] \$685 for the children in placement (100% of the schedule amount for two children at the \$2,000 income level).

(ii) If the parents reside in the same household, their respective obligations to the children who remain in the household and are not in placement shall be calculated according to the guidelines, with the parent having the higher income as the obligor, and that amount shall be deducted from the parents' net monthly incomes for purposes of calculating support for the child(ren) in placement.

Example 3. Mother and Father have four children, two of whom are in placement. Mother's net monthly income is \$4,000 and Father's is [\$2,000] \$3,000. The basic support amount for the two children in the home is [\$1,483] \$1,628, according to the schedule at Rule 1910.16-3. As Mother's income is [67%] 57% of the parties' combined net monthly incomes, her share would be [\$994] \$928, and Father's [33%] 43% share would be [\$489] \$700. Mother's income for purposes of calculating support for the two children in placement would be [\$3,006] \$3,072 (\$4,000 less [\$994] \$928). She would pay 100% of the basic child support at that income level, or [\$1,033] \$1,032, for the children in placement. Father's income would be [\$1,511] \$2,300 ([\$2,000] \$3,000 less [\$489] \$700) and his obligation to the children in placement would be [\$531] \$782.

* * * * *

Explanatory Comment—2012

The schedule of basic child support has been updated to reflect newer economic data. The schedule was prepared by Jane Venohr, Ph.D., the economist who assisted in the last guideline review using the same methodology. It includes an increase in the Self-Support Reserve to \$931 per month, the 2012 federal poverty level for one person.

Rule 1910.16-2. Support Guidelines. Calculation of Net Income.

Generally, the amount of support to be awarded is based upon the parties' monthly net income.

* * * * *

(b) *Treatment of Public Assistance, SSI Benefits, Social Security Payments to a Child Due to a Parent's Death, Disability or Retirement and Foster Care Payments.*

* * * * *

Example 1. If the obligor has net income of \$1,200 per month; the obligee has net monthly income of \$800; and the child receives Social Security derivative benefits of \$300 per month as a result of either the obligor's or obligee's retirement or disability, then the total combined monthly net income is \$2,300. Using the schedule at Rule 1910.16-3 for one child, the amount of support is [\$551] \$543 per month. From that amount, subtract the amount the child is receiving in Social Security derivative benefits ([\$551] \$543 minus \$300 equals [\$251] \$243). Then, apply the formula at Rule 1910.16-4 to apportion the remaining child support amount of [\$251] \$243 between the obligor and the obligee in proportion to their respective incomes. The obligor's \$1,200 net income per month is 60% of the total of the obligor's and the obligee's combined net monthly income. Thus, the obligor's support obligation would be 60% of [\$251] \$243, or [\$151] \$146, per month.

Example 2. Two children live with Grandmother who receives \$400 per month in Social Security death benefits for the children as a result of their father's death. Grandmother also receives \$500 per month from a trust established by Father for the benefit of the children. Grandmother is employed and earns \$2,000 net per month. Grandmother seeks support from the children's mother, who earns \$1,500 net per month. For purposes of calculating Mother's support obligation, Grandmother's income will be \$500, the amount she receives on behalf of the children from the trust. Therefore, the obligee's and the obligor's combined net monthly incomes total \$2,000. Add to that the \$400 in Social Security benefits Grandmother receives for the children to find the basic child support amount in Rule 1910.16-3. The basic support amount at the \$2,400 income level for two children is [\$831] \$815. Subtracting from that amount the \$400 in Social Security derivative benefits Grandmother receives for the children, results in a basic support amount of [\$431] \$415. As Mother's income is 75% of the parties' combined income of \$2,000, her support obligation to Grandmother is [\$323] \$311 per month.

* * * * *

(e) *Net Income Affecting Application of the Support Guidelines.*

(1) *Low Income Cases.*

(A) When the obligor's monthly net income and corresponding number of children fall into the shaded area of the schedule set forth in Rule 1910.16-3, the basic child support obligation shall **first** be calculated using the obligor's income only. For example, where the obligor has monthly net income of [\$950] \$1,100, the presumptive amount of support for three children is [\$77] \$156 per month. This amount is determined directly from the schedule in Rule 1910.16-3. **Next, calculate the obligor's child support obligation as in any other case,**

using both parties' monthly net incomes. The lower of the two calculations shall be the obligor's basic child support obligation.

Example: The parties have two children. The obligor has net monthly income of \$1,500, which falls into the shaded area of the schedule for two children. Using only the obligor's income, the amount of support for two children would be \$518. Next, calculate support using both parties' incomes. The obligee has net monthly income of \$2,500 so the combined net monthly income of the parties is \$4,000. The basic child support amount at that income level for two children is \$1,240. As the obligor's income is 38% of the combined net monthly income of the parties, the obligor's share of the basic support amount is \$471. As the amount of support the obligor would pay using the obligor's income alone is more than the amount calculated using both parties' incomes, the lower amount would be awarded. Thus, the obligor's basic child support obligation is \$471.

(B) In computing a basic spousal support or alimony pendente lite obligation, the presumptive amount of support shall not reduce the obligor's net income below the Self-Support Reserve of [\$867] \$931 per month. For example, if the obligor earns \$1,000 per month and the obligee earns \$300 per month, the formula in Part IV of Rule 1910.16-4 would result in a support obligation of \$280 per month. Since this amount leaves the obligor with only \$720 per month, it must be adjusted so that the obligor retains at least [\$867] \$931 per month. The presumptive minimum amount of spousal support, therefore, is [\$133] \$69 per month in this case.

(C) When the obligor's monthly net income is [\$867] \$931 or less, the court may award support only after consideration of the obligor's actual living expenses.

* * * * *

Explanatory Comment—2012

The SSR has been increased to \$931, the 2012 federal poverty level for one person. Subdivision (e) has been amended to require that when the obligor's income falls into the shaded area of the basic child support schedule in Rule 1910.16-3, two calculations must be performed. One calculation uses only the obligor's income and the other is a regular calculation using both parties' incomes, awarding the lower amount to the obligee. The two step process is intended to address those cases in which the obligor has minimal income and the obligee's income is substantially greater.

Rule 1910.16-3. Support Guidelines. Basic Child Support Schedule.

The following schedule sets forth the amounts spent on children in intact families by combined income and number of children. Combined income is on the vertical axis of the schedule and number of children is on the horizontal axis of the schedule. This schedule is used to find the basic child support obligation. Unless otherwise provided in these rules, the obligor's share of the basic support obligation shall be computed using the formula set forth in Part I of Rule 1910.16-4.

(Editor's Note: As part of this recommendation, the Committee is proposing to delete the text of the schedule which appear in 231 Pa. Code pages 1910-26—1910-54.10, serial pages (358518) and (347837)—(347874) and replace it with the following schedule, which is printed in regular type to enhance readability.)

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
950	17	17	18	18	18	18
1000	62	63	64	64	65	66
1050	107	108	110	111	112	113
1100	152	154	156	157	159	161
1150	197	199	202	204	206	208
1200	242	245	248	250	253	256
1250	287	290	294	297	300	303
1300	313	336	340	343	347	351
1350	324	381	386	390	394	398
1400	336	427	432	436	441	446
1450	348	472	478	483	488	493
1500	360	518	524	529	535	541
1550	371	537	570	576	582	588
1600	383	554	616	622	629	636
1650	395	571	662	669	676	683
1700	406	587	690	715	723	731
1750	418	604	708	762	770	778
1800	429	620	727	808	817	826
1850	440	636	746	833	864	873
1900	452	652	765	854	911	921
1950	463	669	784	875	958	968
2000	474	685	803	897	986	1016
2050	486	701	821	918	1009	1063
2100	497	717	840	939	1032	1111
2150	509	733	859	960	1056	1147
2200	520	750	878	981	1079	1173
2250	531	766	897	1002	1102	1198
2300	543	782	916	1023	1125	1223
2350	554	798	934	1044	1148	1248
2400	565	815	953	1065	1171	1273
2450	577	831	973	1086	1195	1299
2500	588	848	992	1108	1219	1325
2550	600	865	1012	1130	1243	1352
2600	612	881	1032	1152	1268	1378
2650	623	898	1051	1174	1292	1404
2700	635	915	1071	1196	1316	1430
2750	646	931	1091	1218	1340	1457
2800	658	948	1110	1240	1364	1483
2850	669	965	1130	1262	1388	1509
2900	681	981	1150	1284	1412	1535
2950	692	998	1169	1306	1437	1562
3000	704	1015	1189	1328	1461	1588
3050	716	1032	1209	1350	1485	1614
3100	727	1048	1228	1372	1509	1640
3150	738	1065	1247	1393	1532	1666

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
3200	747	1077	1261	1408	1549	1684
3250	756	1089	1274	1423	1565	1701
3300	765	1101	1287	1438	1582	1719
3350	774	1113	1300	1453	1598	1737
3400	783	1125	1314	1468	1614	1755
3450	792	1137	1327	1482	1631	1772
3500	801	1149	1340	1497	1647	1790
3550	809	1161	1354	1512	1663	1808
3600	818	1173	1367	1527	1680	1826
3650	826	1184	1379	1540	1694	1841
3700	831	1192	1388	1551	1706	1854
3750	836	1200	1398	1562	1718	1867
3800	842	1208	1408	1572	1729	1880
3850	847	1216	1417	1583	1741	1893
3900	853	1224	1427	1594	1753	1906
3950	858	1232	1436	1604	1765	1918
4000	863	1240	1446	1615	1777	1931
4050	869	1248	1456	1626	1788	1944
4100	874	1256	1465	1637	1800	1957
4150	880	1264	1474	1647	1812	1969
4200	886	1272	1483	1657	1823	1981
4250	892	1280	1492	1667	1834	1993
4300	898	1288	1502	1677	1845	2005
4350	903	1296	1511	1687	1856	2018
4400	909	1304	1520	1697	1867	2030
4450	915	1312	1529	1708	1878	2042
4500	921	1320	1538	1718	1889	2054
4550	927	1328	1547	1728	1901	2066
4600	933	1336	1555	1737	1911	2078
4650	936	1340	1559	1742	1916	2083
4700	939	1344	1563	1746	1921	2088
4750	943	1348	1567	1750	1925	2093
4800	946	1352	1571	1754	1930	2098
4850	949	1356	1575	1759	1935	2103
4900	953	1360	1578	1763	1939	2108
4950	956	1364	1582	1767	1944	2113
5000	960	1369	1586	1772	1949	2118
5050	963	1373	1590	1776	1953	2123
5100	967	1378	1595	1781	1960	2130
5150	971	1384	1602	1789	1968	2139
5200	976	1390	1608	1797	1976	2148
5250	980	1396	1615	1804	1985	2157
5300	984	1402	1622	1812	1993	2167
5350	989	1408	1629	1820	2002	2176
5400	993	1414	1636	1827	2010	2185

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
5450	997	1420	1643	1835	2018	2194
5500	1002	1426	1650	1843	2027	2203
5550	1006	1432	1656	1850	2035	2212
5600	1011	1438	1663	1858	2044	2222
5650	1015	1444	1670	1866	2052	2231
5700	1019	1450	1677	1873	2061	2240
5750	1024	1456	1684	1881	2069	2249
5800	1028	1462	1691	1889	2077	2258
5850	1033	1469	1698	1897	2087	2268
5900	1038	1476	1706	1906	2096	2278
5950	1043	1483	1714	1914	2105	2289
6000	1048	1490	1721	1923	2115	2299
6050	1053	1497	1729	1931	2124	2309
6100	1058	1504	1736	1940	2134	2319
6150	1063	1511	1744	1948	2143	2329
6200	1069	1517	1752	1957	2152	2340
6250	1074	1524	1759	1965	2162	2350
6300	1079	1531	1767	1974	2171	2360
6350	1084	1538	1775	1982	2181	2370
6400	1089	1545	1782	1991	2190	2380
6450	1094	1552	1790	1999	2199	2391
6500	1099	1559	1798	2008	2209	2401
6550	1104	1566	1805	2017	2218	2411
6600	1109	1573	1813	2026	2228	2422
6650	1114	1580	1821	2034	2238	2433
6700	1119	1587	1829	2043	2248	2443
6750	1123	1593	1837	2052	2257	2454
6800	1128	1600	1845	2061	2267	2465
6850	1133	1607	1853	2070	2277	2475
6900	1138	1614	1861	2079	2287	2486
6950	1143	1621	1869	2088	2297	2497
7000	1148	1628	1877	2097	2306	2507
7050	1153	1635	1885	2106	2316	2518
7100	1158	1642	1893	2115	2326	2528
7150	1162	1649	1901	2124	2336	2539
7200	1167	1655	1909	2132	2346	2550
7250	1172	1662	1917	2141	2356	2560
7300	1177	1669	1924	2150	2365	2570
7350	1182	1676	1932	2158	2374	2580
7400	1187	1682	1939	2166	2383	2590
7450	1191	1689	1946	2174	2392	2600
7500	1196	1695	1954	2182	2401	2609
7550	1201	1702	1961	2191	2410	2619
7600	1206	1708	1968	2199	2419	2629
7650	1210	1715	1976	2207	2428	2639

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
7700	1215	1722	1983	2215	2437	2649
7750	1220	1728	1990	2223	2446	2658
7800	1225	1735	1998	2231	2455	2668
7850	1230	1741	2005	2240	2464	2678
7900	1234	1748	2012	2248	2473	2688
7950	1239	1754	2020	2256	2482	2697
8000	1244	1761	2027	2264	2491	2707
8050	1249	1768	2034	2272	2500	2717
8100	1254	1774	2042	2281	2509	2727
8150	1258	1781	2049	2289	2518	2737
8200	1263	1787	2056	2297	2527	2746
8250	1268	1794	2064	2306	2536	2757
8300	1273	1801	2072	2315	2546	2768
8350	1278	1808	2081	2324	2556	2779
8400	1283	1815	2089	2333	2567	2790
8450	1287	1822	2097	2343	2577	2801
8500	1292	1829	2105	2352	2587	2812
8550	1297	1836	2114	2361	2597	2823
8600	1302	1843	2122	2370	2607	2834
8650	1307	1850	2130	2379	2617	2845
8700	1312	1857	2138	2389	2628	2856
8750	1317	1864	2147	2398	2638	2867
8800	1321	1871	2155	2407	2648	2878
8850	1326	1878	2163	2416	2658	2889
8900	1331	1885	2172	2426	2668	2900
8950	1336	1892	2180	2435	2678	2911
9000	1341	1899	2188	2444	2688	2922
9050	1346	1906	2196	2453	2699	2933
9100	1350	1913	2205	2463	2709	2944
9150	1355	1920	2213	2472	2719	2956
9200	1360	1927	2220	2480	2728	2966
9250	1362	1930	2224	2485	2733	2971
9300	1365	1934	2228	2489	2738	2976
9350	1367	1937	2232	2493	2742	2981
9400	1370	1940	2236	2497	2747	2986
9450	1372	1944	2239	2501	2752	2991
9500	1375	1947	2243	2506	2756	2996
9550	1377	1951	2247	2510	2761	3001
9600	1380	1954	2251	2514	2766	3006
9650	1382	1958	2255	2518	2770	3011
9700	1385	1961	2258	2523	2775	3016
9750	1387	1964	2262	2527	2780	3021
9800	1389	1968	2266	2531	2784	3027
9850	1392	1971	2270	2535	2789	3032
9900	1394	1975	2274	2540	2794	3037

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
9950	1397	1978	2277	2544	2798	3042
10000	1399	1981	2281	2548	2803	3047
10050	1402	1985	2285	2552	2808	3052
10100	1404	1988	2289	2557	2812	3057
10150	1407	1992	2293	2561	2817	3062
10200	1410	1997	2298	2567	2824	3070
10250	1415	2002	2304	2574	2831	3078
10300	1419	2008	2310	2581	2839	3086
10350	1423	2013	2316	2587	2846	3094
10400	1427	2019	2323	2594	2854	3102
10450	1431	2024	2329	2601	2861	3110
10500	1435	2030	2335	2608	2869	3118
10550	1439	2035	2341	2615	2876	3126
10600	1443	2041	2347	2621	2884	3134
10650	1447	2046	2353	2628	2891	3143
10700	1451	2052	2359	2635	2898	3151
10750	1456	2057	2365	2642	2906	3159
10800	1460	2063	2371	2649	2913	3167
10850	1464	2068	2377	2655	2921	3175
10900	1468	2074	2383	2662	2928	3183
10950	1472	2079	2389	2669	2936	3191
11000	1476	2085	2395	2676	2943	3199
11050	1480	2090	2402	2683	2951	3207
11100	1484	2096	2408	2689	2958	3216
11150	1488	2101	2414	2696	2966	3224
11200	1492	2107	2420	2703	2973	3232
11250	1496	2112	2426	2710	2981	3240
11300	1501	2118	2432	2716	2988	3248
11350	1505	2123	2438	2723	2996	3256
11400	1509	2130	2445	2731	3004	3265
11450	1514	2136	2452	2739	3013	3275
11500	1518	2142	2460	2747	3022	3285
11550	1523	2149	2467	2756	3031	3295
11600	1527	2155	2474	2764	3040	3305
11650	1532	2162	2482	2772	3049	3315
11700	1536	2168	2489	2780	3058	3324
11750	1541	2174	2496	2788	3067	3334
11800	1545	2181	2504	2797	3076	3344
11850	1550	2187	2511	2805	3085	3354
11900	1554	2194	2519	2813	3094	3364
11950	1559	2200	2526	2821	3104	3374
12000	1563	2206	2533	2830	3113	3383
12050	1568	2213	2541	2838	3122	3393
12100	1572	2219	2548	2846	3131	3403
12150	1577	2226	2555	2854	3140	3413

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
12200	1581	2232	2563	2863	3149	3423
12250	1586	2238	2570	2871	3158	3433
12300	1591	2245	2577	2879	3167	3442
12350	1595	2251	2585	2887	3176	3452
12400	1600	2258	2592	2895	3185	3462
12450	1604	2264	2600	2904	3194	3472
12500	1609	2271	2607	2912	3203	3482
12550	1613	2277	2614	2920	3212	3492
12600	1618	2283	2622	2928	3221	3501
12650	1622	2290	2629	2937	3230	3511
12700	1627	2296	2636	2945	3239	3521
12750	1631	2303	2644	2953	3248	3531
12800	1636	2309	2651	2961	3257	3541
12850	1640	2315	2658	2969	3266	3551
12900	1645	2322	2666	2978	3275	3560
12950	1649	2328	2673	2986	3285	3570
13000	1654	2335	2681	2994	3294	3580
13050	1658	2341	2688	3002	3303	3590
13100	1663	2347	2695	3011	3312	3600
13150	1668	2354	2703	3019	3321	3610
13200	1672	2360	2710	3027	3330	3619
13250	1677	2367	2717	3035	3339	3629
13300	1681	2373	2725	3044	3348	3639
13350	1685	2378	2730	3050	3355	3646
13400	1688	2383	2735	3055	3361	3653
13450	1691	2387	2741	3061	3367	3660
13500	1695	2392	2746	3067	3374	3667
13550	1698	2397	2751	3073	3380	3674
13600	1702	2401	2756	3079	3386	3681
13650	1705	2406	2761	3084	3393	3688
13700	1708	2411	2767	3090	3399	3695
13750	1712	2415	2772	3096	3406	3702
13800	1715	2420	2777	3102	3412	3709
13850	1718	2424	2782	3108	3418	3716
13900	1722	2429	2787	3113	3425	3723
13950	1725	2434	2793	3119	3431	3730
14000	1729	2438	2798	3125	3438	3737
14050	1732	2443	2803	3131	3444	3744
14100	1735	2448	2808	3137	3450	3751
14150	1739	2452	2813	3143	3457	3758
14200	1742	2457	2819	3148	3463	3764
14250	1746	2462	2824	3154	3470	3771
14300	1749	2466	2829	3160	3476	3778
14350	1752	2471	2834	3166	3482	3785
14400	1756	2476	2839	3172	3489	3792

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
14450	1759	2480	2845	3177	3495	3799
14500	1763	2485	2850	3183	3502	3806
14550	1766	2490	2855	3189	3508	3813
14600	1769	2494	2860	3195	3514	3820
14650	1773	2499	2865	3201	3521	3827
14700	1776	2504	2871	3206	3527	3834
14750	1779	2508	2876	3212	3533	3841
14800	1783	2513	2881	3218	3540	3848
14850	1786	2518	2886	3224	3546	3855
14900	1790	2522	2891	3230	3553	3862
14950	1793	2527	2897	3235	3559	3869
15000	1796	2532	2902	3241	3565	3876
15050	1800	2536	2907	3247	3572	3883
15100	1803	2541	2912	3253	3578	3890
15150	1807	2546	2917	3259	3585	3896
15200	1810	2550	2923	3265	3591	3903
15250	1813	2555	2928	3270	3597	3910
15300	1817	2559	2933	3276	3604	3917
15350	1820	2564	2938	3282	3610	3924
15400	1823	2569	2943	3288	3617	3931
15450	1827	2573	2949	3294	3623	3938
15500	1830	2578	2954	3299	3629	3945
15550	1834	2583	2959	3305	3636	3952
15600	1837	2587	2964	3311	3642	3959
15650	1840	2592	2969	3317	3649	3966
15700	1844	2597	2975	3323	3655	3973
15750	1847	2601	2980	3328	3661	3980
15800	1851	2606	2985	3334	3668	3987
15850	1854	2611	2990	3340	3674	3994
15900	1857	2615	2995	3346	3680	4001
15950	1861	2620	3001	3352	3687	4008
16000	1864	2625	3006	3357	3693	4015
16050	1868	2629	3011	3363	3700	4022
16100	1871	2634	3016	3369	3706	4028
16150	1874	2639	3021	3375	3712	4035
16200	1878	2643	3027	3381	3719	4042
16250	1881	2648	3032	3387	3725	4049
16300	1884	2653	3037	3392	3732	4056
16350	1888	2657	3042	3398	3738	4063
16400	1891	2662	3047	3404	3744	4070
16450	1895	2667	3053	3410	3751	4077
16500	1898	2671	3058	3416	3757	4084
16550	1901	2676	3063	3421	3764	4091
16600	1905	2681	3068	3427	3770	4098
16650	1908	2685	3073	3433	3776	4105

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
16700	1912	2690	3079	3439	3783	4112
16750	1915	2694	3084	3445	3789	4119
16800	1918	2699	3089	3450	3795	4126
16850	1922	2704	3094	3456	3802	4133
16900	1925	2708	3099	3462	3808	4140
16950	1928	2713	3105	3468	3815	4147
17000	1932	2718	3110	3474	3821	4153
17050	1935	2722	3115	3480	3827	4160
17100	1939	2727	3120	3485	3834	4167
17150	1942	2732	3125	3491	3840	4174
17200	1945	2736	3131	3497	3847	4181
17250	1949	2741	3136	3503	3853	4188
17300	1952	2746	3141	3509	3859	4195
17350	1956	2750	3146	3514	3866	4202
17400	1959	2755	3151	3520	3872	4209
17450	1962	2760	3157	3526	3879	4216
17500	1966	2764	3162	3532	3885	4223
17550	1969	2769	3167	3538	3891	4230
17600	1973	2774	3172	3543	3898	4237
17650	1976	2778	3177	3549	3904	4244
17700	1979	2783	3183	3555	3911	4251
17750	1983	2788	3188	3561	3917	4258
17800	1986	2792	3193	3567	3923	4265
17850	1989	2797	3198	3572	3930	4272
17900	1993	2802	3203	3578	3936	4279
17950	1996	2806	3209	3584	3942	4285
18000	2000	2811	3214	3590	3949	4292
18050	2003	2816	3219	3596	3955	4299
18100	2006	2820	3224	3602	3962	4306
18150	2010	2825	3229	3607	3968	4313
18200	2013	2829	3235	3613	3974	4320
18250	2017	2834	3240	3619	3981	4327
18300	2020	2839	3245	3625	3987	4334
18350	2023	2843	3250	3631	3994	4341
18400	2027	2848	3255	3636	4000	4348
18450	2030	2853	3261	3642	4006	4355
18500	2033	2857	3266	3648	4013	4362
18550	2037	2862	3271	3654	4019	4369
18600	2040	2867	3276	3660	4026	4376
18650	2044	2871	3281	3665	4032	4383
18700	2047	2876	3287	3671	4038	4390
18750	2050	2881	3292	3677	4045	4397
18800	2054	2885	3297	3683	4051	4404
18850	2057	2890	3302	3689	4058	4411
18900	2061	2895	3307	3694	4064	4417

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
18950	2064	2899	3313	3700	4070	4424
19000	2067	2904	3318	3706	4077	4431
19050	2071	2909	3323	3712	4083	4438
19100	2074	2913	3328	3718	4089	4445
19150	2078	2918	3333	3724	4096	4452
19200	2081	2923	3339	3729	4102	4459
19250	2084	2927	3344	3735	4109	4466
19300	2088	2932	3349	3741	4115	4473
19350	2091	2937	3354	3747	4121	4480
19400	2094	2941	3360	3753	4128	4487
19450	2098	2946	3365	3758	4134	4494
19500	2101	2951	3370	3764	4141	4501
19550	2105	2955	3375	3770	4147	4508
19600	2108	2960	3380	3776	4153	4515
19650	2111	2964	3386	3782	4160	4522
19700	2115	2969	3391	3787	4166	4529
19750	2118	2974	3396	3793	4173	4536
19800	2122	2978	3401	3799	4179	4543
19850	2125	2983	3406	3805	4185	4549
19900	2128	2988	3412	3811	4192	4556
19950	2132	2992	3417	3816	4198	4563
20000	2135	2997	3422	3822	4205	4570
20050	2138	3002	3427	3828	4211	4577
20100	2142	3006	3432	3834	4217	4584
20150	2145	3011	3438	3840	4224	4591
20200	2149	3016	3443	3846	4230	4598
20250	2152	3020	3448	3851	4236	4605
20300	2155	3025	3453	3857	4243	4612
20350	2159	3030	3458	3863	4249	4619
20400	2162	3034	3464	3869	4256	4626
20450	2166	3039	3469	3875	4262	4633
20500	2169	3044	3474	3880	4268	4640
20550	2172	3048	3479	3886	4275	4647
20600	2176	3053	3484	3892	4281	4654
20650	2179	3058	3490	3898	4288	4661
20700	2183	3062	3495	3904	4294	4668
20750	2186	3067	3500	3909	4300	4675
20800	2189	3072	3505	3915	4307	4681
20850	2193	3076	3510	3921	4313	4688
20900	2196	3081	3516	3927	4320	4695
20950	2199	3086	3521	3933	4326	4702
21000	2203	3090	3526	3938	4332	4709
21050	2206	3095	3531	3944	4339	4716
21100	2210	3099	3536	3950	4345	4723
21150	2213	3104	3542	3956	4352	4730

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
21200	2216	3109	3547	3962	4358	4737
21250	2220	3113	3552	3968	4364	4744
21300	2223	3118	3557	3973	4371	4751
21350	2227	3123	3562	3979	4377	4758
21400	2230	3127	3568	3985	4383	4765
21450	2233	3132	3573	3991	4390	4772
21500	2237	3137	3578	3997	4396	4779
21550	2240	3141	3583	4002	4403	4786
21600	2243	3146	3588	4008	4409	4793
21650	2247	3150	3593	4013	4415	4799
21700	2250	3155	3597	4017	4419	4804
21750	2253	3159	3601	4022	4424	4809
21800	2257	3163	3605	4026	4428	4814
21850	2260	3167	3609	4030	4433	4819
21900	2263	3171	3613	4034	4438	4824
21950	2267	3175	3618	4039	4442	4829
22000	2270	3179	3622	4043	4447	4834
22050	2273	3183	3626	4047	4452	4839
22100	2277	3187	3630	4051	4456	4844
22150	2280	3191	3634	4055	4461	4849
22200	2283	3196	3638	4060	4466	4854
22250	2287	3200	3642	4064	4470	4859
22300	2290	3204	3646	4068	4475	4864
22350	2293	3208	3650	4072	4480	4869
22400	2297	3212	3654	4077	4484	4874
22450	2300	3216	3659	4081	4489	4879
22500	2303	3220	3663	4085	4493	4884
22550	2307	3224	3667	4089	4498	4889
22600	2310	3228	3671	4093	4503	4894
22650	2313	3233	3675	4098	4507	4900
22700	2316	3237	3679	4102	4512	4905
22750	2320	3241	3683	4106	4517	4910
22800	2323	3245	3687	4110	4521	4915
22850	2326	3249	3691	4114	4526	4920
22900	2330	3253	3695	4119	4531	4925
22950	2333	3257	3700	4123	4535	4930
23000	2336	3261	3704	4127	4540	4935
23050	2340	3265	3708	4131	4544	4940
23100	2343	3269	3712	4136	4549	4945
23150	2346	3274	3716	4140	4554	4950
23200	2350	3278	3720	4144	4558	4955
23250	2353	3282	3724	4148	4563	4960
23300	2356	3286	3728	4152	4568	4965
23350	2360	3290	3732	4157	4572	4970

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
23400	2363	3294	3736	4161	4577	4975
23450	2366	3298	3740	4165	4582	4980
23500	2370	3302	3745	4169	4586	4985
23550	2373	3306	3749	4174	4591	4990
23600	2376	3311	3753	4178	4596	4995
23650	2380	3315	3757	4182	4600	5000
23700	2383	3319	3761	4186	4605	5005
23750	2386	3323	3765	4190	4609	5010
23800	2389	3327	3769	4195	4614	5016
23850	2393	3331	3773	4199	4619	5021
23900	2396	3335	3777	4203	4623	5026
23950	2399	3339	3781	4207	4628	5031
24000	2403	3343	3786	4212	4633	5036
24050	2406	3347	3790	4216	4637	5041
24100	2409	3352	3794	4220	4642	5046
24150	2413	3356	3798	4224	4647	5051
24200	2416	3360	3802	4228	4651	5056
24250	2419	3364	3806	4233	4656	5061
24300	2423	3368	3810	4237	4661	5066
24350	2426	3372	3814	4241	4665	5071
24400	2429	3376	3818	4245	4670	5076
24450	2433	3380	3822	4250	4674	5081
24500	2436	3384	3827	4254	4679	5086
24550	2439	3389	3831	4258	4684	5091
24600	2443	3393	3835	4262	4688	5096
24650	2446	3397	3839	4266	4693	5101
24700	2449	3401	3843	4271	4698	5106
24750	2452	3405	3847	4275	4702	5111
24800	2456	3409	3851	4279	4707	5116
24850	2459	3413	3855	4283	4712	5121
24900	2462	3417	3859	4287	4716	5127
24950	2466	3421	3863	4292	4721	5132
25000	2469	3425	3867	4296	4726	5137
25050	2472	3430	3872	4300	4730	5142
25100	2476	3434	3876	4304	4735	5147
25150	2479	3438	3880	4309	4739	5152
25200	2482	3442	3884	4313	4744	5157
25250	2486	3446	3888	4317	4749	5162
25300	2489	3450	3892	4321	4753	5167
25350	2492	3454	3896	4325	4758	5172
25400	2496	3458	3900	4330	4763	5177
25450	2499	3462	3904	4334	4767	5182
25500	2502	3467	3908	4338	4772	5187
25550	2506	3471	3913	4342	4777	5192
25600	2509	3475	3917	4347	4781	5197

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
25650	2512	3479	3921	4351	4786	5202
25700	2515	3483	3925	4355	4790	5207
25750	2519	3487	3929	4359	4795	5212
25800	2522	3491	3933	4363	4800	5217
25850	2525	3495	3937	4368	4804	5222
25900	2529	3499	3941	4372	4809	5227
25950	2532	3503	3945	4376	4814	5232
26000	2535	3508	3949	4380	4818	5238
26050	2539	3512	3954	4385	4823	5243
26100	2542	3516	3958	4389	4828	5248
26150	2545	3520	3962	4393	4832	5253
26200	2549	3524	3966	4397	4837	5258
26250	2552	3528	3970	4401	4842	5263
26300	2555	3532	3974	4406	4846	5268
26350	2559	3536	3978	4410	4851	5273
26400	2562	3540	3982	4414	4855	5278
26450	2565	3545	3986	4418	4860	5283
26500	2569	3549	3990	4423	4865	5288
26550	2572	3553	3994	4427	4869	5293
26600	2575	3557	3999	4431	4874	5298
26650	2579	3561	4003	4435	4879	5303
26700	2582	3565	4007	4439	4883	5308
26750	2585	3569	4011	4444	4888	5313
26800	2588	3573	4015	4448	4893	5318
26850	2592	3577	4019	4452	4897	5323
26900	2595	3581	4023	4456	4902	5328
26950	2598	3586	4027	4460	4907	5333
27000	2602	3590	4031	4465	4911	5338
27050	2605	3594	4035	4469	4916	5343
27100	2608	3598	4040	4473	4920	5349
27150	2612	3602	4044	4477	4925	5354
27200	2615	3606	4048	4482	4930	5359
27250	2618	3610	4052	4486	4934	5364
27300	2622	3614	4056	4490	4939	5369
27350	2625	3618	4060	4494	4944	5374
27400	2628	3623	4064	4498	4948	5379
27450	2632	3627	4068	4503	4953	5384
27500	2635	3631	4072	4507	4958	5389
27550	2638	3635	4076	4511	4962	5394
27600	2642	3639	4081	4515	4967	5399
27650	2645	3643	4085	4520	4972	5404
27700	2648	3647	4089	4524	4976	5409
27750	2651	3651	4093	4528	4981	5414
27800	2655	3655	4097	4532	4985	5419
27850	2658	3659	4101	4536	4990	5424

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
27900	2661	3664	4105	4541	4995	5429
27950	2665	3668	4109	4545	4999	5434
28000	2668	3672	4113	4549	5004	5439
28050	2671	3676	4117	4553	5009	5444
28100	2675	3680	4121	4558	5013	5449
28150	2678	3684	4126	4562	5018	5454
28200	2681	3688	4130	4566	5023	5460
28250	2685	3692	4134	4570	5027	5465
28300	2688	3696	4138	4574	5032	5470
28350	2691	3701	4142	4579	5036	5475
28400	2695	3705	4146	4583	5041	5480
28450	2698	3709	4150	4587	5046	5485
28500	2701	3713	4154	4591	5050	5490
28550	2705	3717	4158	4595	5055	5495
28600	2708	3721	4162	4600	5060	5500
28650	2711	3725	4167	4604	5064	5505
28700	2715	3729	4171	4608	5069	5510
28750	2718	3733	4175	4612	5074	5515
28800	2721	3737	4179	4617	5078	5520
28850	2724	3742	4183	4621	5083	5525
28900	2728	3746	4187	4625	5088	5530
28950	2731	3750	4191	4629	5092	5535
29000	2734	3754	4195	4633	5097	5540
29050	2738	3758	4199	4638	5101	5545
29100	2741	3762	4203	4642	5106	5550
29150	2744	3766	4207	4646	5111	5555
29200	2748	3770	4212	4650	5115	5560
29250	2751	3774	4216	4655	5120	5565
29300	2754	3779	4220	4659	5125	5571
29350	2758	3783	4224	4663	5129	5576
29400	2761	3787	4228	4667	5134	5581
29450	2764	3791	4232	4671	5139	5586
29500	2768	3795	4236	4676	5143	5591
29550	2771	3799	4240	4680	5148	5596
29600	2774	3803	4244	4684	5153	5601
29650	2778	3807	4248	4688	5157	5606
29700	2781	3811	4253	4693	5162	5611
29750	2784	3816	4257	4697	5166	5616
29800	2787	3820	4261	4701	5171	5621
29850	2791	3824	4265	4705	5176	5626
29900	2794	3828	4269	4709	5180	5631
29950	2797	3832	4273	4714	5185	5636
30000	2801	3836	4277	4718	5190	5641

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Explanatory Comment—2012

The basic child support schedule has been amended to reflect updated economic data. It also reflects an increase in the Self-Support Reserve to \$931, the 2012 poverty level for one person, which has been incorporated into the schedule.

Rule 1910.16-3.1. Support Guidelines. High Income Cases.

(a) *Child Support Formula.* When the parties' combined monthly net income is above \$30,000, the following three-step process shall be applied to calculate the parties' respective child support obligations. The amount of support calculated pursuant to this three-step process shall in no event be less than the amount of support that would have been awarded if the parties' combined net monthly income were \$30,000. That amount shall be a presumptive minimum.

(1) First, the following formula shall be applied as a preliminary analysis in calculating the amount of basic child support to be apportioned between the parties according to their respective incomes:

- One child: [\$2,756] \$2,801 + [6.5%] 8.5% of combined net income above \$30,000 per month.
- Two children: [\$3,777] \$3,952 + [8.0%] 11.6% of combined net income above \$30,000 per month.
- Three children: [\$4,210] \$4,277 + [9.2%] 12.6% of combined net income above \$30,000 per month.
- Four children: [\$4,703] \$4,718 + [10.3%] 14.3% of combined net income above \$30,000 per month.
- Five children: [\$5,173] \$5,190 + [11.3%] 15.8% of combined net income above \$30,000 per month.
- Six children: [\$5,623] \$5,641 + [12.3%] 17.1% of combined net income above \$30,000 per month;

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

* * * * *

(c) *Substantial or Shared Physical Custody.*

* * * * *

Example. Where the obligor and the obligee have monthly net incomes of \$5,000 and \$2,300 respectively, their combined child support obligation is [\$1,663] \$1,669 for two children. Using the income shares formula in Part I, the obligor's share of this obligation is 68%, or [\$1,131] \$1,135. If the children spend 40% of their time with the obligor, the formula in Part II applies to reduce his or her percentage share of the combined support obligation to 58%, or [\$965] \$968. If the children spend 45% of their time with the obligor, his or her percentage share of the combined obligation is reduced to 53%, or [\$881] \$885. If the children spend equal time with both parents, the obligor's percentage share is reduced to 48%, or [\$798] \$801.

(2) Without regard to which parent initiated the support action, when the children spend equal time with both

parents, the Part II formula cannot be applied unless the obligor is the parent with the higher income. In no event shall an order be entered requiring the parent with the lower income to pay basic child support to the parent with the higher income. However, nothing in this subdivision shall prevent the entry of an order requiring the parent with less income to contribute to additional expenses pursuant to Rule 1910.16-6. Pursuant to either party's initiating a support action, the trier of fact may enter an order against either party based upon the evidence presented without regard to which party initiated the action. [**If application of the formula in Part II**] In all cases in which the parties share custody equally and the support calculation results in the obligee receiving a larger share of the parties' combined income [**in cases in which the parties share custody equally**], then the court shall adjust the support obligation so that the combined income is allocated equally between the two households. In those cases, no spousal support or alimony pendente lite shall be awarded.

Example 1. Mother and Father have monthly net incomes of \$3,000 and \$2,700 respectively. Mother has filed for support for the parties' two children with whom they share time equally. Pursuant to the [**Basic Child Support Schedule**] basic child support schedule at Rule 1910.16-3, the support amount for two children at their parents' combined net income level is [\$1,440] \$1,450 per month. Mother's share is 53% of that amount, or [\$763] \$769. Father's share is 47%, or [\$677] \$682. Application of subdivisions a. and b. of the Part II formula results in a 20% reduction in support when each parent spends 50% of the time with the children. Because the parties share custody equally, Mother cannot be the obligee for purposes of the Part II calculation because she has the higher income of the two parents. In these circumstances, although Mother initiated the support action, she would become the obligor even if Father has not filed for support. Father cannot be an obligor in the Part II calculations nor can the amount of support Mother is obligated to pay to Father be offset by calculating Father's adjusted amount of support under Part II because a support order cannot be entered against the parent with the lesser income. Using Mother as the obligor, her adjusted percentage share of the basic support amount is 33% (53% - 20% = 33%). Her adjusted share of the basic support amount is [\$475] \$479 (33% of [\$1,440] \$1,450). However, instead of [\$475] \$479 per month, Mother's support obligation would be adjusted to \$150 per month to allocate the parties' combined income equally between the two households. This is the presumptive amount of basic support payable to Father under these circumstances.

Example 2. Where the obligor and the obligee have monthly net incomes of \$3,000 and \$2,500 respectively, their combined child support obligation for two children is [\$1,412] \$1,426. The obligor's share of this obligation is 55%, or [\$777] \$784. If the children spend equal time with both parents, the formula in Part II results in a support obligation of [\$494] \$499 payable to the obligee. Since this amount gives the obligee [\$2,994] \$2,999 of the combined income, and leaves the obligor with only [\$2,506] \$2,501 of the combined income, the obligor's support obligation must be adjusted to \$250 to equalize the combined income between the parties' households. This is the presumptive amount of basic support payable to the obligee under these circumstances.

[(3) Reductions for substantial or shared custody shall not apply when the obligor's income falls within the shaded area of the schedule in Rule 1910.16-3 or when the obligee's income is 10% or less of the parties' combined income.]

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

(1) *Divided or Split Physical Custody When Each Party Has Primary Custody of One or More of the Children.* When calculating a child support obligation, and one or more of the children reside primarily with each party, the court shall offset the parties' respective child support obligations and award the net difference to the obligee as child support. For example, if the parties have three children, one of whom resides with Father and two of whom reside with Mother, and their net monthly incomes are \$2,500 and \$1,250 respectively, Father's child support obligation is calculated as follows. Using the schedule in Rule 1910.16-3 for two children at the parties' combined net monthly income of \$3,750, the amount of basic child support to be apportioned between the parties is **[\$1,190] \$1,200**. As Father's income is 67% of the parties' combined net monthly income, Father's support obligation for the two children living with Mother is **[\$797] \$804**. Using the schedule in Rule 1910.16-3 for one child, Mother's support obligation for the child living with Father is **[\$273] \$276**. Subtracting **[\$273] \$276** from **[\$797] \$804** produces a net basic support amount of **[\$524] \$528** payable to Mother as child support.

* * * * *

(f) *Allocation. Consequences.*

(1) An order awarding both spousal and child support may be unallocated or state the amount of support allocable to the spouse and the amount allocable to each child. **Each order shall clearly state whether it is allocated or unallocated even if the amounts calculated for child and spousal support are delineated on the order.** However, **Part IV** of the formula provided by these rules assumes that an order will be unallocated. Therefore, if the order is to be allocated, the formula set forth in this rule shall be utilized to determine the amount of support allocable to the spouse. If allocation of an order utilizing the formula would be inequitable, the court shall make an appropriate adjustment. Also, if an order is to be allocated, an adjustment shall be made to the award giving consideration to the federal income tax consequences of an allocated order as may be appropriate under the circumstances. No consideration of federal income tax consequences shall be applied if the order is unallocated or the order for the spousal support or alimony pendente lite only.

* * * * *

Rule 1910.16-6. Support Guidelines. Adjustments to the Basic Support Obligation. Allocation of Additional Expenses.

Additional expenses permitted pursuant to this Rule 1910.16-6 may be allocated between the parties even if the parties' incomes do not justify an order of basic support.

(a) *Child care expenses.* Reasonable child care expenses paid by either parent, if necessary to maintain employment or appropriate education in pursuit of income, shall be allocated between the parties in proportion to their net incomes and added to his and her basic support obliga-

tion. When a parent is receiving a child care subsidy through the Department of Public Welfare, the expenses to be allocated between the parties shall be the **[full unsubsidized cost of the child care, not just the]** amount actually paid by the parent receiving the subsidy. **[However, if allocation of the unsubsidized amount would result in a support order that is overly burdensome to the obligor, deviation pursuant to Rule 1910.16-5 is warranted.]**

Example. Mother has primary custody of the parties' two children and Father has partial custody. Mother's monthly net income is \$2,000 and Father's is \$3,500. At their combined income level of \$5,500, the basic monthly child support from the schedule in Rule 1910.16-3 is **[\$1,412] \$1,426** for two children. As Father's income is 64% of the parties' combined income, his share is **[\$904] \$913**. Mother incurs child care expenses of \$400 per month and Father incurs \$100 of such expenses each month. The total amount of child care expenses, \$500, will be apportioned between the parties, with Father paying 64%, or \$320. As he is already paying \$100 for child care while the children are in his partial custody, he would pay the remaining \$220 to Mother for a total child support obligation of **[\$1,124] \$1,133** (**[\$904] \$913 + \$220 = [\$1,124] \$1,133**).

* * * * *

[Official Note: A child care subsidy provided by the Department of Public Welfare should not be used to reduce the child care expenses subject to allocation between the parties to the extent that the obligor has the financial resources to contribute to the actual costs of child care. Nor is it appropriate to order the obligee to seek a child care subsidy in order to reduce the obligor's share of child care expenses if the obligor has the financial ability to contribute to those expenses. While public policy requires that parents, rather than taxpayers, pay for their children's child care when they are able to do so, allocation of the full unsubsidized cost of child care may result in a support order that is overly burdensome to the obligor. In those circumstances, in addition to considering deviation to relieve the burden on the obligor, the trier of fact also has the discretion to determine whether or not to include in the order other adjustments under Rule 1910.16-6, such as a mortgage contribution, which are not mandatory. No adjustment to the basic support amount shall be permitted if such would cause the obligor's remaining net monthly income to fall below the Self-Support Reserve of \$867. Implicit in the rule requiring apportionment of the unsubsidized cost of child care is recognition of the duty of the subsidy recipient to report any additional income pursuant to Department of Public Welfare regulations so that adjustments can be made to entitlements accordingly.]

* * * * *

Rule 1910.16-7. Support Guidelines. Awards of Child Support When There are Multiple Families.

* * * * *

(b) When the total of the obligor's basic support obligations exceeds fifty percent of his or her monthly net income, the court may consider a proportional reduction of these obligations. Since, however, the goal of the

guidelines is to treat each child equitably, in no event should either a first or later family receive preference. Nor shall the court divide the guideline amount for all of the obligor's children among the households in which those children live.

Example 1. The obligor is sued for support of an out of wedlock child. The obligor is already paying support for two children of the first marriage, and has an intact second marriage with one child. The relevant monthly net incomes are \$3,800 for the obligor, \$1,100 for the former spouse, \$0 for the current spouse and \$1,500 for the parent of the new child. The obligor's basic support obligations to each family are [\$1,043] \$1,061 for the two children of the first marriage, [\$831] \$842 for the one child of the second marriage, and [\$699] \$708 for the one child out of wedlock for a total support obligation of [\$2,573] \$2,611. Since the total of these obligations exceeds fifty percent of the obligor's net monthly income of \$3,800 per month, the court may consider a proportional reduction of all of the orders.

Example 2. The obligor is sued for support of three children of a second marriage. There is already an order in effect for two children of the first marriage. The relevant monthly net incomes are [\$1,500] \$1,600 for the obligor, \$0 for the first spouse and \$500 for the second spouse. The obligor's basic support obligations to each family are [\$531] \$554 for the two children of the first marriage and [\$615] \$638 for the three children of the second marriage for a total support obligation of [\$1,146] \$1,192. Since this total obligation leaves the obligor with only [\$354] \$408 on which to live, the order for the three children of the second family is too high. **The obligor also must be left with a Self-Support Reserve of \$931.** However, reducing the order for three children while leaving the existing order intact would give preference to the first family, contrary to the rule. Therefore, both orders must be reduced proportionally.

Example 3. The obligor is sued to establish orders for three children born out of wedlock. The net monthly incomes for the obligor and for each obligee is \$1,500. The court would determine that the obligor's basic support obligation for each child is [\$357] \$352 for a total obligation of [\$1,071] \$1,056 for three children. It would be incorrect to determine the guideline amount for three children, in this case [\$1,213] \$1,189, and then divide that amount among the three children.

(c) For purposes of this rule, the presumptive amount of the obligor's basic support obligation is calculated using only the basic guideline amounts of support, as determined from the formula in Rule 1910.16-4, and does not include any additional expenses that may be added to these amounts pursuant to Rule 1910.16-6. In calculating the presumptive amount of the obligor's basic support obligation, the court should ensure that obligor retains at least [\$867] \$931 per month consistent with Rule 1910.16-2(e).

Example 1. Assume that the obligor is paying [\$575] \$565 per month support for one child of the first marriage, plus an additional \$200 per month for child care expenses. The obligor requests a reduction in this support obligation on the basis that there is one new child of the second intact marriage. The relevant incomes are \$2,400 for the obligor and \$0 for both the former and current spouses. The obligor's request for a reduction should be denied because the total of the basic guideline obligations

for both children is only [\$1,150] \$1,130 ([\$575] \$565 for each child) and this amount does not exceed 50% of the obligor's net monthly income. No reduction should be given on the basis that the obligor's contribution to child care expenses for the first child results in an overall support obligation of [\$1,350] \$1,330 which exceeds 50% of the obligor's net monthly income. Thus, the presumptive amount of basic support for the two children is still [\$1,150] \$1,130 ([\$575] \$565 for each child). The court must then consider the deviation factors under Rule 1910.16-5 and the parties' respective contributions to additional expenses under Rule 1910.16-6 in arriving at an appropriate amount of total support for each child.

Example 2. Assume that the obligor is paying [\$365] \$360 per month support for one child of the first marriage. The obligor has one new child of the second intact marriage. The relevant incomes are \$1,500 for the obligor and \$0 for both the former and current spouses. No reduction should be given on the basis of the obligor's new child because the total of the basic guideline obligations for both children is only [\$730] \$720 ([\$365] \$360 for each child) and this amount does not exceed 50% of the obligor's net monthly income. Since, however, this amount leaves the obligor with only [\$770] \$780 per month, the court should proportionally reduce the support obligations so that the obligor retains [\$867] \$931 per month. Thus, the presumptive amount of basic support for the two children is [\$633] \$569 ([\$316.50] \$284.50 for each child). The court must then consider the deviation factors under Rule 1910.16-5 and the parties' respective contributions to additional expenses under Rule 1910.16-6 in arriving at an appropriate amount of total support for each child.

* * * * *

Explanatory Comment—2012

Rule 1910.16-7 has been amended to reflect the updated schedule in Rule 1910.16-3 and the increase in the Self-Support Reserve to \$931 per month, the 2012 federal poverty level for one person.

[Pa.B. Doc. No. 12-575. Filed for public inspection March 30, 2012, 9:00 a.m.]

PART I. GENERAL

[231 PA. CODE CH. 1915]

Amendments to the Rules of Civil Procedure Relating to Domestic Relations Matters; Recommendation 115

The Domestic Relations Procedural Rules Committee is planning to recommend that the Supreme Court of Pennsylvania amend the Rules of Civil Procedure relating to domestic relations matters as set forth herein. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

Notes and explanatory comments which appear with proposed amendments have been inserted by the committee for the convenience of those using the rules. Reports, notes and comments will not constitute part of the rules and will not be officially adopted or promulgated by the Supreme Court.

The committee solicits and welcomes comments and suggestions from all interested persons prior to submission of this proposal to the Supreme Court of Pennsylvania. Please submit written comments no later than Friday, August 3, 2012 directed to:

Patricia A. Miles, Esquire
Counsel, Domestic Relations Procedural Rules Committee
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 6200
P. O. Box 62635
Harrisburg, PA 17106-2635
Fax: 717 231-9531
E-mail: domesticrules@pacourts.us

*By the Domestic Relations
Procedural Rules Committee*

HONORABLE KEVIN M. DOUGHERTY,
Vice-Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1915. ACTIONS FOR CUSTODY, PARTIAL CUSTODY AND VISITATION OF MINOR CHILDREN

Rule 1915.4-4. Pre-Hearing or Pre-Trial Procedures.

(a) Within 60 days after the initial in-person contact with the court (conciliation, mediation or conference with a conference officer), or not later than 30 days before trial, the trier of fact shall conduct a pre-trial or status conference.

(b) Not later than five days prior to the pre-trial or status conference, each party shall file and serve upon the other party a pre-trial statement. The pre-trial statement shall include the following matters, together with any additional information required by special order of the court:

(1) the name and address of each expert whom the party intends to call at trial as a witness. A report of each expert witness listed shall be attached to the pre-trial statement. The report shall describe the witness's qualifications and experience and state the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion;

(2) the name, address and a short summary of the testimony of each person, other than the party, whom the party intends to call at trial as a non-expert witness, a summary paragraph of the anticipated testimony of each witness and a statement by counsel that counsel has communicated with each witness whose anticipated testimony is summarized;

(3) a list of all of the exhibits which the party expects to offer in evidence, each containing an identifying mark. Any exhibits that do not exceed three pages shall be attached to the pre-trial statement, and any exhibits which exceed three pages shall be described; and

(4) a proposed order.

(c) If a party fails to file a pre-trial statement as required by subdivision (b), the court may make an appropriate order under Rule 4019(c) governing sanctions.

(d)(1) A party who fails to comply with the requirements of subdivision (b) of this rule shall, except upon good cause shown, be barred from offering any testimony or introducing any evidence in support of or in opposition to claims for the matters not covered therein.

(2) A party shall, except upon good cause shown, be barred from offering any testimony or introducing any evidence that is inconsistent with or which goes beyond the fair scope of the information set forth in the pre-trial statement.

(3) Unless otherwise ordered by the court, the parties may amend their pre-trial statements at any time, but not later than seven days before trial.

(e) At the pre-trial or status conference, the following shall be considered:

(1) The narrowing of the issues;

(2) The entry of a scheduling order;

(3) The possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof;

(4) The limitation of the number of expert witnesses;

(5) Settlement and/or mediation of the case;

(6) Such other matters as may aid in the disposition of the case.

(f) The court shall make an order reciting the action taken at the conference and the agreements made by the parties as to any of the matters considered, and limiting the issues for trial to those not disposed of by admissions or agreements of the attorneys. Such order shall control the subsequent course of the action unless modified at the trial to prevent manifest injustice.

Explanatory Comment—2012

The Domestic Relations Procedural Rules Committee has become aware that there is a wide disparity in pre-trial procedures in custody cases among the various jurisdictions. As the committee strives to recommend best practices, this new rule establishes uniform pre-trial procedures in custody cases. The goal is to reduce custody litigation by encouraging early preparation and court intervention for purposes of expedited resolutions. The rule is based upon the pre-trial procedures in divorce cases as set forth in Rule 1920.33.

[Pa.B. Doc. No. 12-576. Filed for public inspection March 30, 2012, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CUMBERLAND COUNTY

Local Rule 500; Civil Term 96-1335 Civil

Order

And Now, this 12th day of March, 2012, and effective April 1, 2012, or thirty (30) days after publication in the *Pennsylvania Bulletin*, Cumberland County Rule of Procedure 500 is amended to read as follows:

Rule 500. The Prothonotary shall provide and maintain in the public room of his office a bulletin board upon which notices, the posting of which is required by the Rules of Court, may be posted.

The Prothonotary shall make all matters or documents required or authorized, except juvenile cases and other non-public files, from August 2001 forward available on the Prothonotary's website for public access. The Prothonotary shall provide access to the public to search these records by docket number or by name of the plaintiff or defendant.

The Prothonotary shall provide access to certain non-public files, specifically Cumberland County family law actions exclusive of Protection from Abuse Actions from August 2001 forward, by use of a password login, to certain subscribing Pennsylvania licensed attorneys.

Note: For the purpose of internet access, non-public files shall include divorce, custody, and protection from abuse cases filed after the effective date of this rule.

Adopted September 21, 1953, effective January 1, 1954.
Amended June 21, 2010, effective June 21, 2010.
Amended March 12, 2012, effective April 1, 2012.

Pursuant to Pa.R.C.P. 239, the Court Administrator is directed to forward seven (7) certified copies of this order to the Administrative Office of Pennsylvania Courts, two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, together with a diskette, formatted in Microsoft Word for Windows reflecting the text in hard copy version, one (1) copy to the Supreme Court Civil Procedural Rules Committee and/or the Supreme Court Domestic Relations Committee, and one (1) copy to the *Cumberland Law Journal*.

By the Court

KEVIN A. HESS,
President Judge

[Pa.B. Doc. No. 12-577. Filed for public inspection March 30, 2012, 9:00 a.m.]

CUMBERLAND COUNTY

Mortgage Foreclosure Diversion Program; No. 12-1619 Civil Term

Administrative Order

And Now, this 28th day of February, 2012, the Cumberland County Court of Common Pleas having recognized the current mortgage foreclosure crisis hereby establishes a Mortgage Foreclosure Diversion Program:

(a) In all residential mortgage foreclosure actions involving a residential property which serves as the primary residence of the defendant/borrower, the complaint shall include a Notice of Residential Mortgage Foreclosure Diversion Program in the format set forth in Form 1 and a Financial Worksheet in the format set forth in Form 2.

(b) Following the service of the complaint, Notice of Residential Mortgage Foreclosure Diversion Program and Financial Worksheet, all proceedings shall be stayed for a period of sixty (60) days from the date of service of the complaint in order to afford the defendant/borrower an opportunity to qualify for participation in a court-supervised Conciliation Conference.

(c) If the defendant/borrower in a residential mortgage foreclosure action has taken the affirmative steps identified in the Notice of Residential Mortgage Foreclosure Diversion Program to be eligible to participate in a court-supervised Conciliation Conference, the defendant/borrower shall file a Request for Conciliation Conference in the form as set forth in Form 3 within the sixty (60) day time limit set forth in the Notice. The Request for Conciliation Conference shall be served upon counsel for the plaintiff/lender. A copy of the Request for Conciliation Conference shall also be served upon the Court Administrator for assignment to a judge.

(d) Upon receipt of the Request for Conciliation Conference, the court shall issue a case management order providing for the scheduling and conducting of a Conciliation Conference. See Form 4.

(e) The defendant/borrower shall be entitled to participate in a court-supervised conciliation conference with the plaintiff/lender in all residential mortgage foreclosure actions in which the defendant/borrower has completed a Financial Worksheet in the format set forth in Form 2 in advance of the Conciliation Conference and has filed and served a Request for a Conciliation Conference.

(f) To be eligible to participate in a Conciliation Conference an otherwise unrepresented defendant/borrower who has been served with a Notice of Residential Mortgage Foreclosure Diversion Program must contact MidPenn Legal Services at 717-243-9400 extension 2510 or 800-822-5288 extension 2510 for the appointment of a legal representative at no charge to the defendant/borrower, meet with the appointed legal representative, complete a Financial Worksheet, and file the Request for Conciliation Conference form within the time deadline set forth in the Notice.

(g) If the defendant/borrower is represented by counsel in the mortgage foreclosure action, the defendant/borrower need not contact MidPenn Legal Services for the appointment of a legal representative but, instead, counsel for the defendant/borrower shall ensure completion of the prescribed Financial Worksheet and file the Request for Conciliation Conference form within the time deadline set forth in the Notice.

(h) At least twenty-one (21) days prior to the date of the Conciliation Conference, the defendant/borrower must serve upon the plaintiff/lender and its counsel a copy of the Cumberland County Residential Mortgage Foreclosure Diversion Program Financial Worksheet.

(i) Conciliation conferences in Residential Mortgage Foreclosure actions will be conducted at such time and place as fixed in the case management order and will be conducted by a judge. The defendant/borrower and counsel for the parties must attend the Conciliation Conference in person and an authorized representative of the plaintiff/lender must either attend the Conciliation Conference in person or be available by telephone during the Conciliation Conference. The representative of the plaintiff/lender who participates in the Conciliation Conference must possess the actual authority to reach a mutually acceptable resolution. It is important, therefore, that counsel for the plaintiff/lender discuss resolution proposals with the authorized representative in advance of the Conciliation Conference. The court, in its discretion, may require the personal attendance of the authorized representative of the plaintiff/lender at the Conciliation Conference.

(j) At the Conciliation Conference, the parties and their counsel shall be prepared to discuss and explore all available resolution options which include, but are not limited to: bringing the mortgage current through a reinstatement; paying off the mortgage; proposing a forbearance agreement or repayment plan to bring the account current over time; agreeing to vacate in the near future in exchange for not contesting the matter and a monetary payment; offering the lender a deed in lieu of foreclosure; entering into a loan modification or a reverse mortgage; paying the mortgage default over sixty (60) months; and the institution of bankruptcy proceedings.

(k) If more than sixty (60) days has elapsed since the service of the Notice of Residential Mortgage Foreclosure Diversion Program and the defendant/borrower has not opted to participate in the Diversion Program by taking

the affirmative steps required by the Notice or the defendant/borrower has failed to serve a completed Financial Worksheet as required, or the parties have participated in a court-supervised Conciliation Conference and have been unable to resolve the matter, on motion of the plaintiff, the temporary stay will be terminated.

(l) The appearance by an attorney at the Conciliation Conference shall not be deemed to be an entry of appearance in the mortgage foreclosure action.

(m) This order shall take effect April 1, 2012, or thirty (30) days from the date of publication in the *Pennsylvania Bulletin* and remain in effect until June 30, 2014.

By the Court

KEVIN A. HESS,
President Judge

FORM 1

Plaintiff(s) : IN THE COURT OF COMMON PLEAS OF
 : CUMBERLAND COUNTY, PENNSYLVANIA
 :
 :
 vs. :
 :
 :
 Defendant(s) : _____ Civil

**NOTICE OF RESIDENTIAL MORTGAGE FORECLOSURE
 DIVERSION PROGRAM**

You have been served with a foreclosure complaint that could cause you to lose your home.

If you own and live in the residential property which is the subject of this foreclosure action, you may be able to participate in a court-supervised conciliation conference in an effort to resolve this matter with your lender.

If you do not have a lawyer, you must take the following steps to be eligible for a conciliation conference. First, within twenty (20) days of your receipt of this notice, you must contact MidPenn Legal Services at (717) 243-9400 extension 2510 or (800) 822-5288 extension 2510 and request appointment of a legal representative at no charge to you. Once you have been appointed a legal representative, you must promptly meet with that legal representative within twenty (20) days of the appointment date. During that meeting, you must provide the legal representative with all requested financial information so that a loan resolution proposal can be prepared on your behalf. If you and your legal representative complete a financial worksheet in the format attached hereto, the legal representative will prepare and file a Request for Conciliation Conference with the Court, which must be filed with the Court within sixty (60) days of the service upon you of the foreclosure complaint. If you do so and a conciliation conference is scheduled, you will have an opportunity to meet with a representative of your lender in an attempt to work out reasonable arrangements with your lender before the mortgage foreclosure suit proceeds forward.

If you are represented by a lawyer, you and your lawyer must take the following steps to be eligible for a conciliation conference. It is not necessary for you to contact MidPenn Legal Service for the appointment of a legal representative. However, you must provide your lawyer with all requested financial information so that a loan resolution proposal can be prepared on your behalf. If you and your lawyer complete a financial worksheet in the format attached hereto, your lawyer will prepare and file a Request for Conciliation Conference with the Court, which must be filed with the Court within sixty (60) days of the service upon you of the foreclosure complaint. If you do so and a conciliation conference is scheduled, you will have an opportunity to meet with a representative of your lender in an attempt to work out reasonable arrangements with your lender before the mortgage foreclosure suit proceeds forward.

IF YOU WISH TO SAVE YOUR HOME, YOU MUST ACT QUICKLY AND TAKE THE STEPS REQUIRED BY THIS NOTICE. THIS PROGRAM IS FREE.

Respectfully submitted:

 Date

 [Signature of Counsel for Plaintiff]

FORM 2

Cumberland County Residential Mortgage Foreclosure Diversion Program
Financial Worksheet

Date _____
Cumberland County Court of Common Pleas Docket # _____

BORROWER REQUEST FOR HARDSHIP ASSISTANCE

To complete your request for hardship assistance, your lender must consider your circumstances to determine possible options while working with your _____. Please provide the following information to the best of your knowledge:

CUSTOMER/PRIMARY APPLICANT

Borrower name(s): _____
Property Address: _____
City: _____ State: _____ Zip: _____
Is the property for sale? Yes No Listing date: _____ Price: \$ _____
Realtor Name: _____ Realtor Phone: _____
Borrower Occupied? Yes No
Mailing Address (if different): _____
City: _____ State: _____ Zip: _____
Phone Numbers: Home: _____ Office: _____
Cell: _____ Other: _____
Email: _____
of people in household: _____ How long? _____

CO-BORROWER

Mailing Address: _____
City: _____ State: _____ Zip: _____
Phone Numbers: Home: _____ Office: _____
Cell: _____ Other: _____
Email: _____
of people in household: _____ How long? _____

FINANCIAL INFORMATION

First Mortgage Lender: _____
Type of Loan: _____
Loan Number: _____ Date You Closed Your Loan: _____
Second Mortgage Lender: _____
Type of Loan: _____
Loan Number: _____

Total Mortgage Payments Amount: \$ _____ Included Taxes & Insurance: _____
Date of Last Payment: _____

Primary Reason for Default: _____

Is the loan in Bankruptcy? Yes No

THE COURTS

If yes, provide names, location of court, case number & attorney: _____

<u>Assets</u>	<u>Amount Owed:</u>	<u>Value:</u>
Home:	\$ _____	\$ _____
Other Real Estate:	\$ _____	\$ _____
Retirement Funds:	\$ _____	\$ _____
Investments:	\$ _____	\$ _____
Checking:	\$ _____	\$ _____
Savings:	\$ _____	\$ _____
Other:	\$ _____	\$ _____

Automobile #1: Model: _____ Year: _____
 Amount owed: _____ Value: _____
Automobile #2: Model: _____ Year: _____
 Amount owed: _____ Value: _____
Other transportation (automobiles, boats, motorcycles): Model: _____
 Year: _____ Amount owed: _____ Value _____

Monthly Income

Name of Employers:
 1. _____
 2. _____
 3. _____
 Additional Income Description (not wages):
 1. _____ monthly amount: _____
 2. _____ monthly amount: _____
 Borrower Pay Days: _____ Co-Borrower Pay Days: _____

Monthly Expenses: (Please only include expenses you are currently paying)

EXPENSE	AMOUNT	EXPENSE	AMOUNT
Mortgage		Food	
2 nd Mortgage		Utilities	
Car Payment(s)		Condo/Neigh. Fees	
Auto Insurance		Med. (not covered)	
Auto fuel/repairs		Other prop. payment	
Install. Loan Payment		Cable TV	
Child Support/Alim.		Spending Money	
Day/Child Care/Tuit.		Other Expenses	

Amount Available for Monthly Mortgage Payments Based on Income & Expenses:

Have you been working with a Housing Counseling Agency?

Yes No

If yes, please provide the following information:

Counseling Agency: _____
 Counselor: _____
 Phone (Office): _____ Fax: _____

Email: _____

Have you made application for Homeowners Emergency Mortgage Assistance Program (HEMAP) assistance?

Yes No

If yes, please indicate the status of the application: _____

Have you had any prior negotiations with your lender or lender's loan servicing company to resolve your delinquency?

Yes No

If yes, please indicate the status of those negotiations: _____

Please provide the following information, if know, regarding your lender or lender's loan servicing company:

Lender's Contact (Name): _____ Phone: _____

Servicing Company (Name): _____
 Contact: _____ Phone: _____

AUTHORIZATION

I/We, _____, authorize the above named _____ to use/refer this information to my lender/servicer for the sole purpose of evaluating my financial situation for possible mortgage options. I/We understand that I/we am/are under no obligation to use the services provided by the above named _____.

 Borrower Signature Date

 Co-Borrower Signature Date

Please forward this document along with the following information to lender and lender's counsel:

- √ **Proof of income**
- √ **Past 2 bank statements**
- √ **Proof of any expected income for the last 45 days**
- √ **Copy of a current utility bill**
- √ **Letter explaining reason for delinquency and any supporting documentation (hardship letter)**
- √ **Listing agreement (if property is currently on the market)**

FORM 3

Plaintiff(s) : IN THE COURT OF COMMON PLEAS OF
 : CUMBERLAND COUNTY, PENNSYLVANIA
 :
 :
 vs. :
 :
 :
 Defendant(s) : _____ CIVIL

REQUEST FOR CONCILIATION CONFERENCE

Pursuant to the Administrative Order dated _____, 2012 governing the Cumberland County Residential Mortgage Foreclosure Diversion Program, the undersigned hereby certifies as follows:

1. Defendant is the owner of the real property which is the subject of this mortgage foreclosure action;
2. Defendant lives in the subject real property, which is defendant's primary residence;
3. Defendant has been served with a "Notice of Residential Mortgage Foreclosure Diversion Program" and has taken all of the steps required in that Notice to be eligible to participate in a court-supervised conciliation conference.

The undersigned verifies that the statements made herein are true and correct. I understand that false statements are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Signature of Defendant's Counsel/Appointed
Legal Representative

Date

Signature of Defendant

Date

Signature of Defendant

Date

FORM 4

Plaintiff(s)	:	IN THE COURT OF COMMON PLEAS OF
	:	CUMBERLAND COUNTY, PENNSYLVANIA
	:	
vs.	:	CIVIL ACTION
	:	
	:	NO.
	:	
Defendant(s)	:	

CASE MANAGEMENT ORDER

AND NOW, this day of , 20 , the defendant/borrower in the above-captioned residential mortgage foreclosure action having filed a Request for Conciliation Conference verifying that the defendant/borrower has complied with the Administrative Rule requirements for the scheduling of a Conciliation Conference, it is hereby ORDERED AND DECREED that:

1. The parties and their counsel are directed to participate in a court-supervised conciliation Conference on _____ at _____ .M. in _____ at the Cumberland County Courthouse, Carlisle, Pennsylvania.
2. At least twenty-one (21) days prior to the date of the Conciliation Conference, the defendant/borrower must serve upon the plaintiff/lender and its counsel a copy of the "Cumberland County Residential Mortgage Foreclosure Diversion Program Financial Worksheet" (Form 2) which has been completed by the defendant/borrower. Upon agreement of the parties in writing or at the discretion of the Court, the Conciliation Conference ordered may be rescheduled to a later date and/or the date upon which service of the completed Form 2 is to be made may be extended. Upon notice to the

Court of the defendant/borrower's failure to serve the completed Form 2 within the time frame set forth herein or such other date as agreed upon by the parties in writing or ordered by the Court, the case shall be removed from the Conciliation Conference schedule and the temporary stay of proceedings shall be terminated.

3. The defendant/borrower and counsel for the parties must attend the Conciliation Conference in person and an authorized representative of the plaintiff/lender must either attend the Conciliation Conference in person or be available by telephone during the course of the Conciliation Conference. The representative of the plaintiff/lender who participates in the Conciliation Conference must possess the actual authority to reach a mutually acceptable resolution, and counsel for the plaintiff/lender must discuss resolution proposals with the authorized representative in advance of the Conciliation Conference. If the duly authorized representative of the plaintiff/lender is not available by telephone during the Conciliation Conference, the Court will schedule another Conciliation Conference and require the personal attendance of the authorized representative of the plaintiff/lender at the rescheduled Conciliation Conference.
4. At the Conciliation Conference, the parties and their counsel shall be prepared to discuss and explore all available resolution options which shall include: bringing the mortgage current through a reinstatement; paying off the mortgage; proposing a forbearance agreement or repayment plan to bring the account current over time; agreeing to tender a monetary payment and to vacate in the near future in exchange for not contesting the matter; offering the lender a deed in lieu of foreclosure;

entering into a loan modification or a reverse mortgage; paying the mortgage default over sixty months; and the institution of bankruptcy proceedings.

5. All proceedings in this matter are stayed pending the completion of the scheduled conciliation conference.

BY THE COURT,

J.

[Pa.B. Doc. No. 12-578. Filed for public inspection March 30, 2012, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that James E. Sacks-Wilner, having been disbarred from the practice of law in the State of New Jersey by Order of the Supreme Court of New Jersey dated January 6, 2011, the Supreme Court of Pennsylvania issued an Order on March 12, 2012, disbarring James E. Sacks-Wilner from the Bar of this Commonwealth, effective April 11, 2012. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 12-579. Filed for public inspection March 30, 2012, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that John A. Misco, Jr., having been suspended from the practice of law in the State of New Jersey for a period of 1 year by Order of the Supreme Court of New Jersey dated May 10, 2011, the Supreme Court of Pennsylvania issued an Order dated March 12, 2012, suspending John A. Misco, Jr. from the practice of law in this Commonwealth for a period of 1 year, to run consecutive to the suspension imposed by the Supreme Court of Pennsylvania on January 25, 2012. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 12-580. Filed for public inspection March 30, 2012, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING

Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending March 13, 2012.

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

BANKING INSTITUTIONS

Dissolutions

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
3-12-2012	Right Bank Philadelphia Philadelphia County	Certificate of Dissolution filed with Department of State
	Institution shall cease corporate existence.	

Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-12-2012	<i>From:</i> The Gratz National Bank Gratz Dauphin County <i>To:</i> The Gratz Bank Gratz Dauphin County	Filed
	Application for approval to convert from a National banking association to a Pennsylvania State-chartered bank.	

Consolidations, Mergers, and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-9-2012	S & T Bank Indiana Indiana County	Effective
	Application for approval to merge Mainline National Bank, Portage, with and into S & T Bank, Indiana.	
	As a result of the merger, the following branch offices of Mainline National Bank became branch offices of S & T Bank:	
	3233 6th Avenue Altoona Blair County	701 Main Street Gallitzin Cambria County
	1516 Scalp Avenue Johnstown Cambria County	307 State Street Johnstown Cambria County
	180 St. Mary's Street Loretto Cambria County	737 Main Street Portage Cambria County
	3135 New Germany Road Portage Cambria County	Croyle Avenue Summerhill Cambria County

Branch Applications**De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-8-2012	Royal Bank America Narbeth Montgomery County	1990 New Brooklyn Road Sicklerville Camden County, NJ	Approved
3-13-2012	CNB Bank Clearfield Clearfield County	16039 Conneaut Lake Road Meadville Crawford County	Approved
3-13-2012	Greater Delaware Valley Savings Bank Broomall Delaware County	309 Lancaster Avenue Frazer Chester County	Approved
3-13-2012	Penn Liberty Bank Wayne Chester County	1210 East Lancaster Avenue Downingtown Chester County	Approved

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-13-2012	First Keystone Community Bank Berwick Columbia County	<i>To:</i> 299 Wyoming Avenue Kingston Luzerne County <i>From:</i> 179 Wyoming Avenue Kingston Luzerne County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-13-2012	Allegheny Valley Bank of Pittsburgh Pittsburgh Allegheny County	2686 Monroeville Boulevard Monroeville Allegheny County	Approved
3-13-2012	Greater Delaware Valley Savings Bank Delaware County Broomall	82 East Lancaster Avenue Paoli Chester County	Approved
3-13-2012	Northwest Savings Bank Warren Warren County	7310 Ritchie Highway Glen Burnie Anne Arundel County, MD	Approved

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS**Consolidations, Mergers, and Absorptions**

3-13-2012	Freedom Credit Union Warminster Bucks County Application for approval to merge Crestmont Baptist Federal Credit Union, Willow Grove, with and into Freedom Credit Union, Warminster.		Approved
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The Department's web site at www.banking.state.pa.us includes public notices for more recently filed applications.

GLENN E. MOYER,
Secretary

[Pa.B. Doc. No. 12-581. Filed for public inspection March 30, 2012, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of Ashland University of Ashland, Ohio, for Approval to Offer Graduate Courses in Philadelphia

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application from Ashland University of Ashland, Ohio, for approval of a Certificate of Authority to offer graduate courses in its American History and Government program in Philadelphia.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon this request without hearing, unless, within 30 days after the publication of this notice in the *Pennsylvania Bulletin*, a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accord-

ance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with Carol M. D. Gisselquist, Higher Education Specialist, Department of Education, 333 Market Street, Harrisburg, PA 17126-0333, before 4 p.m. within 30 days after date of publication of this notice. Persons wishing to review the application should phone (717) 783-8228 or write to the previously listed address to schedule a time for an in-office review. Duplicate copies of the application are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate should contact Carol M. D. Gisselquist at (717) 783-8228 to discuss how the Department may best accommodate their needs.

RONALD J. TOMALIS,
Secretary

[Pa.B. Doc. No. 12-582. Filed for public inspection March 30, 2012, 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

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0062065 (Sewage)	YRC Wilkes/Barre Terminal 1284 South Main Road Mountain Top, PA 18707	Luzerne County Dorrance Township	Balliet Run Cold Water Fishes 5B	Y
PA0060259 (Sewage)	Tyler Hill Camp 1017 Cochection Turnpike Tyler Hill, PA 18469	Wayne County Damascus Township	Laurel Lake (1-A)	Y
PA0065072	Pilot Travel Centers LLC Flying J # 710 1623 Oliver Road New Milford, PA 18834-7517	Susquehanna County New Milford Township	Unnamed Tributary of Nine Partners Creek (4-F)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0033065 (Sew)	Vanderhomes, LLC (Palm City MHP) 2379 Brandt Road Annville, PA 17003	Lebanon County / South Annville Township	Killinger Creek / 7-D	Y
PA0029955 (Sew)	Southern Huntingdon County School District (Trough Creek Valley Elementary School) 10339 Pogue Road Three Springs, PA 17263	Huntingdon County / Cromwell Township	UNT Trough Creek / 11-D	Y
PA0029947 (Sew)	Southern Huntingdon County School District (Spring Farms Elementary School) 10339 Pogue Road Three Springs, PA 17263	Huntingdon County / Cromwell Township	Unt Spring Creek / 12-C	Y
PA0029939 (Sew)	Southern Huntingdon County School District (Southern Huntingdon County High/Middle School) 10339 Pogue Road Three Springs, PA 17263	Huntingdon County / Cromwell Township	Aughwick Creek / 12-C	Y
PA0084565 (Sew)	East Prospect Borough Authority PO Box 334 28 W. Maple Street East Prospect, PA 17317	York County / Lower Windsor Township	Cabin Creek / 7I	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0209473	North Centre Township Municipal Building SFTP 277B Nursery Road, Berwick, PA 18603	Columbia County North Centre Township	Fester Hollow (5-D)	Y
PA0229460 (Sewage)	Abbott Township WWTP 1431 Germania Road Galeton, PA 16922-9445	Potter County Abbott Township	Germania Branch of Kettle Creek (9-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>
PA0210013 (Sewage)	Cathleen M. and Edward W. Fisher SRSTP 72 Birchwood Drive Transfer, PA 16154-2418	Mercer County Pymatuning Township	Unnamed Tributary to the Shenango River 20-A	Y
PA0028207 (Sewage)	Reynoldsville Sewage Authority 400 North Fifth Street Reynoldsville, PA 15851	Jefferson County Reynoldsville Borough	Sandy Lick Creek (Outfall 001, 002, 004 and 005), Soldier Run (Outfall 003), and Pitchpine Run (Outfalls 007 and 008) 17-C	Y
PA0239861 (Sewage)	Cochranton Borough STP 109 East Adams Street, Cochranton, PA 16314-0066	Crawford County Cochranton Borough	French Creek 16-D	Y
PA0103926 (Industrial Waste)	Component Intertech 2426 Perry Highway Hadley, PA 16130-2924	Mercer County Perry Township	Unnamed Tributary to Little Shenango Rive 20-A	Y
PA0100986 (Industrial Waste)	PHB, Inc. Machining Division 8150 West Ridge Road, Fairview, PA 16415	Erie County Fairview Township	Trout Run 15	Y

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

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

PA0046868, Sewage, SIC Code 4952, **Lower Moreland Township Municipal Authority**, 640 Red Lion Road, Huntingdon Valley, PA 19006-6217. Facility Name: Lower Moreland Chapel Hill STP. This existing facility is located in Lower Moreland Township, **Montgomery County**.

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

The receiving stream(s), Unnamed Tributary to Southampton Creek, is located in State Water Plan watershed 3-J and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.279 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Inst. Min</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
CBOD ₅	23	35	XXX	10	15	20
Total Suspended Solids	23	35	XXX	10	15	20
Fecal Coliform (CFU/100 ml)						
(May 1 - Oct 31)	XXX	XXX	XXX	200	XXX	1,000
(Nov 1 - Apr 30)	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
				Geo Mean		

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Inst. Min</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Ammonia-Nitrogen (May 1 - Oct 31)	3.5	XXX	XXX	1.5	XXX	3.0
(Nov 1 - Apr 30)	7.0	XXX	XXX	3.0	XXX	6.0
Total Phosphorus (Interim)	2.3	XXX	XXX	1.0	XXX	2.0
Total Phosphorus (May 1 - Oct 31 (Interim))	1.15	XXX	XXX	0.5	XXX	0.1
(Nov 1 - Apr 30 (Interim))	2.3	XXX	XXX	1.0	XXX	2.0
(May 1 - Oct 31 (Final))	0.18	XXX	XXX	0.08	XXX	1.6
(Nov 1 - Apr 30 (Final))	0.36	XXX	XXX	0.16	XXX	0.32
Total Copper	XXX	XXX	XXX	0.023	0.035 Daily Max	0.046

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

- Compliance Schedule for TMDL based Phosphorus Limits

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

The EPA Waiver is not in effect due to TMDL.

PA0054089, Storm Water, SIC Code 4581, **Limerick Aviation LP**, 600 Horizon Drive, Chalfont, PA 18914. Facility Name: Pottstown Limerick Airport. This existing facility is located in Limerick Township, **Montgomery County**.

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

The receiving stream(s), Possum Hollow Run, and Unnamed Tributary to Hartenstein Creek, is located in State Water Plan watershed 3-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 storm water discharge from fuel farm and wash areas.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
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	XXX	30
TRPH	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	Report	XXX
Gasoline Range Organics	XXX	XXX	XXX	XXX	Report	XXX
Diesel Range Organics	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based storm water rom runway and surrounding areas.

<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
Dissolved Iron	XXX	XXX	XXX	XXX	Report	XXX

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

- Storm water Requirements

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

The EPA Waiver is in effect.

PA0056880, SIC Code 4952, **Lower Bucks County Joint Municipal Authority**, 7811 New Falls Road, Levittown, PA 19058-0460. Facility Name: Lower Bucks County Joint Municipal Authority. This existing facility is located in Tullytown Borough, **Bucks County**.

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

The receiving stream(s), Delaware River, is located in State Water Plan watershed 2-E 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 002 are based on a design flow of 0.48 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Aluminum	XXX	XXX	XXX	4.0	8.0	10.0
Total Iron	XXX	XXX	XXX	2.0	4.0	5.0
Total Manganese	XXX	XXX	XXX	1.0	2.0	2.5

The proposed effluent limits for Outfall 003 are based on a design flow of 0.7 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Aluminum	XXX	XXX	XXX	4.0	8.0	10.0
Total Iron	XXX	XXX	XXX	2.0	4.0	5.0
Total Manganese	XXX	XXX	XXX	1.0	2.0	2.5

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

- Remedial Measures
- BAT/ELG Reopener
- Change of Ownership
- TRC Minimization
- IW Sludge Disposal
- TMDL/WLA Analysis
- I-Max Limits
- Sedimentation Basin Cleaning Operation
- Maximum Discharge Rate for Outfall 002
- Limited Discharge Period for Outfall 002
- Maximum High Tide condition
- Authorization to discharge into Authority's sanitary sewer during maintenance

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

The EPA Waiver is in effect.

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

PA0083836, Sewage, SIC Code 3999, **ARM2-LLC**, 1880 Pine Run Road, Abbottstown, PA 17301-9723. Facility Name: Pine Run MHP. This existing facility is located in Hamilton Township, **Adams County**.

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

The receiving stream(s), Unnamed Tributary to Conewago Creek, is located in State Water Plan watershed 7-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 0.04 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.016	XXX	0.053
CBOD ₅	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Geo Mean</i>	
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	1.5	XXX	3.0
Nov 1 - Apr 30	XXX	XXX	XXX	4.5	XXX	9.0

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

The EPA Waiver is in effect.

PA0081051, Sewage, SIC Code 6515, **Round Top Campground LLC**, 1285 High Street, Auburn, CA 95603. Facility Name: Round Top Campground. This existing facility is located in Cumberland Township, **Adams County**.

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

The receiving stream(s), Unnamed Tributary to Plum Run, is located in State Water Plan watershed 13-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 0.042 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Geo Mean</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.012	XXX	0.038
CBOD ₅	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	1.5	XXX	3.0
Nov 1 - Apr 30	XXX	XXX	XXX	4.5	XXX	9.0
Total Phosphorus	Report	XXX	XXX	1.5	XXX	3.0

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

The EPA Waiver is in effect.

PA0247910, Sewage, SIC Code 4952, **Bethel Township Municipal Authority Berks County**, PO Box 274, Bethel, PA 19507-0024. Facility Name: Bethel Township Frystown STP. This existing facility is located in Bethel Township, **Berks 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), Little Swatara Creek, is located in State Water Plan watershed 7-D and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0724 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD ₅	15	24	XXX	25	40	50
		Wkly Avg				
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	18	27	XXX	30	45	60
		Wkly Avg				
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

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.

PA0247677, Sewage, SIC Code 4952, **East Waterford Sewer Authority Juniata County**, 12988 Rt 75 S Suite 1, Honey Grove, PA 17035. Facility Name: East Waterford STP. This existing facility is located in Tuscarora Township, **Juniata 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), Tuscarora Creek, is located in State Water Plan watershed 12-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.02 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD ₅	4.2	6.7	XXX	25	40	50
		Wkly Avg				
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	5.0	7.5	XXX	30	45	60
		Wkly Avg				
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

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.

PA0020885 A-3, Sewage, SIC Code 4952, **Mechanicsburg Borough**, 36 W Allen Street, Mechanicsburg, PA 17055. Facility Name: Mechanicsburg WWTP. This existing facility is located in Mechanicsburg Borough, **Cumberland County**.

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

The receiving stream(s), Conodoguinet Creek, is located in State Water Plan watershed 7-B and is classified for Warm Water Fishes, Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The amendment revises the Chesapeake Bay Tributary Strategy Implementation interim milestone dates. The final compliance date is not affected.

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

The EPA Waiver is not in effect.

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

PA0005037-A1, SIC Code 4911, **EME Homer City Generation LP**, 1750 Power Plant Road, Homer City, PA 15748-8009. Facility Name: EME Homer City Generating Station. This existing facility is located in Center Township, **Indiana County**.

Description of Existing Activity: The application is to amend the NPDES permit for discharges associated with the proposed coal combustion waste landfill expansion.

The receiving streams are an Unnamed Tributary of Blacklick Creek and an Unnamed Tributary of Muddy Run located in State Water Plan watershed 18-D, classified as 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 004 are based on an average flow of 0.32 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	0.32	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	100	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	20	30
Total Aluminum—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum—Final	XXX	XXX	XXX	0.48	0.72	XXX
Total Arsenic—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Arsenic—Final	XXX	XXX	XXX	0.010	0.016	XXX
Total Boron—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Boron—Final	XXX	XXX	XXX	1.60	2.49	XXX
Total Cadmium—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Cadmium—Final	XXX	XXX	XXX	0.00025	0.00040	XXX
Dissolved Iron—Interim	XXX	XXX	XXX	2.0	4.0	XXX
Dissolved Iron—Final	XXX	XXX	XXX	0.19	0.30	XXX
Total Iron—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Iron—Final	XXX	XXX	XXX	1.50	2.34	XXX
Total Manganese—Interim	XXX	XXX	XXX	2.0	4.0	XXX
Total Manganese—Final	XXX	XXX	XXX	0.64	1.00	XXX
Total Nickel—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Nickel—Final	XXX	XXX	XXX	0.052	0.080	XXX
Total Thallium—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Thallium—Final	XXX	XXX	XXX	0.00024	0.00038	XXX

The proposed effluent limits for Outfall 013 are based on a design flow of varied 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 Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum—Final	XXX	XXX	XXX	0.48	0.75	XXX
Total Iron—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Iron—Final	XXX	XXX	XXX	1.50	2.34	XXX
Total Manganese—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Manganese—Final	XXX	XXX	XXX	0.64	1.00	XXX

The proposed effluent limits for Internal Outfall 020 are based on a design flow of varied MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	100	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	20	30
Total Aluminum—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum—Final	XXX	XXX	XXX	0.48	0.72	XXX
Total Arsenic—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Arsenic—Final	XXX	XXX	XXX	0.010	0.016	XXX
Total Boron—Interim	XXX	XXX	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Boron—Final	XXX	XXX	XXX	1.60	2.49	XXX
Total Cadmium—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Cadmium—Final	XXX	XXX	XXX	0.00025	0.00040	XXX
Dissolved Iron—Interim	XXX	XXX	XXX	2.0	4.0	XXX
Dissolved Iron—Final	XXX	XXX	XXX	0.19	0.30	XXX
Total Iron—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Iron—Final	XXX	XXX	XXX	1.50	2.34	XXX
Total Manganese—Interim	XXX	XXX	XXX	2.0	4.0	XXX
Total Manganese—Final	XXX	XXX	XXX	0.64	1.00	XXX
Total Nickel—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Nickel—Final	XXX	XXX	XXX	0.052	0.080	XXX
Total Thallium—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Thallium—Final	XXX	XXX	XXX	0.00024	0.00038	XXX

The proposed effluent limits for Outfall 029 are based on a design flow of varied MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum—Final	XXX	XXX	XXX	0.48	0.75	XXX
Total Iron—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Iron—Final	XXX	XXX	XXX	1.50	2.34	XXX
Total Manganese—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Manganese—Final	XXX	XXX	XXX	0.64	1.00	XXX

The proposed effluent limits for Outfall 030 are based on a design flow of varied MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Total Aluminum—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum—Final	XXX	XXX	XXX	0.48	0.75	XXX
Total Iron—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Iron—Final	XXX	XXX	XXX	1.50	2.34	XXX
Total Manganese—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Manganese—Final	XXX	XXX	XXX	0.64	1.00	XXX

The proposed effluent limits for Outfall 031 are based on a design flow of varied MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Total Aluminum—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum—Final	XXX	XXX	XXX	0.48	0.75	XXX
Total Iron—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Iron—Final	XXX	XXX	XXX	1.50	2.34	XXX
Total Manganese—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Manganese—Final	XXX	XXX	XXX	0.64	1.00	XXX

The proposed effluent limits for Outfall 032 are based on a design flow of varied MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0

<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 Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Total Aluminum—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum—Final	XXX	XXX	XXX	0.48	0.75	XXX
Total Iron—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Iron—Final	XXX	XXX	XXX	1.50	2.34	XXX
Total Manganese—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Manganese—Final	XXX	XXX	XXX	0.64	1.00	XXX

The proposed effluent limits for Outfall 033 are based on a design flow of varied MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Total Aluminum—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum—Final	XXX	XXX	XXX	0.48	0.75	XXX
Total Iron—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Iron—Final	XXX	XXX	XXX	1.50	2.34	XXX
Total Manganese—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Manganese—Final	XXX	XXX	XXX	0.64	1.00	XXX

The proposed effluent limits for Internal Outfall 113 are based on a design flow of varied MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	100	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	20	30
Total Aluminum—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum—Final	XXX	XXX	XXX	0.48	0.72	XXX
Total Arsenic—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Arsenic—Final	XXX	XXX	XXX	0.010	0.016	XXX
Total Boron—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Boron—Final	XXX	XXX	XXX	1.60	2.49	XXX
Total Cadmium—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Cadmium—Final	XXX	XXX	XXX	0.00025	0.00040	XXX
Dissolved Iron—Interim	XXX	XXX	XXX	2.0	4.0	XXX
Dissolved Iron—Final	XXX	XXX	XXX	0.19	0.30	XXX
Total Iron—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Iron—Final	XXX	XXX	XXX	1.50	2.34	XXX
Total Manganese—Interim	XXX	XXX	XXX	2.0	4.0	XXX
Total Manganese—Final	XXX	XXX	XXX	0.64	1.00	XXX
Total Nickel—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Nickel—Final	XXX	XXX	XXX	0.052	0.080	XXX
Total Thallium—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Thallium—Final	XXX	XXX	XXX	0.00024	0.00038	XXX

The proposed effluent limits for Internal Outfall 129 are based on a design flow of varied MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	100	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	20	30
Total Aluminum—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum—Final	XXX	XXX	XXX	0.48	0.72	XXX
Total Arsenic—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Arsenic—Final	XXX	XXX	XXX	0.010	0.016	XXX

<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 Boron—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Boron—Final	XXX	XXX	XXX	1.60	2.49	XXX
Total Cadmium—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Cadmium—Final	XXX	XXX	XXX	0.00025	0.00040	XXX
Dissolved Iron—Interim	XXX	XXX	XXX	2.0	4.0	XXX
Dissolved Iron—Final	XXX	XXX	XXX	0.19	0.30	XXX
Total Iron—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Iron—Final	XXX	XXX	XXX	1.50	2.34	XXX
Total Manganese—Interim	XXX	XXX	XXX	2.0	4.0	XXX
Total Manganese—Final	XXX	XXX	XXX	0.64	1.00	XXX
Total Nickel—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Nickel—Final	XXX	XXX	XXX	0.052	0.080	XXX
Total Thallium—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Thallium—Final	XXX	XXX	XXX	0.00024	0.00038	XXX

The proposed effluent limits for Outfall 213 are based on a design flow of varied MGD.

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

The proposed effluent limits for Internal Outfall 313 are based on a design flow of varied MGD.

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

The proposed effluent limits for Internal Outfall 413 are based on a design flow of varied MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	100	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	20	30
Total Aluminum—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum—Final	XXX	XXX	XXX	0.48	0.72	XXX
Total Arsenic—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Arsenic—Final	XXX	XXX	XXX	0.010	0.016	XXX
Total Boron—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Boron—Final	XXX	XXX	XXX	1.60	2.49	XXX
Total Cadmium—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Cadmium—Final	XXX	XXX	XXX	0.00025	0.00040	XXX
Dissolved Iron—Interim	XXX	XXX	XXX	2.0	4.0	XXX
Dissolved Iron—Final	XXX	XXX	XXX	0.19	0.30	XXX
Total Iron—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Iron—Final	XXX	XXX	XXX	1.50	2.34	XXX
Total Manganese—Interim	XXX	XXX	XXX	2.0	4.0	XXX
Total Manganese—Final	XXX	XXX	XXX	0.64	1.00	XXX
Total Nickel—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Nickel—Final	XXX	XXX	XXX	0.052	0.080	XXX
Total Thallium—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Thallium—Final	XXX	XXX	XXX	0.00024	0.00038	XXX

The proposed effluent limits for Internal Outfall 513 are based on a design flow of varied MGD.

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

The proposed effluent limits for Internal Outfall 613 are based on a design flow of varied MGD.

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

The proposed effluent limits for Internal Outfall 713 are based on a design flow of varied MGD.

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

The proposed effluent limits for Internal Outfall 813 are based on a design flow of varied MGD.

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

The proposed effluent limits for Internal Outfall 913 are based on a design flow of varied MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	100	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	20	30
Total Aluminum—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum—Final	XXX	XXX	XXX	0.48	0.72	XXX
Total Arsenic—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Arsenic—Final	XXX	XXX	XXX	0.010	0.016	XXX
Total Boron—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Boron—Final	XXX	XXX	XXX	1.60	2.49	XXX
Total Cadmium—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Cadmium—Final	XXX	XXX	XXX	0.00025	0.00040	XXX
Dissolved Iron—Interim	XXX	XXX	XXX	2.0	4.0	XXX
Dissolved Iron—Final	XXX	XXX	XXX	0.19	0.30	XXX
Total Iron—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Iron—Final	XXX	XXX	XXX	1.50	2.34	XXX
Total Manganese—Interim	XXX	XXX	XXX	2.0	4.0	XXX
Total Manganese—Final	XXX	XXX	XXX	0.64	1.00	XXX

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Total Nickel—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Nickel—Final	XXX	XXX	XXX	0.052	0.080	XXX
Total Thallium—Interim	XXX	XXX	XXX	Report	Report	XXX
Total Thallium—Final	XXX	XXX	XXX	0.00024	0.00038	XXX

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

- Toxics Reduction Evaluation

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

The EPA Waiver is not in effect.

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

PA0025569, Sewage, SIC Code 4952, **Slippery Rock Municipal Authority**, PO Box 157, Slippery Rock, PA 16057-0157. Facility Name: Slippery Rock STP. This existing facility is located in Slippery Rock Borough, **Butler County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage with the addition of water treatment reject and backwash wastewater, and an additional new discharge of water treatment backwash wastewater.

The receiving streams, the Slippery Rock Creek and an Unnamed Tributary to the Slippery Rock Creek, are located in State Water Plan watershed 20-C and are classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.2 MGD.

Parameters	Loadings (lbs/day)			Concentrations (mg/l)		Instantaneous Maximum
	Monthly Average	Weekly Average	Minimum	Monthly Average	Weekly Average	
Flow (MGD)	Report	Report Max. Daily				
CBOD ₅	250	400		25	40	50
Total Suspended Solids	300	450		30	45	60
Ammonia-Nitrogen (05/01-10/31)	120			12		24
(11/01 - 04/30)	240			24		50
Fecal Coliform (05/01 - 09/30)				Geo Mean 200		1,000
(10/01 - 04/30)				2,000		10,000
Total Residual Chlorine				0.5		1.6
pH			6.0			9.0

The proposed limits for Internal Monitoring Point (IMP) 101 are based on a design flow of 0.19 MGD.

Parameters	Loadings (lbs/day)			Concentrations (mg/l)		Instantaneous Maximum
	Monthly Average	Weekly Average	Minimum	Monthly Average	Daily Maximum	
Flow (MGD)	Report					
Total Suspended Solids				30	60	75
Total Dissolved Solids	5,000*			Report	Report	Report
Total Iron				2.0	4.0	5.0
Total Aluminum				4.0	8.0	10.0
Total Manganese				1.0	2.0	2.5
Hardness (as CaCO ₃)				Report	Report	Report
Total Residual Chlorine				0.5	1.0	1.25
pH			6.0			9.0

* - Annual Average Mass Loading

The proposed limits for Internal Monitoring Point (IMP) 106 are based on a design flow of 0.01 MGD.

Parameters	Loadings (lbs/day)			Concentrations (mg/l)		Instantaneous Maximum
	Monthly Average	Weekly Average	Minimum	Monthly Average	Daily Maximum	
Flow (MGD)	Report					
Total Suspended Solids				30	60	75
Total Dissolved Solids				Report	Report	Report
Total Iron				2.0	4.0	5.0

Parameters	Loadings (lbs/day)		Minimum	Concentrations (mg/l)		Instantaneous Maximum
	Monthly Average	Weekly Average		Monthly Average	Daily Maximum	
Total Aluminum				4.0	8.0	10.0
Total Manganese				1.0	2.0	2.5
Hardness (as CaCO ₃)				Report	Report	Report
Total Residual Chlorine				0.5	1.0	1.25
pH			6.0			9.0

The proposed effluent limits for Outfall 002 are based on a design flow of 1.2 MGD.

Parameters	Loadings (lbs/day)		Minimum	Concentrations (mg/l)		Instantaneous Maximum
	Monthly Average	Weekly Average		Monthly Average	Weekly Average	
Flow (MGD)	Report	Report Max. Daily				
CBOD ₅				25		50
Total Suspended Solids				30		60
Ammonia-Nitrogen (05/01 - 10/31)				1.5		3.0
(11/01 - 04/30)				4.5		9.0
Fecal Coliform (05/01 - 09/30)				Geo Mean 200		1,000
(10/01 - 04/30)				2,000		10,000
Total Copper				Report		Report
Total Residual Chlorine				0.15		0.49
pH			Within limits of 6.0 to 9.0 standard units at all times			

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

- Requirement to Use eDMR System
- Emergency Outfall 002
- Solids Management

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

The EPA Waiver is not in effect.

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

IV. NPDES Applications for Stormwater Discharges from MS4

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI01 5107002-R	Penrose Park Associates, LP 1750 Walton Road Blue Bell, PA 19422-0465	Philadelphia	City of Philadelphia	Schuylkill River (WWF-MF)
PAI01 151207	Emanuel Stoltzfus 282 Mount Pleasant Road Honey Brook, PA 19344	Chester	Honey Brook Township	West Branch Brandywine Creek (HQ-TSF)

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

Permit #	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI030611005	Quaker Hill Development Co. 4339 Morgantown Road Mohnton, PA 19540	Berks	Robeson Twp.	UNT to Beaver Run/HQ-CWF

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

Lycoming County Conservation District: 542 County Farm Road Suite 202, Montoursville, PA 17754, (570) 433-3003

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI044112001	Centura Development Company Inc Water Tower Sq 1000 Commerce Park Dr Williamsport PA 17701	Lycoming	Old Lycoming Township	Lycoming Creek HQ-EV

Union County Conservation District: Union County Government Center, 155 North 15th Street, Lewisburg, PA 17837, (570) 524-3860

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI046007001R	Donald Hower 69 Maple St Mifflinburg PA 17844	Union	West Buffalo Township	Rapid Run HQ

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

Somerset County Conservation District, 6024 Glades Pike Rd, Suite 103, Somerset, PA 15501 (814) 445-4352

Permit No.	Applicant & Address	County	Municipality	Stream Name
PAI055611007	Kantner Iron & Steel, Inc. c/o John Toth 365 Bassett Road Hooversville, PA 15936	Somerset	Quemahoning Township	Stonycreek River (TSF) Beaver Dam Creek (HQ-CWF)

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

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

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

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

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

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

Agricultural Operation Name and Address	County	Total Acres	Animal Equivalent Unites	Animal Type	Special Protection Waters (HQ or EV or NA)	Renewal / New
Kent & Keith Beiler 2185 Smyrna Road Paradise, PA 17562	Lancaster	311.9	470.9	Swine/Dairy	NA	R

**PUBLIC WATER SUPPLY (PWS)
PERMITS**

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

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

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

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

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

Central Office: Bureau Director, Bureau of Safe Drinking Water, PO Box 8467, Harrisburg, PA 17105-8467

Permit No. [9996445], Public Water Supply.
 Applicant **[Premium Waters, Inc.]**
 [Township or Borough] [Greeneville, Tennessee]
 Responsible Official [Teddy Fillers, QA Manager]
 Type of Facility [Out of State Bottled Water System]
 Application Received Date [March 7, 2012]
 Description of Action [Applicant requesting a permit amendment to add two additional purified bottled water products to their permit. Bottled water to be sold in Pennsylvania under the brand names: Great Value Spring Water, Best Yet Drinking Water, IGA Pure and

Natural Drinking Water, IGA Pure Distilled Water, Little Ones Purified Drinking Water With Fluoride Added, Nature's Crystal Purified Water, Refreshe Purified Drinking Water, Glacier Clear Distilled Water and My Mart Purified Water.]

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

Application No. 4612502 Public Water Supply
 Applicant **Audubon Water Company—Valley Forge Terrace MHP**
 Township Lower Providence
 County **Montgomery**
 Responsible Official J.H. Russell, Jr. CFO
 2650 Eisenhower Drive
 Suite 104-A
 Norristown, PA 19403
 Type of Facility PWS
 Application Received Date January 25, 2012
 Description of Action Construction of upgrades to the existing public water supply, including a new drilled well, a 60,000 gallon above ground storage tank, booster pumps, sequestration for manganese control, and sodium hypochlorite for disinfection.

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

Application No. 3612504 MA, Minor Amendment, Public Water Supply.
 Applicant **Ephrata Area Joint Authority**
 Municipality Ephrata Borough
 County **Lancaster**
 Responsible Official Stephen Bonner,
 Superintendent of
 Water & Sewer
 124 South State Street
 Ephrata, PA 17522
 Type of Facility Public Water Supply
 Consulting Engineer Timothy J Glessner, P.E.
 Gannett Fleming, Inc.
 207 Senate Avenue
 Camp Hill, PA 17011
 Application Received: 2/27/2012
 Description of Action SolarBee tank mixer for the Walnut Street Reservoir

Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Williamsport, PA 17701

Application No. 0812501—Construction Public Water Supply.
 Applicant **Bradford County Sanitation, Inc.**
 [Township or Borough] Canton Borough
 County **Bradford**

Responsible Official Mr. Allen C. Palmer
President/Owner
Bradford County Sanitation, Inc.
13868 Route 14
Canton, PA 17724

Type of Facility Public Water Supply

Consulting Engineer Dennis P. Lingenfelter, P.E.
Uni-Tec Consulting
Engineers, Inc.
2007 Cato Avenue
State College, PA 16881

Application Received March 15, 2012

Description of Action Bulk water hauling. Truck
Terminal for bulk finished water
hauling tankers.

Application No. 5912501—Construction Public Wa-
ter Supply.

Applicant **Lawrenceville Exxon**

[Township or Borough] Lawrenceville Borough

County **Tioga**

Responsible Official Gurparkash S. Sanhoo
Vice President Sanhoo's, Inc.
13305 Route 49
Lawrenceville, PA 16929

Type of Facility Public Water Supply

Consulting Engineer Erica LS DeLattre, P.E.
TerraVite, Inc.
172 Stanford Road
Portersville, PA 16051

Application Received March 16, 2012

Description of Action Installation of a water softening
and reverse osmosis system to
treat/reduce elevated levels of
barium, chloride, iron,
manganese, total dissolved solids
and sodium.

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

Permit No. 2012502, Public Water Supply

Applicant **Municipal Authority of
Conneaut Lake**

Township or Borough Borough of Conneaut Lake

County **Crawford**

Responsible Official William Sandberg

Type of Facility Public Water Supply

Consulting Engineer Steven R. Halmi, P.E.
Deiss & Halmi Engineering, Inc.
105 Meadville Street
Edinboro, PA 16412

Application Received March 12, 2012

Date

Description of Action Replacement of Well No. 1

Permit No. 2512501, Public Water Supply

Applicant **Municipal Authority of the
Borough of Union City**

Township or Borough Union Township

County **Erie**

Responsible Official Dan Brumagin

Type of Facility Public Water Supply

Consulting Engineer August E. Maas, P.E.
Hill Engineering, Inc.
8 Gibson Street
North East, PA 16428

Application Received March 15, 2012

Date

Description of Action Various upgrades and expansion
of treatment plant.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Application No. 4012501MA

Applicant **WJM Services, Inc.**

[Township or Borough] Rice Township
Luzerne County

Responsible Official William J. Miller, Jr., Owner
52 Zerbe Street
Cressona, PA 17929

Type of Facility Community Water System

Consulting Engineer Edward E. Davis, PE
Forino Co., LP
555 Mountain Home Road
Sinking Spring, PA 19608
610-670-2200, Ext. 157

Application Received March 12, 2012

Date

Description of Action Removal of two (2) existing wells
from the sources providing water
for the Valley Stream MHP
community water system.

Application No. 1312501MA

Applicant **Beaver Run Water
Association**

[Township or Borough] Kidder Township
Carbon County

Responsible Official Henry George, Trustee
P. O. Box 265
Albrightsville, PA 18210

Type of Facility Community Water System

Consulting Engineer Michael E. Gable, PE
Boucher & James, Inc.
910 Rim Rock Road
Stroudsburg, PA 18360
570-629-0300

Application Received January 6, 2012

Date

Description of Action Construction of a new chlorine
segment to meet requirements of
the Groundwater Rule.

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

Application No. 3391502—MA3, Minor Amendment.

Applicant	Knox Township Municipal Authority
Township or Borough	Knox Township
Responsible Official	Michele Wright
Type of Facility	Public Water Supply
Consulting Engineer	Brian S. Sekula, P.E. The EADS Group, Inc. (Clarion) 15392 Route 322 Clarion, PA 16214
Application Received Date	March 20, 2012
Description of Action	Add additional injection point in system for chlorine disinfection.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

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

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the following site, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remedia-

tion and reuse plans for the site if the request is made within 30 days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

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

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

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

Fillings Dry Cleaners, 3885 Columbia Avenue, Mountville, PA 17554, West Hempfield Township, **Lancaster County**. Geological Services, Inc., PO Box 578, Rock Hall, MD 21661, on behalf of Fillings Clothing, 681 Harrisburg Avenue, Lancaster, PA 17603, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with Stoddards Solvent. The site will be remediated to the Site-Specific Standard. Future use of the site is residential and commercial.

Zurin Rental Property, 375 Barbara Street, Landisville, PA 17538, East Hempfield Township, **Lancaster County**. Tetra Tech GEO, One Monarch Drive, Littleton, MA 01460, on behalf of Tim and Jessica Zurin, 137 Fuhrman Road, Marietta, PA 17547, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with #2 fuel oil. The site will be remediated to the Site-Specific and Statewide Health Standards. Future use of the site is residential.

REGISTRATION FOR GENERAL PERMIT—MUNICIPAL WASTE

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

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

General Permit Application No. WMGM037SE001. Waste Management of Pennsylvania, Inc., 5245 Bleigh Avenue, Philadelphia PA 19136-4225. This registration application is to operate under General Permit Number WMGM037 for the processing and conversion of municipal waste into a fuel product. The new facility shall be called "WM SpecFUEL Facility" and it will be operating within the Forge Recycling and Resource Recovery Center, a municipal waste transfer and recycling facility located at 5245 Bleigh Avenue, Philadelphia, PA 19136, in the City of Philadelphia. The application for registration was considered administratively complete by the Southeast Regional Office on March 16, 2012.

RESIDUAL WASTE GENERAL PERMITS

Application(s) Received Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17106-9170.

General Permit Application No. WMGR081D034. Commonwealth Computer Recycling, LLC, Suite #5, 609 N. Church Street, Mount Pleasant, PA 15666.

General Permit WMGR081 is established for the beneficial use of recycled electronic materials. Central Office received the application on March 1, 2012 and determined it administratively complete on March 15, 2012.

Comments concerning the application should be directed to Scott Walters, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 8472, Harrisburg, PA 17106-9170. Persons interested in obtaining more information about the general permit application may contact the Division at (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Modification(s) of Permit(s) Issued Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

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

General Permit No. WMGR103SC001. Berks Soil and Stone, 63 S. Hampton Dr., Wyomissing, PA 19610

General Permit numbered WMGR103SC001 was issued on October 11, 2011, for the processing of: (1) spent mushroom substrate, (2) dredged river sand, (3) wood and yard waste, and (4) waste foundry sand generated at the Berks Soil and Stone facility, located in Ontelaunee Township, **Berks County**, to produce: (a) a manufactured topsoil, (b) construction aggregate, and (c) mulch material.

The permittee submitted a modification to the Department requesting that (i) water treatment residual from a water treatment plant be included in the processing authorized under WMGR103SC001, and (ii) the chemical concentration limit required for total level of Arsenic in the manufactured soil be set at 29 mg/kg to be consistent with current beneficial uses standards.

Comments concerning the permit's modifications should be directed to Scott C. Walters, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. Persons interested in obtaining more information about the general permit application may contact the Division at (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS NEW SOURCES AND MODIFICATIONS

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

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

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

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

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

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

PLAN APPROVALS

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

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

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

65-01017: Mountain Gathering, LLC (810 Houston Street, Fort Worth, Texas 76102) for installation of their compressor station in New Florence Borough, **Westmoreland County**.

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

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

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863

06-05061A: Cambridge-Lee Industries, LLC (P. O. Box 14026, Reading, PA 19612-4026) to install a copper tube continuous casting system at their Reading facility in Ontelaunee Township, **Berks 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 abovementioned company for the abovementioned project. This plan approval may be incorporated into the company's facility-wide permit via an administrative amendment at a later date.

06-05061A is for installation of a copper tube continuous casting system. The company shall be subject to and comply with best available technology (BAT) requirements of 25 Pa. Code § 127.12(a)(5). 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. Potential air emissions from the proposed project are 4 tpy NO_x, 3 tpy CO, 28 tpy VOC, 14 tpy PM and 8649 tpy CO₂e.

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 name, address and telephone number of the person submitting the comments; identification of the proposed permit by the permit number listed above; and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

Plan approvals issued to sources identified in 25 Pa. Code § 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.

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

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

08-00010F: Global Tungsten & Powders, Corp. (Hawes Street, Towanda, PA 18848-0504) for replacement and operation of two process reactor tank (CR-2 & CR-5) and one new backup process chemical reactor tank (CR-7) for digesting tungsten carbide scrap metal with hydrochloric acid at their North Towanda Township, **Bradford County** facility. This is a state only facility. The facility has taken a synthetic minor restriction to limit the carbon monoxide, nitrogen oxides, and volatile organic compounds emissions below the major thresholds.

The Department's review of the information contained in the application submitted by GTP indicates that the hydrochloric acid emissions from the tanks controlled by the proposed Bionomics scrubber and the existing sources will comply with applicable air quality requirements pertaining to air contamination sources and the emission of air contaminants, including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from the proposed new source combined with existing sources will not exceed 0.2 tons of hydrochloric acid per year. The following is a summary of the types of conditions the Department intends to place in the plan approval to ensure compliance with applicable regulatory requirements including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12.

Work practice requirements to install and operate the sources and control device in accordance with manufacturer's recommendations and good air pollution control practices.

Monitoring and Recordkeeping conditions to verify compliance with the applicable requirements and good air pollution control practices.

A copy of the plan approval application and the Department's review is available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review may be made by calling the Department at 570-327-3693. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570 327 3648.

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

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

20-123E: Lord Corp. (124 Grant Street, Cambridge Springs, PA 16403) for authorization to construct and operate an additional metal parts passivation tank line for the passivation of stainless steel parts at their existing Cambridge Springs Plant in **Crawford County**. This is a Title V facility. Public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date.

The stainless steel passivation line's emissions will be captured via a series of push pull collection hoods located at each tank. Air contaminants will be reduced by a packed bed wet scrubber which is consistent with current best available technology (BAT).

The source shall comply with conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology for the source:

The scrubber shall be operated and maintained as prescribed by the manufacturer. A copy of the scrubber's operational and maintenance literature shall be maintained onsite with the unit at all times. The scrubber's pH and operating pressures shall be monitored and recorded to ensure compliance and proper operation. Excursions from the proper pressure and pH will activate an alarm.

Lord will properly maintenance the scrubber and keep records of the maintenance in a log. This record shall, at a minimum, include the time and date of observation, the name, title, and signature of the observer, a detailed description of the observation made and any corrective action taken as result of the observation

The permittee shall maintain all logs on-site for a period of five years and furnish these records to the Department upon request.

Emissions from the facility will increase as a result of this project. Estimated emission increases in tons per year: 0.063 tpy HAP and 0.8 tpy total PM.

For additional information contact Jacob G. Chemsak at (814) 332-6638.

PLAN APPROVAL

PUBLIC HEARINGS

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

Contact: James Parette, New Source Review Chief—Telephone: 570-826-2531

Public Notification to Solicit Comments on Chief Gathering, LLC; Plan Approval Application No: 66-329-012

Notice is hereby given under 25 Pa. Code § 127.44(b)(5) and 127.424, that the Department of Environmental Protection (Department) is soliciting comments on the proposed Air Quality Plan Approval; No. 66-329-012 for Chief Gathering, LLC (the Permittee), 6051 Wallace Road Ext., Suite 210, Wexford, PA 15090, to construct the proposed Compressor Station, which is to be located in Washington Twp., Wyoming County as described in the

Permittee's July 5, 2011 Plan Approval Applications and any other subsequent supplemental submissions.

The station will consist of eight (8) (CAT G3608LE) Caterpillar natural gas fired compressor engines, two (2) dehydration unit with reboiler, catalytic converter, and thermal oxidizer. The VOC emissions from the facility will not equal or exceed 50 TPY, based on a 12-month rolling sum. The NO_x emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. Total PM, SO_x, and CO emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. The HAPs from the facility must never equal or exceed 10 TPY of any single HAP and must never equal or exceed 25 TPY of all aggregated HAPs, based on a 12-month rolling sum. The Plan approval and Operating Permit will include testing, monitoring, record keeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

The facility is subject to MACT 40 CFR Part 63 Subparts ZZZZ and HH, NSPS Subpart JJJJ and 25 Pa. Code § 127.12(a)(5) Best Available Technology (BAT) requirements. The visible emission opacity shall not be equal to or greater than 20% at any time. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions.

Emissions from the engines will meet MACT Subpart ZZZZ, MACT Subpart HH, BAT & NSPS Subpart JJJJ requirements. The Plan Approvals and Operating permits will contain additional recordkeeping and operating restrictions designed to keep the facilities operating within all applicable air quality requirements.

Persons wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of the Plan Approval, may submit the information to the address shown below. The Department will consider any written comments received within 30 days of the publication of this notice. Each written comment must contain the following: name, address and telephone number of the person submitting the comments; identification of the proposed Plan Approval; No. 66-329-012 a concise statement regarding the relevancy of the information or any objections to the issuance of the Plan Approval.

A public meeting will be held for the purpose of receiving comments on the proposed air quality plan approval. The meeting will be held on April 11, 2012 at 6:00 p.m. at the Tunkhannock Area Middle School located at 135 Tiger Drive, Tunkhannock, PA 18657. Persons interested in commenting are invited to appear. Staff from DEP's Air Quality Program will explain the application review process and applicable regulations, and Chief Gathering officials will review the project. These presentations will be followed by a question and answer session with citizens.

The public meeting will be followed by a DEP public hearing beginning at 7:30 p.m. during which time citizens will have an opportunity to present oral testimony regarding the proposed Air Quality Plan Approval application. Anyone who wishes to present oral testimony during the public hearing may register that evening prior to the hearing. Citizens will have a maximum of five minutes each to present testimony. Written testimony of any length also will be accepted. The testimony will be recorded by a court reporter and transcribed into a written document. DEP will respond in writing to all relevant testimony provided during the public hearing.

Copies of the application, the Department's technical review and other supporting documents are available for public inspection between the hours of 8 a.m. and 4 p.m. at the Department's Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. Appointments for scheduling a review may be made by calling (570) 826-2511.

The general procedures for the hearing are as follows:

To develop an agenda for the hearing, the Department requests that individuals wishing to testify at the hearing submit a written notice of their intent. The notice should be sent to Mark Wejkszner, Air Quality Program Manager, Department of Environmental Protection, Air Quality Program, Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. The Department will accept notices up to the day of the public hearing.

This written notice should include the person's name, address, telephone number and a brief description as to the nature of the testimony. Individuals who submit a notice of intent to testify will be given priority on the agenda. If time permits, the Department will allow individuals who have not submitted a notice of intent to testify to present their comments.

Each individual will have up to 5 minutes to present testimony. The Department requests that individuals present written copies of their testimony in addition to their oral presentations.

To insure that all speakers have a fair and equal opportunity to present their testimony, relinquishing of time will be prohibited. Further details relating to the procedures to be followed at the hearing will be outlined at the beginning of the hearing.

Persons unable to attend the hearing can submit written testimony to the Department through 4/30/12.

The Department will address comments from the public before any final actions are taken on the proposals. A summary report addressing the concerns raised by the public will be released should the Department decide to issue the Plan Approval. Send written comments to Mark Wejkszner, Air Quality Program Manager, Department of Environmental Protection, Air Quality Program, Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations should contact the Department at the address shown above, or the Pennsylvania AT&T relay service at (800) 654-5984 (TDD) to discuss how the Department may address their needs.

For additional information regarding the above, contact Mark Wejkszner at (570)-826-2511 or write to the Department at the Wilkes-Barre address given previously.

**Public Notification to Solicit Comments on
Laser Northeast Gathering Company, LLC; Plan
Approval Application Nos: 58-399-016, 58-399-017,
58-399-018, and 58-399-019**

Notice is hereby given under 25 Pa. Code § 127.44(b)(5) and 127.424, that the Department of Environmental Protection (Department) is soliciting comments on the proposed Air Quality Plan Approvals; No. 58-399-016, 58-399-017, 58-399-018, and 58-399-019 for Laser Northeast Gathering Company, LLC (the Permittee), 333 Clay Street, Suite 4500, Houston, TX 77022, to construct the proposed Compressor Stations, which are to be located in Liberty Twp., Middletown Twp., and Forest Lake Twp.

Susquehanna County as described in the Permittee's June 24, 2011 Plan Approval Applications and any other subsequent supplemental submissions.

The stations each will consist of two CAT G3606LE engines and two dehydrators with reboilers. The VOC emissions from each facility will not equal or exceed 50 TPY, based on a 12-month rolling sum. The NO_x emissions from each facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. Total PM, SO_x, and CO emissions from each facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. The HAPs from each facility must never equal or exceed 10 TPY of any single HAP and must never equal or exceed 25 TPY of all aggregated HAPs, based on a 12-month rolling sum. The Plan approval and Operating Permit will include testing, monitoring, record keeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

The facilities are subject to MACT 40 CFR Part 63 Subparts ZZZZ and HH, NSPS Subpart JJJJ and 25 Pa. Code § 127.12(a)(5) Best Available Technology (BAT) requirements. The visible emission opacity shall not be equal to or greater than 20% at any time. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions.

Emissions from the engines will meet MACT Subpart ZZZZ, MACT Subpart HH, BAT & NSPS Subpart JJJJ requirements. The Plan Approvals and Operating permits will contain additional recordkeeping and operating restrictions designed to keep the facilities operating within all applicable air quality requirements.

Persons wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of the Plan Approval, may submit the information to the address shown below. The Department will consider any written comments received within 30 days of the publication of this notice. Each written comment must contain the following: name, address and telephone number of the person submitting the comments; identification of the proposed Plan Approvals; No. 58-399-016, 58-399-017, 58-399-018, and 58-399-019; a concise statement regarding the relevancy of the information or any objections to the issuance of the Plan Approval.

A public meeting will be held for the purpose of receiving comments on the proposed air quality plan approvals. The meeting will be held on April 17, 2012 at 6:00 p.m. at the Montrose Area Jr. / Sr. High Scholl located at 75 Meteor Way, Montrose, PA 18801. Persons interested in commenting are invited to appear.

Staff from DEP's Air Quality Program will explain the application review process and applicable regulations. This presentation will be followed by a question and answer session with citizens.

The public meeting will be followed by a DEP public hearing beginning at 7:30 p.m. during which time citizens will have an opportunity to present oral testimony regarding the proposed Air Quality Plan Approval applications. Anyone who wishes to present oral testimony during the public hearing may register that evening prior to the hearing. Citizens will have a maximum of five minutes each to present testimony. Written testimony of any length also will be accepted. The testimony will be recorded by a court reporter and transcribed into a written document. DEP will respond in writing to all relevant testimony provided during the public hearing.

Copies of the applications, the Department's technical reviews and other supporting documents are available for public inspection between the hours of 8 a.m. and 4 p.m. at the Department's Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. Appointments for scheduling a review may be made by calling (570) 826-2511.

The general procedures for the hearing are as follows:

To develop an agenda for the hearing, the Department requests that individuals wishing to testify at the hearing submit a written notice of their intent. The notice should be sent to Mark Wejkszner, Air Quality Program Manager, Department of Environmental Protection, Air Quality Program, Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. The Department will accept notices up to the day of the public hearing.

This written notice should include the person's name, address, telephone number and a brief description as to the nature of the testimony. Individuals who submit a notice of intent to testify will be given priority on the agenda. If time permits, the Department will allow individuals who have not submitted a notice of intent to testify to present their comments.

Each individual will have up to 5 minutes to present testimony. The Department requests that individuals present written copies of their testimony in addition to their oral presentations.

To insure that all speakers have a fair and equal opportunity to present their testimony, relinquishing of time will be prohibited. Further details relating to the procedures to be followed at the hearing will be outlined at the beginning of the hearing.

Persons unable to attend the hearing can submit written testimony to the Department through 4/26/12.

The Department will address comments from the public before any final actions are taken on the proposals. A summary report addressing the concerns raised by the public will be released should the Department decide to issue the Plan Approval. Send written comments to Mark Wejkszner, Air Quality Program Manager, Department of Environmental Protection, Air Quality Program, Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations should contact the Department at the address shown above, or the Pennsylvania AT&T relay service at (800) 654-5984 (TDD) to discuss how the Department may address their needs.

For additional information regarding the above, contact Mark Wejkszner at (570)-826-2511 or write to the Department at the Wilkes-Barre address given previously.

OPERATING PERMITS

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

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

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

046-00046: Accellent, Inc. (200 West 7th Avenue, Collegetown, PA 19426) for operation of a facility used to manufacture narrow metal tubing for use in medical and

aerospace applications in Trappe Borough, **Montgomery County**. The permit is for a Title V facility. The main emissions from this facility are trichloroethylene, a volatile organic compound and hazardous air pollutant from the degreasing of metal parts. The emissions of volatile organic compounds are limited to 56 tons per year on a 12-month rolling sum basis for all sources at this facility. The operation is subject to the requirements of 40 C.F.R. Part 63, Subpart T for halogenated solvent cleaning machines. The permit will include monitoring, record-keeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

09-00028: Fibermark North America, Inc. (45 North Fourth Street, Quakertown, PA 18951) for renewal of the Title V Operating Permit in Quakertown Borough, **Bucks County** which will expire on May 28, 2012. The manufacturing plant operates saturators, graphic art lines, and surface coating lines, as well as various clean-up operations and combustion units. There are no control devices for sources operated at the facility. The facility is major for Volatile Organic Compounds (VOC) and Hazardous Air Pollutants (HAP) emissions. The saturators and coaters located at the facility (Source ID 101, 102, 104, 105 and 303) are subject to the requirements of 40 CFR Part 63, Subpart JJJJ—National Emission Standards for HAPs: Paper and Other Web Coating. The graphic arts lines 1 and 2 located at the facility (Source ID 301 and 302) are subject to the requirements of 40 CFR Part 63, Subpart KK—National Emission Standards for HAPs in the Printing and Publishing Industry and 40 CFR Part 63, Subpart OOOO—National Emission Standards for HAPs: Printing, Coating, and Dyeing of Fabrics and Other Textiles. The two (2) emergency generators (Source ID 051) are subject to the requirements of 40 CFR Part 63 Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. No changes have taken place at this facility that were not previously permitted and there are no new sources at this facility. Sources at the facility are not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64, and the facility is not subject to the Greenhouse Gas Requirements pursuant to the GHG Tailoring Rule, 40 CFR Parts 51, 52, 70, and 71, et al. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

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

19-00006: Del Monte Corp. (6670 Low Street, Bloomsburg, PA 17815) for renewal of the Title V operating permit for their Bloomsburg facility in South Centre Township, **Columbia County**. The facility's sources include two (2) #2 fuel oil/natural gas-fired boilers, two (2) #6 fuel oil/natural gas-fired boilers, twenty three (23) natural gas-fired heaters, four (4) parts washers, two (2) propane-fired welders, meat scrap storage, wastewater treatment operation, three (3) storage tanks, bulk material handling system, gravy mixing operation, "A" & "C" line meat mixers, four (4) natural gas-fired dryer lines which have the potential to emit major quantities of sulfur oxide (SO_x) emissions. The facility has the potential to emit carbon monoxide (CO), nitrogen oxides (NO_x) volatile organic compounds (VOCs), volatile hazardous air pollutants (VHAPs) and particulate matter (PM/PM₁₀) below the major emission thresholds. The proposed Title

V operating permit renewal contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

49-00002: Conagra Grocery Products Co. (30 Marr Street, Milton, PA 17847) for renewal of the Title V operating permit for their food manufacturing facility in Milton Borough, **Northumberland County**. The facility is currently operating under Title V operating permit 49-00002. The facility's main sources are four (4) natural gas/#2 fuel oil fired boilers, three (3) product storage silos, and a wastewater treatment plant which have the potential to emit major quantities of sulfur oxides (SO_x) and nitrogen oxides (NO_x). The facility has the potential to emit, 10 micron or less particulate matter (PM₁₀), carbon monoxide (CO), volatile organic compounds (VOCs), and hazardous air pollutants (HAPs) below the major emission thresholds. The proposed Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

42-00009: Pittsburgh Corning Corp.—Port Allegany Plant (701N Main Street, Port Allegany, PA 16743-1029) for a Modification of Title V Permit to operate architecture pressed and blown glass manufacturing facility in Port Allegany Borough, **McKean County**. The facility's major emission sources included, 1) Melting Furnaces (Lines 1—4), 2) Melting Furnaces (Lines 5—8), 3) Glass Block Edge Coaters (2), 4) Glass Block Edge Coaters (5), 5) Distributors, Fore hearths, Presses / Sealers, 6) Glass Block Annealing Lehrs (1—8), 7) #2 Batch Mixer & Conveyor and, 8) Miscellaneous Natural Gas Usage. The modification permit included the conditions for NO_x emissions control from glass melting furnaces (25 Pa. Code §§ 129.300—129.310), the milestones of SCR controls design and installation schedule and the Alternative Compliance Schedule for Source ID #201.

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

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

V11-014: Veolia Energy Philadelphia—Schuylkill Station (2600 Christian Street, Philadelphia, PA 19146) for operation of a steam and electric generating facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two 795 MMBTU/hr #6 fuel oil-fired (#2 fuel oil ignition) boilers and a 761 MMBTU/hr natural gas or #6 fuel oil-fired boiler.

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

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

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

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

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

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

46-00139: Spray Products Corporation, (1323 Conshohocken Road, Norristown, PA 19404) for a Non-Title V Facility, State-Only, Natural Minor Permit in Plymouth Township, **Montgomery County**. The sources of emissions are two Propellant Gasser / Production Filler Lines and a can crusher. The facility has a potential to emit less than 25 tons per year of Volatile Organic Compounds (VOCs). Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

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

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863

01-03025: Valley Quarries, Inc. (P. O. Box 2009, Chambersburg, PA 17201) for operation of their limestone crushing plant at the Fairfield Quarry in Hamiltonban Township, **Adams County**.

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

Actual particulate emissions at the facility are estimated to be less than 7 tons per year. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

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

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

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

Mr. Daniel C. Husted, New Source Review Chief, 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, protests or requests for a public hearing.

67-03105: American Colloid Co. (600 Lincoln Street, York, PA 17401) for operation of their foundry pre-mix blending and cat litter packaging facility in York City, **York County**.

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

The facility has an estimated potential to emit from the facility of 35 tons of PM-10 per year. 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 name, address and telephone number of the person submitting the comments; identification of the proposed permit by the permit number listed above; and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests. A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received.

Daniel C. Husted, New Source Review Chief, 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.

36-03105: Pennsy Supply, Inc. (P. O. Box 3331, 1001 Paxton Street, Harrisburg, PA 17105-3331) for operation of their crushing and screening plant in East Hempfield Township, **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 the potential to emit 36.0 tpy of PM & 13.8 tpy of PM₁₀. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours

at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

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

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

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

21-05032: Domestic Casting Company, LLC (275 North Queen Street, Shippensburg, PA 17257) for their Shippensburg grey iron foundry in Shippensburg Borough, **Cumberland County**.

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

Actual emissions for the facility in 2010 included 12.97 tons of volatile organic compounds (VOC) and 15 tons of particulate matter (PM). 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 renewal 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 name, address and telephone number of the person submitting the comments; identification of the proposed permit by the permit number listed above; and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

Daniel C. Husted, New Source Review Chief, 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.

06-03114: Aluminum Alloys, Inc. (P. O. Box 2197, Sinking Spring, PA 19608-2197) for operation of an aluminum foundry that manufactures aluminum castings in Lower Heidelberg 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's potential to emit overall emissions of particulate (PM), SO_x, CO, NO_x and VOCs are estimated to be 40, 5, 23, 20 and 10 tons per year, respectively.

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 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 name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

36-05065: Homette Corporation—Skyline Homes (99 Horseshoe Road, Leola, PA 17540) for operation of their modular home manufacturing facility in the Upper Leacock Township, **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 2.5 tpy VOC & 0.11 tpy combined HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

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

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

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

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

17-00008: Triangle Suspension Systems, Inc. (P. O. Box 425, Dubois, PA 15801) for issuance of a State-Only (Synthetic Minor) Operating Permit renewal for operation of their Dubois Plant facility in Sandy Township, **Clearfield County**. Triangle Suspension Systems operates 36 natural-gas fired space heaters ranging from 0.048 MMBtu/hr to 0.10 MMBtu/hr (Source ID 031), 31 natural-gas fired space heaters ranging from 0.15 MMBtu/hr to 0.40 MMBtu/hr (Source ID P032), two dip tanks—one amber and one black and associated drying racks (Source ID P101), one 6.05 MMBtu/hr natural-gas fired Fitter Draw Furnace No. 1063 (Source ID P201), one 4.27 MMBtu/hr natural-gas fired Unit Draw Furnace No. 1062 (Source ID P202), six natural-gas fired furnaces ranging from 0.55 MMBtu/hr to 2.5 MMBtu/hr (Source ID P400), three natural-gas fired furnaces each rated 0.20 MMBtu/hr (Source ID P500), one annealing process consisting of a 4.64 MMBtu/hr natural-gas fired Walking Beam Furnace No. 1057 and 7000 gallon quench oil tank (Source ID P601), one annealing process consisting of a 7.56 MMBtu/hr natural-gas fired Walking Beam Furnace No. 1058 and 7800 gallon quench oil tank (Source ID P602), one annealing process consisting of a 8.50 MMBtu/hr natural-gas fired Walking Beam Furnace No. 1080 and 4000 and 8000 gallon quench oil tanks (Source ID P603), and two Safety Kleen remote-reservoir cleaning machines rated 16 gallons and 30 gallons (Source ID P701). The Department of Environmental Protection proposes to issue State-Only (Synthetic Minor) Operating Permit 17-00008. The proposed renewal operating permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping, and reporting conditions regarding compliance with all applicable requirements are included.

59-00008: Tennessee Gas Pipeline Company, LLC, (1001 Louisiana Street, Houston TX 77002) for their transmission station facility located in Charleston Township, **Tioga County**. The facility's stationary air contaminant sources include three (3) small natural gas-fired combustion units (rated heat input < 1 MMBtu/hr, each). The facility has the potential to emit particulate matter, nitrogen oxides, carbon monoxide, volatile organic compounds, hazardous air pollutants and sulfur oxides below the major emission thresholds. The proposed operating permit contains applicable requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

55-00009: Conestoga Wood Specialties Corporation (441 West Market Street, Beavertown, PA 17813) on February 23, 2012, to issue a renewal state only operating permit for their facility located in the Borough of Beavertown, **Snyder County**. The facility's sources include four woodworking systems, three wood chip and sawdust loading operations, two boilers, one spray booth, one natural gas fired emergency generator, one diesel

fired fire sprinkler system pump, and one parts washer. The proposed state only (synthetic minor) operating permit contains all applicable Federal and State regulatory requirements including monitoring, recordkeeping, and reporting conditions.

08-00029: PPL Renewable Energy LLC, (Two North Ninth Street, Allentown, PA 18101) for their landfill gas to energy facility located in West Burlington Township, **Bradford County**. The facility consists of a 1,600 kilowatt landfill gas fired reciprocating internal combustion engine and gen set. The facility has the potential to emit particulate matter, nitrogen oxides, carbon monoxide, volatile organic compounds, hazardous air pollutants and sulfur oxides below the major emission thresholds. The proposed operating permit contains applicable requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

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

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

25-00045: Saint Vincent Health Center (232 West 25th Street, Erie, PA 16544), for renewal of the State Only Operating Permit for the health center located in the City of Erie, **Erie County**. The sources at the facility include three natural gas-fired boilers, a histology lab, and 3 diesel-fired emergency generators. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

25-00069: BASF Corporation (1729 East Avenue, Erie, PA 16503), for renewal of the State Only Operating Permit for the facility located in the City of Erie, **Erie County**. The sources at the facility include three natural gas-fired boilers, pneumatic conveyors, loaders, load hoppers, cone mixer, blenders, reactors, reduction vessels, acid removal ovens, catalyst dryers, and tableting operations for the manufacture of metal based catalysts. This facility is a natural minor. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

37-00185: Universal Refractories (PO Box 97, 915 Clyde Street, Wampum, PA 16157), for renewal of the State Only Operating Permit for the non-clay refractory manufacturing facility located in Wampum Borough, **Lawrence County**. The sources at the facility include, 4 drying ovens, refractory finishing sander #5 (controlled by a baghouse), magnesium oxide processing (controlled by a baghouse), bulk blending (controlled by a baghouse), and miscellaneous natural gas usage. The facility is a synthetic minor due to the elective emission restriction on hazardous air pollutants of 9.9 TPY of phenol. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

The City of Philadelphia, Air Management Services (AMS) intends to issue a Minor State Only Operating Permit for the following facility:

S11-006: Amuneal Manufacturing Corp. (at 4737 Darrah St., Philadelphia, PA 19124) for the operation of a sheet metal fabrication facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes a batch vapor degreaser.

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

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

S11-024: Perfectseal (9800 Bustleton Avenue, Philadelphia, PA 19116) for the operation of a paper and paper products facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three boilers (less than 10 MMBtu/hr), five presses, one coater, one coater with 2 MMBtu/hr drying oven, trim systems, mixing operations, baghouse, and two cyclones.

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

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

PLAN APPROVALS

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

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

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

54-399-052: Honeywell International Inc. (98 Westwood Road, Pottsville, PA 17901) for their facility in Norwegian Twp., **Schuylkill County**

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Honeywell International Inc. (98 Westwood Road, Pottsville, PA 17901) for their facility located in Norwegian Twp., Schuylkill County. This Plan Approval No. 54-399-052 will be incorporated into the company's State Only Permit through an administrative amendment at a later date.

Plan Approval No. 54-399-052 is for the installation of a new Pelletizing line with cyclones. VOC emissions from the plant will remain under 50 TPY threshold limit, 12-month rolling sum. Particulate emissions will not exceed 0.02 grains/dscf. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code § 123.41 for Visible emissions. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 54-399-052 and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone # 570-826-2511 within 30 days after publication date.

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

03801302 and NPDES No. PA0235385, Keystone Coal Mining Corporation, (P. O. Box 219, 400 Overview Drive, Shelocta, PA 15774), to renew the permit for the Margaret No. 7 Mine Water Treatment Plant in Plumcreek and Cowanshannock Townships, **Armstrong County** and related NPDES for reclamation/water treatment only. No additional discharges. The application was considered administratively complete on March 13, 2012. Application received: September 1, 2011.

30841312 and NPDES No. PA0013790, Consolidation Coal Company, (1 Bridge Street, Monongah, WV 26554), to revise the permit for the Blacksville Mine No. 2 in Jackson, Gilmore, and Wayne Townships, **Greene County** to add underground permit and subsidence control plan area acres for longwall mining. Potential stream restoration for stream flow loss from longwall mining may be necessary for three areas of Bloody Run, two areas of Roberts Run, and one area of Negro Run. Underground Acres Proposed 2161.1, Subsidence Control Plan Acres Proposed 3260.8. Application also includes a request for a Section 401 Water Quality Certification. No additional discharges. The application was considered administratively complete on March 15, 2012. Application received: July 19, 2011.

63831302 and NPDES No. PA0213608, Eighty Four Mining Company, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323), to revise the permit for the Mine No. 84 in Amwell Township, **Washington County** for a land use change on 11.8 surface acres at the SW Mains #3 Air Shaft site from pastureland to industrial/commercial. No additional discharges. The application was considered administratively complete on March 15, 2012. Application received: July 12, 2011.

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

56120106 and NPDES No. PA0268984. PBS Coals, Inc., 1576 Stoystown Road, P. O. Box 260, Friedens, PA 15541, commencement, operation and restoration of a bituminous surface and auger mine in Quemahoning Township, **Somerset County**, affecting 150.4 acres. Receiving stream(s): UTS to/and Stonycreek River classified for the following use(s): trout stocked fishery; cold water fishery. The first downstream potable water supply intake from the point of discharge is Hooversville Municipal Authority. This application also includes a stream encroachment for a proposed haulroad crossing over unnamed tributary A. Application received: March 2, 2012.

32120101 and NPDES No. PA0268976. Amerikohl Mining, Inc., 1384 State Route 711, Stahlstown, PA 15687, commencement, operation and restoration of a bituminous surface mine in East Wheatfield Township, **Indiana County**, affecting 219.8 acres. Receiving stream(s): Blacklick Creek; UTS to/and Mardis Run classified for the following use(s): cold water fishery and trout stocked fishery. There are no potable water supply intakes within 10 miles downstream. The application includes a stream and wetland encroachment. The stream encroachment is necessary to upgrade an existing haulroad near the intersection with SR-0056. The wetland encroachment is necessary to remove coal along the Upper Kittanning cropline. The application also includes a request for a Section 401 Water Quality Certification. Application received: February 29, 2012.

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

1192-33850118-E-1. P. and N. Coal Co., Inc. (P. O. Box 332, Punxsutawney, PA 15767) Application for a stream encroachment to utilize an existing stream crossing over an unnamed tributary to Soldier Run in Winslow Township, **Jefferson County**. Receiving streams: Three unnamed tributaries to Soldier Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: March 9, 2012.

16070101. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) Renewal of an existing bituminous surface mine in Monroe Township, **Clarion County** affecting 166.0 acres. Receiving streams: Unnamed tributaries to Brush Run and Brush Run, unnamed tributary to Piney Creek, all classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. This renewal is for reclamation only. Application received: March 16, 2012.

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

54920201R4. Northeastern Power Company, (P. O. Box 7, McAdoo, PA 18237), renewal of an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation in Kline and Packer Townships, **Schuylkill and Carbon Counties** affecting 876.0 acres,

receiving stream: unnamed tributary to the Little Schuylkill River, classified for the following use: cold water fishes. Application received: March 13, 2012.

Noncoal Applications Received

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

29120801. TMS Excavating, LLC, 226 Reservoir Road, McConnellsburg, PA 17233, commencement, operation and restoration of a small noncoal operation in Ayr Township, **Fulton County**, affecting 4.1 acres, receiving stream(s): Big Cove Creek. Permit received: March 5, 2012.

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

7976SM2C10 and NPDES Permit No. PA0122351. Eureka Stone Quarry, Inc., (P. O. Box 249, Chalfont, PA 18914), renewal and modification of NPDES Permit for discharge of treated mine drainage from a quarry operation in Warrington Township, **Bucks County** affecting 134.9 acres, receiving stream: unnamed tributary to Neshaminy Creek, classified for the following uses: trout stock fishes and migratory fishes. Application received: March 8, 2012.

7774SM3A1C7 and NPDES Permit No. PA0224499. Eastern Industries, Inc., (4401 Camp Meeting Road, Center Valley, PA 18034), correction to an existing quarry operation to modify NPDES Permit for discharge of treated mine drainage in Maxatawny Township, **Berks County**, receiving stream: Saucony Creek, classified for the following use: trout stock fishes. Application received: March 9, 2012.

66090301 and NPDES Permit No. PA0225274. Noxen Sand & Materials, (2162 Chase Road, Shavertown, PA 18708), NPDES Permit for discharge of treated mine drainage from a quarry operation in Noxen Township, **Wyoming County** affecting 24.5 acres, receiving stream: Beaver Run, classified for the following use: HQ-cold water fishes. Application received: March 16, 2012.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

* The parameter is applicable at all times.

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

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

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

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

Effluent Limits for Noncoal Mining Activities

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

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

* 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. (N/A) (Mining permit no. 56060107), Coal Loaders, Inc., 210 East Main Street, Ligonier, PA 15658, renewal of an NPDES permit for surface coal mining operation in Quemahoning Township, **Somerset**

County, affecting 45.9 acres. Receiving stream(s): Higgins Run, classified for the following use(s): high quality cold water fishery. This receiving stream is included in the Kiskiminetas-Conemaugh River TMDL. Application received: November 17, 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 require a non-discharge alternative:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
Treatment Pond 1	No
Treatment Pond 3	Yes
Sediment Pond 1	No
Sediment Pond 2	No
Sediment Pond 3	Yes

NPDES No. PA0268950 (Mining permit no. 56120104), Marquise Mining Corporation, P. O. Box 338, Blairsville, PA 15717 new NPDES permit for surface mining in Lincoln Township, **Somerset County**, affecting 72.0 acres. Receiving stream(s): unnamed tributaries to Quemahoning Creek, classified for the following use(s): cold water fisheries. This receiving stream is included in the Kiskiminetas-Conemaugh TMDL. Application received: February 22, 2012.

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

The treated wastewater listed below discharge to unnamed tributary to Quemahoning Creek.

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

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

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

The stormwater outfalls listed below discharge to unnamed tributary to Quemahoning Creek.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
002, 003	Yes

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

<i>Outfalls: 002, 003</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>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			

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

NPDES No. 0257753 (Mining permit no. 14110101), Larry D. Baumgardner Coal Co., Inc., PO Box 186, Lanse, PA 16849, new NPDES permit for bituminous coal surface mining in Snow Shoe Township, **Centre County**, affecting 33.6 acres. Receiving streams: North Fork Beech Creek classified for the following use: Cold Water Fishery (Beech Creek Basin TMDL). Application received: July 14, 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 listed below discharges to: Unnamed Tributary to North Fork Beech Creek.

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TFA	Y
TFB	Y

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	1.5	1.9
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)				50

¹ The parameter is applicable at all times.

Noncoal NPDES Draft Permits

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

NPDES No. PA0259217 (Permit No. 61110304). Glenn O. Hawbaker, Inc. (1952 Waddle Road, State College, PA 16803) New NPDES permit for a large industrial minerals surface mine in Barkeyville Borough, **Venango County**, affecting 144.0 acres. Receiving streams: Unnamed tributaries to East Branch Wolf Creek and unnamed tributary to North Branch Slippery Rock Creek, both classified for the following uses: CWF. TMDL: None. Application received: December 15, 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 noncoal mining activities.

The outfall(s) listed below discharge to unnamed tributary No. 2 to North Branch Slippery Rock Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TA	Y
TA-1	Y

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		1.5	3.0	3.75
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.75	1.5	1.88
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (milliosmoles/kg)				50

¹ The parameter is applicable at all times.

The outfall(s) listed below discharge to unnamed tributary No. 3 to East Branch Wolf Creek:

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

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		1.5	3.0	3.75
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (milliosmoles/kg)				50

¹ The parameter is applicable at all times.

The outfall(s) listed below discharge to unnamed tributary No. 2 to North Branch Slippery Rock Creek and unnamed tributaries Nos. 1 and 3 to East Branch Wolf Creek:

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

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

Parameter	Minimum	30-Day Average	Daily Maximum	Instant. Maximum
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)				7.0
Alkalinity greater than acidity ¹				
Total Settleable Solids (ml/l)				0.5

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

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

Applications Received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 79.302) 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

E51-251. 121Point Breeze Management Corporation, 6300 W. Passyunk Avenue, Philadelphia, PA 19153-3517, City and County of Philadelphia, ACOE Philadelphia District.

To construct and maintain approximately 450 linear feet of 7.5-foot wide walkway and approximately 763 square feet of timber pile supported dock in and along the Schuylkill River (WWF, MF). The facility will include two 10-inch petroleum pipelines from the dock to the existing Point Breeze facility.

The site is located approximately 14,500 feet upstream of the confluence of the Schuylkill River with the Delaware River (Philadelphia, PA-NJ USGS Quadrangle North 6.5 inches; West 12.75 inches).

Southcentral Region: Watershed Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717-705-4802.

E06-667: Borough of Kutztown, 45 Railroad Street, Kutztown, Pennsylvania 19530, in Maxatawny Township, Berks County, ACOE Philadelphia District

To: 1) remove 6,702.0 square feet of wastewater treatment structures from the 100-year flood-plain and install and maintain 7,497.0 square feet of wastewater treatment structures and 1,148.0 cubic yards of fill in the 100-year floodplain of the Sacony Creek (TSF, MF); and 2) install and maintain a 5.3-foot x 7.3-foot valve chamber and a 14.0-inch force main, below grade, in the floodway of the Sacony Creek (TSF, MF), all for the purpose of upgrading and expanding an existing sewage treatment plant. The project is located at 503 Krumsville Road, just north of Route 222, (Kutztown, PA Quadrangle; N: 5.1 inches, W: 4.6 inches; Latitude: 40°31'40", Longitude: -75°47'03") in Maxatawny Township, Berks County.

E38-179: Pa. Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, Pennsylvania 17103, in Millcreek Township, Lebanon County, ACOE, Philadelphia District

To: 1) remove the existing superstructure and construct and maintain a two-span spread box beam superstructure having two clear spans of 29.81 feet, a width of 31.00 feet, and a minimum underclearance of 4.17 feet across Mill Creek (TSF, MF) set on the existing concrete abutments and pier, and 2) to temporarily impact 0.01 acre of PEM wetland at the proposed bridge location, all for the purpose of improving transportation safety and roadway standards. The project is located along SR 2014 (Furnace Road) (Womelsdorf, PA Quadrangle; N: 20.7 inches, W: 13.8 inches; Latitude: 40°21'50", Longitude: -76°13'27") in Millcreek Township, Lebanon County.

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636

E17-471. United Electric Cooperative, Inc., PO Box 688, DuBois, PA 15801-0688. Merrill Road Power Line Extension Project, Girard Township, Clearfield County, ACOE Baltimore District (The Knobs, PA Quadrangle, Latitude: 41° 13' 17.07"; Longitude: 78° 18' 27.95").

The applicant describes the project as the installation of a new 5.4 mile overhead power line along Merrill Road through the Quehanna Wild Area of Moshannon State Forest from north of McNerney Run south to Caledonia Pike. The coordinates of the endpoints are 41° 13' 17.07"; 78° 18' 27.95" (north end) and 41° 10' 19.28"; 78° 18' 9.59" (south end). Activities required to complete the project include the clearing of forested vegetation within 25 feet of the power line and setting of new poles every 250 feet. Most of the poles will be installed along Merrill

Road and Caledonia Pike and can be placed with equipment situated on the roads; thereby, reducing the total earth disturbance. There are delineated wetlands within the project area and a permanent 12 square foot impact will occur in one wetland where three poles will be installed. Temporary wetland impacts will total 4,400 square feet and are a result of installing a temporary access road across a large wetland to install the poles. All impacts associated with the temporary structures, approved by this permit, shall be temporary impacts for which no mitigation is required. The project will also result in overhead crossing of Gifford and McNerney Runs as well as two unnamed tributaries of Gifford Run.

Only one temporary stream crossing is necessary for the project and it is located on McNerney Run. Since McNerney Run is listed as a wild trout stream, no in-stream work will be permitted between October 1 and December 31 without prior written approval from the Pennsylvania Fish and Boat Commission.

E17-475. Houtzdale Municipal Authority, 561 Kirk Street, Houtzdale, PA 16651-8817. Ramey Water Main Replacement Project, Gulich and Woodward Townships, **Clearfield County**, ACOE Baltimore District (Ramey, PA Quadrangle, Latitude: 40° 18' 18.58"; Longitude: 78° 23' 36.98").

The applicant has proposed to replace, operate and maintain existing 71,000-feet of the Ramey Water Supply pipeline with an 8-inch diameter main line and laterals requiring encroachment of the following Four (4) waterways and three (3) wetlands:

<i>Encroachment ID</i>	<i>Activity</i>	<i>Resource</i>	<i>Water Quality</i>	<i>Latitude</i>	<i>Longitude</i>
Beaver Run	Permanent Water Line	Stream	CWF-MF	40° 48' 36"	78° 23' 24"
Wetland 1	Permanent Water Line	Wetland	CWF	40° 48' 28"	78° 23' 32"
Wetland 2	Permanent Water Line	Wetland	EV	40° 48' 37"	78° 23' 24"
Wetland 3	Permanent Water Line	Wetland	CWF	40° 48' 41'	78° 23' 20"
Beaver Run Trib. 1	Permanent Water Line	Stream	CWF	40° 48' 24"	78° 23' 35"
Beaver Run Trib. 2	Permanent Water Line	Stream	CWF	40° 48' 41"	78° 23' 20"
Beaver Run Trib. 3	Permanent Water Line	Stream	CWF	40° 48' 48"	78° 23' 12"

Construction of the pipeline, crossing the above listed waterways, shall be performed in dry work conditions by boring and dam and pumping or fluming stream flow around the work area. Since Beaver Run is a wild trout fishery, no construction or future repair work shall be completed in or along the stream channels between October 1 and December 31 without prior written approval from the Pennsylvania Fish and Boat Commission. The project is located along the southern right-of-way of SR 0253 (Ramey, PA Quadrangle, Latitude: 40° 18' 18.58"; Longitude: 78° 23' 36.98") in Gulich Township and Woodward Township, Clearfield County. This permit also authorizes construction, operation, maintenance and removal of temporary road crossings, cofferdams and stream diversion necessary for construction activities. All impacts associated with the temporary structures approved by this permit shall be temporary impacts, for which no mitigation is required. The project poses 0.164 of wetland impact for water pipeline crossing, for which the applicant offered no mitigation.

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

E03-457. Pennsylvania Department of Transportation Engineering District 10-0, 2550 Oakland Avenue, Indiana, PA 15701, in Boggs Township, **Armstrong County**; ACOE, Pittsburgh District.

The applicant is proposing to do the following:

1. remove the existing SR 28 two lane, 42 foot wide by 26 foot long single span bridge having a minimum underclearance of 7.5 feet; construct and maintain a replacement two lane 45.5 foot wide by 210 foot long two span bridge having a minimum underclearance of 23 feet in Pine Creek (HQ-CWF) with a drainage area of 3.5 square miles;

2. remove the existing SR 28, 6 foot wide, 3.5 foot radius, open bottom arch culvert having a total length of 83 feet; construct and maintain a replacement 6 foot diameter 132 foot long RCP enclosure depressed 1 foot in an unnamed tributary to Pine Creek (HQ-CWF) with a drainage area of 0.14 square mile;

3. remove the existing SR 1018, 3 foot diameter culvert having a total length of 261 feet; construct and maintain a replacement 6 foot diameter 48 foot long RCP culvert depressed 1 foot in an unnamed tributary to Pine Creek (HQ-CWF) with a drainage area of 0.14 square mile;

4. in addition a total of 0.22 acre of permanent PEM/PSS exceptional value wetland will be filled and maintained; construct and maintain 260 feet of stream relocation on drainage areas less than 100 acres; installation of road associated stormwater outfalls; and stream and wetland mitigation will be created at the site.

This project is associated with Slabtown SR 28 improvement work with these encroachments extending approximately 0.25 mile east and 0.25 mile west of the SR 28 intersection with SR 1018 in the Boggs Township, Armstrong County (beginning Templeton PA Quadrangle, North 0.4 inch and West 3.4 inches; Latitude 40° 52' 38" and Longitude -79° 23' 59" and extending North 0.7 inch and West 2.6 inches; Latitude 40° 52' 40" and Longitude -79° 23' 40").

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

E25-745, Arneman Place Limited Partnership, 229 Huber Village Boulevard, Suite 100, Westerville, OH 43081. Arneman Place Residential Development, in Harborcreek Township, **Erie County**, ACOE Pittsburgh District (Erie North, PA Quadrangle N: 42°, 09', 11.4"; W: -80°, 00', 19.8").

To permanently fill 0.92 acre of palustrine emergent/scrub shrub wetlands and temporarily impact 0.08 acre of palustrine forested wetlands within the watershed of Fivemile Creek (CWF, MF) for the construction of a housing development and associated infrastructure at a point approximately 600 feet northeast of the Iroquois Avenue and Nagle Road intersection. The applicant proposes to mitigate for the wetland impacts by constructing 1.01 acres of on-site replacement wetlands.

E42-353, SWEPI, LP, 190 Thorn Hill Rd., Warrendale, PA 15086. North Fork Chappel Fork Encroachment in Hamilton Township, **McKean County**, ACOE Pittsburgh District (Westline, PA Quadrangle N: 41°, 49', 06.0"; W: 78°, 51', 28.8").

To replace and maintain an existing four culvert crossing of North Fork Chappel Fork (16' bed width) with a 13' wide by 40' clear span pre-fabricated steel bridge placed on precast concrete blocks (2x2x4) and a 4" compacted crushed stone base (providing a 36' waterway opening) and an additional four secondary 18" dia. 55' high density polyethylene (HDPE) culvert pipes set 12' on center, embedded 6" below grade and yielding a 1' minimum cover.

E62-428, Youngsville Borough, 40 Railroad Street, Youngsville, PA 16371. Brokenstraw Creek Bike/Hike Trail, in Youngsville Borough, **Warren County**, ACOE Pittsburgh District (Youngsville, PA Quadrangle N: 41°, 40', 34"; W: -79°, 35', 33").

To construct and maintain a multiuse recreational trail parallel to and in the floodplain of Brokenstraw Creek (CWF) beginning at Island Park and ending at a point near the Route 6 interchange in the Borough of Youngsville. The proposed trail will have a total length of approximately 2 miles, an average width of 8 feet, and will permanently impact approximately 0.044 acre of Palustrine Scrub Shrub wetlands.

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

E5729-029: Chesapeake Appalachia, LLC, 101 North Main Street, Athens, PA 18810, Fox Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate and maintain:

1. two 16 inch diameter temporary waterlines and a timber mat bridge impacting 29 linear feet of an unnamed tributary to Porter Creek (EV, MF) and adjacent Palustrine Emergent Wetland (EV) impacting 856 square feet (Shunk, PA Quadrangle Latitude: 41°34'01", Longitude: -76°43'23"),

2. two 16 inch diameter temporary waterlines and a timber mat bridge impacting 22 linear feet of an unnamed tributary to Porter Creek (EV, MF) (Shunk, PA Quadrangle Latitude: 41°33'58", Longitude: -76°43'17"),

3. two 16 inch temporary waterlines and a timber mat bridge across a Palustrine Forested Wetland and Palustrine Scrub-Shrub Wetland (EV). Impacted Area: 1,386 square feet (Shunk, PA Quadrangle, Latitude: 41°33'58", Longitude: -76°43'13"),

4. two 16 inch diameter temporary waterlines and a timber mat bridge impacting 15 linear feet of an unnamed tributary to Porter Creek (EV, MF) and adjacent

Palustrine Forested Wetland (EV) impacting 171 square feet (Shunk, PA Quadrangle Latitude: 41°33'53", Longitude: -76°42'40"),

5. two 16 inch diameter temporary waterlines and a timber mat bridge impacting 13 linear feet of an unnamed tributary to Porter Creek (EV, MF) (Shunk, PA Quadrangle Latitude: 41°33'54", Longitude: -76°42'39"),

The project will result in 79 linear feet and 291 square feet of temporary stream impacts and 2,413 square feet (0.06 acre) of temporary PEM, PSS and PFO wetland impacts from temporary waterlines and timber mat bridge crossings all for the purpose of establishing a temporary water supply for Marcellus well development.

E5729-025: Appalachia Midstream Services, LLC, 100 IST Center, Horseheads, NY 14845, Cherry and Forks Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

(1) a temporary road crossing using a wood matting and a 16 inch diameter gathering line impacting 4,085 square feet of a palustrine emergent (PEM) wetland (Overton, PA Quadrangle 41°32'57"N, 76°30'28"W);

(2) a temporary road crossing using a wood matting and a 16 inch diameter gathering line impacting 1,585 square feet of a palustrine emergent (PEM) wetland (Overton, PA Quadrangle 41°33'03"N, 76°30'21"W);

(3) a temporary road crossing using a steel mobile bridge and a 16 inch diameter gathering line impacting 192 linear feet of an unnamed tributary to Black Creek (EV) (Overton, PA Quadrangle 41°33'11"N, 76°30'02"W);

(4) a temporary road crossing using a wood mat bridge and a 16 inch diameter gathering line impacting 161 linear feet of an unnamed tributary to Black Creek (EV) (Dushore, PA Quadrangle 41°33'14"N, 76°29'53"W);

(5) a temporary road crossing using a wood mat bridge and a 16 inch diameter gathering line impacting 91 linear feet of an unnamed tributary to Black Creek (EV) (Dushore, PA Quadrangle 41°33'14"N, 76°29'50"W);

(6) a temporary road crossing using a steel mobile bridge and a 16 inch diameter gathering line impacting 192 linear feet of an unnamed tributary to Black Creek (EV) (Dushore, PA Quadrangle 41°33'15"N, 76°29'01"W);

(7) a temporary road crossing using a wood mat bridge and a 6 inch diameter gathering line impacting 156 square feet of a palustrine emergent (EV-PEM) wetland (Dushore, PA Quadrangle 41°33'17"N, 76°29'00"W);

(8) a permanent access road using a 40 foot long 71 inch wide by 47 inch high arch culvert impacting 43 linear feet of an unnamed tributary to Black Creek (EV) and 958 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Dushore, PA Quadrangle 41°33'09"N, 76°28'35"W);

(9) a 6 inch diameter gathering line impacting 11 linear feet of an unnamed tributary to Black Creek (EV) (Dushore, PA Quadrangle 41°33'06"N, 76°28'38"W).

The project will result in 40 linear feet of permanent stream impacts, 650 linear feet of temporary stream impacts and, 6,784 square feet (0.16 acre) of temporary wetland impacts all for the purpose of installing a gathering line and associated access roads for Marcellus well development in Forks and Cherry Townships, Sullivan County.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT
FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0033472 (Sewage)	Camp Starlight 151 Starlight Lake Road Starlight, PA 18461	Wayne County Preston Township	Unnamed Tributary to Shehawken Creek (01A)	Y
PAS802222 (Storm Water)	Male Road Industrial Properties, L.P. 593 Male Road Wind Gap, PA 18091	Northampton County Plainfield Township	Unnamed Tributary to Little Bushkill Creek (1-F)	Y
PA0063037 (Sewage)	Stoney Creek Hotel Route 903 and Smith Road Albrightsville, PA 18229	Carbon County Penn Forest Township	Stoney Creek (2-B)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0228311 A-1 (Sewage)	Brady Township Northwest WWTP 1986 Elimsport Road Montgomery, PA 17752	Lycoming County Brady Township	Unnamed Tributary to Black Hole Creek (10-C)	Y
PA0228435 A-1 (Sewage)	Brady Township Southeast WWTP Fritz Station Road Montgomery, PA 17752	Lycoming County Brady Township	Unnamed Tributary to Black Run (10-C)	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>
PA0100889 (Sewage)	Richard S. Wasielewski Water Treatment Plant 2350 West 4th Street, Erie, PA 16505	Erie County Millcreek Township	Presque Isle Bay (15)	Y
PA0221961 (Sewage)	Timberlee Valley STP Smalstig Road, Evans City, PA 16033	Butler County Connoquenessing Township	Crab Run (20-C)	Y
PA0221589 (Industrial Waste)	Linesville Business Park 764 Bessemer Street Suite 101 Meadville, PA 16335	Crawford County Linesville Borough	Linesville Creek (20-A)	Y

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

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

NPDES Permit No. PA0035769, IW, JBS Souderton Inc., P. O. Box 395, Souderton, PA 18964.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated industrial wastewater and storm water runoff from a facility known as JBS Souderton Facility to Skippack Creek and Unnamed Tributary to Skippack Creek in Watershed 3-E.

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

PA0234036, SIC Code, Reagent Chemicals & Research Inc., 115 Us Highway 202, Ringoes, NJ 08851. Facility Name: Reagent Chemicals Williamsport Site. This proposed facility is located in Williamsport City, **Lycoming County**.

Description of action: The action is for a new NPDES permit for a new discharge of treated rinse water from HCl trucks and from stormwater.

The receiving stream(s), Unnamed Tributary of West Branch Susquehanna River, is located in State Water Plan watershed 10-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The effluent limits for Outfall 001 are based on a design flow of 0.00005 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30

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

- Stormwater requirements
- Proper disposal of sludge
- Receiving stream impact condition

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is in effect.

PA0234079, Sewage, SIC Code 4952, **Tiadaghton Valley Municipal Authority (TVMA)**, 232 Smith Street, Jersey Shore, PA 17740. Facility Name: Tiadaghton Valley Municipal Authority WWTP. This approved facility will be located in Nippenose Township, **Lycoming County**.

Description of Activity: The action is for a new NPDES permit for a new discharge of treated sewage.

The receiving stream(s), West Branch Susquehanna River, is located in State Water Plan watershed 10-A and is classified for aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The effluent limits for Outfall 001 are based on a design flow of 1.05 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
CBOD ₅	218	350	XXX	25	40	50
Total Suspended Solids	262	394	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX
UV Dosage (mjoules/cm ²)	XXX	XXX	Report	XXX	XXX	XXX

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

Parameters	Mass (lbs)			Concentration (mg/l)	
	Monthly	Annual	Minimum	Monthly Average	Maximum
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	19178			
Net Total Phosphorus	Report	2557			

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Trading of Nutrients and Sediment Reduction Credits Policy and Guidelines (Document #392-0900-001, December 30, 2006). The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department. All annual loads must be report by November 28th each year.

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

- Chesapeake Bay Nutrient Requirements
- Solids Management
- Sludge Disposal Requirements
- WET Test Condition
- Termination of Jersey Shore Borough's NPDES permit upon substantial completion of TVMA

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is in effect.

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

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

WQM Permit No. 2312401, Sewage **Delaware County Regional Water Quality Control Authority**, P. O. Box 999, Chester, PA 19016-0999.

This proposed facility is located in Rose Valley Borough, **Delaware, County**.

Description of Action/Activity: The previous chlorination system that used chlorine gas is being replaced by one that uses a sodium hypochlorite solution. The previous dechlorination system used sodium sulfite tablets is being replaced by one that used sodium thiosulfate dry crystals.

WQM Permit No. 4611402, Sewage, **West Norriton Township**, 1630 West Marshall Street, Jeffersonville, PA 19403-3236.

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

Description of Action/Activity: Rehabilitation of existing pump station and force main replacement.

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

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

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

WQM Permit No. 0912401, Sewage, **Wrightstown Township**, 2033 Second Street Pike, Wrightstown, PA 18940.

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

Description of Action/Activity: Construction and operation of a wastewater treatment system, individual grinder station and force main conveyance to treatment lagoon.

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

WQM Permit No. 2180402, Amendment 12-1, Sewerage, **Hampden Township Sewer Authority**, 230 South Sporting Hill Road, Mechanicsburg, PA 17055.

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

Description of Proposed Action/Activity: Permit approval for the construction/operation of sewerage facilities consisting of a wastewater Treatment Plant upgrade.

WQM Permit No. 2111405, Sewerage, **Greencastle Borough**, 60 North Washington Street, Greencastle, PA 17225-1230.

This proposed facility is located in Greencastle Borough, **Franklin County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of the Washington Street Pumping Station and Generator Replacement.

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

WQM Permit No. 5311201, CAFO Operation 0241, **Four Winds Dairy, LLC**, 400 Van Etten Road, Ulysses, PA 16948

This proposed facility is located in Harrison Township, **Potter County**.

Description of Proposed Action/Activity: Four Winds Dairy, LLC, an existing dairy farm, proposes construction of a new 4.06 MG, HDPE-lined, manure storage facility impoundment with related manure transfer piping. The new and existing manure storage facilities will hold a total stored volume of approximately 6.27 MG of manure. The proposed facility is designed with a leak detection system.

WQM Permit No. 4111201, Sewerage 4952, **Reagent Chemicals & Research Inc.**, 115 US Highway 202, Ringoes, NJ, 08851.

This facility will be located in Williamsport City, **Lycoming County**.

Description of Proposed Action/Activity: The applicant is approved to for the construction and operation of a wastewater treatment facility at a new hydrochloric acid rail car transloading facility. The water treatment facility will treat stormwater and truck rinse water (50 gallons per day) via a neutralization tank, a downstream valve box with a discharge pump, miscellaneous valves, piping and appurtenances.

WQM Permit No. 4111404, Sewerage 4952, **Tiadagton Valley Municipal Authority**, 232 Smith Road, PO Box 526, Jersey Shore, PA 17740.

This facility will be located in Nippenose Township, **Lycoming County**.

Description of Proposed Action/Activity: The applicant is approved to for the construction and operation of a new WWTP plant consisting of headworks (bar screen, manual screen, and Fluidyne Vortex Grit Removal System), 3 ISAM sequencing batch reactor (SBRs) processes, operating in parallel, consisting of: an anaerobic selector tank, a surge anoxic mix tank, and an aerobic reactor (SBR) tank. Also approved is the chemical addition of alum (aluminum sulfate) and carbon (glycerine), a post equalization basin, ultraviolet disinfection, sludge processing facilities (sludge conditioning tank and 2 rotary fan presses), and all support systems for the aforementioned facilities such as appropriate buildings, flow metering, pumps, blowers, air systems, electrical system, instrumental control systems, and all other facilities as proposed in Water Quality Management Permit Application No. 4111404.

This permit also approves the Jersey Shore Pump Station and associated force main, and the Antes Fort Collection System and 3 associated pump stations as described in Water Quality Management Permit Application No. 4111404.

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

WQM Permit No. 1008201, Industrial Waste, **Amendment, Seneca Landfill, Inc.**, 121 Brickyard Road, Mars, PA 16046.

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

Description of Proposed Action/Activity: This amendment approves the construction/operation of industrial wastewater facilities.

IV. NPDES Stormwater Discharges from MS4 Permit Actions**V. NPDES Waiver Stormwater Discharges from MS4 Actions****VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions**

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 2305004	The Rouse Group Development Company, LP 2109 Bellemead Avenue Haverford, PA 19083	Delaware	Newtown Township	Crum Creek (HQ-CWF)
PAI01 511104	Krewstown Shopping Center Associates 212 Walnut Street Philadelphia, PA 19106	Philadelphia	City of Philadelphia	Pennypack Creek (TSF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023905018R	Frank Tercha & Kate E. M. Tercha 1919 Tercha Road Fogelsville, PA 18051	Lehigh	Weisenberg Twp.	UNT to Schaefer Run, HQ-CWF, MF; Lyon run, HQ-CWF, MF

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>
Elk Township Clarion County	PAG-02 101612003	BAMR P. O. Box 8461 Harrisburg, PA 17105-8461	UNT to Judith Run [Ohio Basin, Sub basin Number 17, The Central Allegheny Watershed B, Lower Clarion River]	BAMR P. O. Box 8461 Harrisburg, PA 17105-8461 717-783-7924

<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>
Upper Makefield Township Bucks County	PAG0200 0903185-R	Toll Brothers, Inc. 250 Gibraltar Road Horsham, PA 19044	Unnamed Tributary Jericho Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Wrightstown Township Bucks County	PAG0200 0904131-1-R	Toll Brothers, Inc. 250 Gibraltar Road Horsham, PA 19044	Newtown Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bensalem and Lower Southampton Townships Bucks County	PAG0200 0911080	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010	Unnamed Tributary Neshaminy and Poquessing Creeks (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Southampton Township Bucks County	PAG0200 0911054	Upper Southampton Township 939 Street Road Southampton, PA 18966	Southampton Creek (MF-TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Northampton Township Bucks County	PAG0200 0911013	Council Rock School District 30 North Chancellor Street Newtown, PA 18940	Delaware River Basin (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Newtown Township Delaware County	PAG0200 2312003	National Realty Company 1001 Baltimore Pike Springfield, PA 19064	Crum Creek (CWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Chester Heights Borough Delaware County	PAG0200 2307018-1	DiIgnazio Development, Inc. 611 Potter Court Media, PA 19063	Chester Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Chester Delaware County	PAG0200 2312001	PA Department of Transportation 1000 Geerdes Boulevard King of Prussia, PA 19406	Chester Creek (MF-WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511117	City of Philadelphia Department of Parks and Recreation 1515 Arch Street, 10th Fl Philadelphia, PA 19102	Delaware Direct Watershed—North (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511137	Stanley's True Value Hardware 5555 Ridge Avenue Philadelphia, PA 19128	Lower Schuylkill River (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511201	Philadelphia Parks and Recreation One Parkway, 10th Fl 1515 Arch Street Philadelphia, PA 19102	Pennypack Creek and Delaware River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Scranton, Lackawanna County	PAG02003511020	Chris Trevisani Affordable Senior Housing 348 Harris Hill Rd. Williamsville, NY 14221	Lackawanna River, CWF, MF	Lackawanna Co. Cons. Dist. 570-281-9495

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<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>
Conewago Township Adams County	PAG02000111024	Barbara Krebs Borough of Hanover 44 Frederick Street Hanover, PA 17331	South Branch Conewago Creek/WWF	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636
McSherrystown Boro. Adams County	PAG02000110006(1)	Patrick and Elizabeth Sheaffer 1147 Eichelberger Street Hanover, PA 17331	Plum Creek/ WWF	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636
North Heidelberg Township Berks County	PAG02000611042	Russell Bickel 1056 Palisades Drive Leesport, PA 19533	Tulpehocken Creek/TSF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Hampden Township Cumberland County	PAG0200211205018R	Richard Yingst Rey, Inc. 4712 Smith Street Harrisburg, PA 17109	Conodoguinet Creek/ WWF	Cumberland Co Conservation Dist 310 Allen Road, Suite 301 Carlisle PA 17013 717.240.7812
Mechanicsburg Boro. and Monroe and Upper Allen Twps. Cumberland County	PAG02002104024R(1)	Frank Tamanini Trindle Station, LLC 832 Tamanini Way Mechanicsburg, PA 17055	Trindle Spring Run/ CWF	Cumberland Co Conservation Dist 310 Allen Road, Suite 301 Carlisle PA 17013 717.240.7812
North Middleton Township Cumberland County	PAG02002112003	Peter Selan Carlisle Boro. Municipal Auth. 53 West South Street Carlisle, PA 17013	Conodoguinet Creek/ WWF, MF	Cumberland Co Conservation Dist 310 Allen Road, Suite 301 Carlisle PA 17013 717.240.7812
Harrisburg City Dauphin County	PAG02002211036	Norfolk Southern Railway Co. 1200 Peachtree Street, NE 7-142 Atlanta, GA 30309-3579	Paxton Creek/ WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Susquehanna Twp. Dauphin County	PAG02002212004	John E. Noone Riverwatch Properties, LLC 3003 North Front Street, Suite 201 Harrisburg, PA 17110	Susquehanna River/ WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Swatara Township Dauphin County	PAG02002207024R	Triple Crown Corporation 5351 Jaycee Avenue Harrisburg, PA 17112	Beaver Creek/ WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Miller Township Perry County	PAG02035012001	Charles Connell Jr. 2250 Sharons Orchard Lane Newport, PA 17074	UNT to Little Buffalo Creek/ CWF	Perry Co. Conservation District 31 West Main St., PO Box 36 New Bloomfield, PA 17068 717.582.8988

<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>
Penn Township York County	PAG02006705026R	Paul Berkentine 1500 Baltimore Pike Hanover, PA 17331	Oil Creek/ WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
West Manchester Township York County	PAG02006705032R	Kinsley Equities II 6259 Reynolds Mill Road Seven Valleys, PA 17360	Little Conewago Creek/ TSF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
York City York County	PAG02006712003	Kelley Coey 4949 Galaxy Parkway, Suite 5 Warren Heights, OH 44128	South Branch of Codorus Creek/ WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
East Manchester Twp. York County	PAG02006712009	D. Reid Townsend 729 East Pratt Street, Suite 401 Baltimore, MD 21202	Codorus Creek/ WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Conewago Township York County	PAG02006706044R	J. G. Leasing Co., Inc. Hillside Orchards 2780 York Haven Rd., PO Box 8 York Haven, PA 17370	Locust Run/ TSF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430

Northcentral Region: Waterways & Wetlands Program Manager, 208 W Third Street, Williamsport, Pa 17701

<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>
Athens Township Bradford County	PAG02000812006	Art Sherwood Susquehanna Hospitality LLC 415 Sherwood Ln Tunkhannock PA 18657	Chemung River WWF	Bradford County Conservation District Stoll Natural Resource Center 200 Lake Rd Ste E Towanda PA 18848 (570) 265-5539 X 120
Benner & Spring Townships Centre County	PAG02001405014R	Michael Glass Amberleigh LP PO Box 1998 Lancaster PA 17608	UNTs to Spring Creek & Logan Branch CWFs	Centre County Conservation District 414 Holmes Ave Suite 4 Bellefonte PA 16823 Phone: (814) 355-6817

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

<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>
Findlay Township Allegheny County	PAG02000206024R	Maronda Homes, Inc. 1383 State Route Thirty McMurray, PA 15026	Montour Run (TSF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645

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<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>
Upper St. Clair Township Allegheny County	PAG02000206005R	Thomas Builders 212 Sussex Way McMurray, PA 15317	McLaughlin Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
Pine Township Allegheny County	PAG02000211027	Pine Township 230 Pearce Mill Road Wexford, PA 15090	Pine Creek (CWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
McKees Rocks Borough Allegheny County	PAG02000211038	Blanchard & Calhoun Commercial 2743 Perimeter Parkway Agusta, GA 30909	Chartiers Creek (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
Scott Township Allegheny County	PAG02000211006	HMC Vanadium, LLC 224 Ash Court Wexford, PA 15090	Chartiers Creek (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
West Deer Township Allegheny County	PAG02000211013	Deer Lakes School District PO Box 10 Russellton, PA 15076	Cunningham Run (CWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
Moon Township Allegheny County	PAG02000211014	The Re-Development of Allegheny County 425 Sixth Avenue Pittsburgh, PA 15219	McCalarens Run (TSF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
North Fayette Township Allegheny County	PAG02000205090-1R	Ashford Imperial Associates 103 Gamma Drive Pittsburgh, PA 15238	Robinson Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645

<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>
Municipality of Bethel Park Allegheny County	PAG02000209027-1	Bethel Park School District 301 Church Road Bethel Park, PA 15102	McLaughlin Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
Versailles Borough Allegheny County	PAG02000211028	CSX Transportation 500 Water St., J-275 Jacksonville, FL 32202	Youghiogheny River (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
Moon Township Allegheny County	PAG02000206049-2	Newpointe Realty, Inc. 3016 Fall Brook Dr. Coraopolis, PA 15108	Flaugherty Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
Jefferson Hills Borough Allegheny County	PAG02000206103R	Gill Haul Land Co 375 Golfside Dr Wexford, PA 15090	Lick Run (CWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
Findlay Township Allegheny County	PAG02000211012	The Elmhurst Group 1 Bigelow Square Pittsburgh, PA 15219	Raredon Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
Moon Township Allegheny County	PAG02000206600R	Maronda Homes, Inc 1383 State Route 30 Clinton, PA 15026	Flaugherty Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
Leetsdale Borough Allegheny County	PAG02000211049	The Buncher Co Penn Liberty Plaza Pittsburgh, PA 15222	Ohio River (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645

NOTICES

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<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>
Robinson Township Allegheny County	PAG02000211052	GW Robinson Partners Foster Plaza Nine Pittsburgh, PA 15220	Montour Run (TSF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
Municipality of Bethel Park Allegheny County	PAG02000211018	PA Department of Transportation 45 Thomas Run Road Bridgeville, PA 15017	Peters Creek (TSF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
City of Pittsburgh Allegheny County	PAG02000211016	The Housing Authority of City of Pittsburgh 1000 Ross Street Pittsburgh, PA 15219	Allegheny River (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
Pine Township Allegheny County	PAG02000211024	Pine Township 230 Pearce Mill Rd Wexford, PA 15090	Pine Creek (CWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
North Fayette Township Allegheny County	PAG02000211025	Crossroads United Methodist Church 1000 Crossroads Dr Oakdale, PA 15071	Robinson Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
Frazer Township Allegheny County	PAG02000211035	Springdale Open Bible Church 401 Colfax Street Springdale, PA 15071	Riddle Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
City of Pittsburgh Allegheny County	PAG02000211034	Dept of Public Works 611 Second Avenue Pittsburgh, PA 15219	Allegheny River (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645

<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>
Municipality of Penn Hills City of Pittsburgh Plum & Verona Boroughs Allegheny County	PAG02000209062-3	Duquesne Light Co. 2825 New Beaver Ave Pittsburgh, PA 15233	Blacks Run, Indian Creek, Quigley Run, Plum Creek, Sandy Creek, Shades Run, Allegheny River (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
Elizabeth Borough Allegheny County	PAG02000211040	Elizabeth Borough Municipal Authority 1 Locust Street Elizabeth, PA 15233	Monongahela River (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
Municipality of Monroeville Allegheny County	PAG02000211051	CBL & Associates Management, Inc. 2300 Hamilton Place Blvd Chattanooga, TN 37421	Thompson Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
Plum Borough Allegheny County	PAG02000211007	Grassinger Homes 8035S Saltsburg Road Pittsburgh, PA 15239	Little Plum Creek (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
Hampton Township Allegheny County	PAG02000211036	PA Turnpike Commission 700 South Eisenhower Blvd Middletown, PA 17057	Cedar Run (CWF) Crouse Run (TSF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Avenue Pittsburgh, PA 15208 (412) 241-7645
Potter Township Beaver County	PAG02000412003	Wayne Lewallen Explosive Ordinance Technologies 109 Tennessee Avenue Oak Ridge, TN 37830	Raccoon Creek (WWF)	Beaver County CD 156 Cowpath Rd Aliquippa, PA 15001 (724) 378-1701
Cumberland Township Greene County	PAG02003012002	Stallion Oilfield Services 501 Corporate Drive Suite 205 Cannonsburg, PA 15317	Little Whiteley Creek (WWF)	Greene County CD 19 South Washington Street Waynesburg, PA 15370 (724) 852-5278
Franklin Township	PAG02003012001	Chesapeake Land Development PO Box 18496 Oklahoma City, OK 73154	Tenmile Creek (WWF)	Greene County CD 19 South Washington Street Waynesburg, PA 15370 (724) 852-5278

*General Permit Type—PAG-03**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>
Cranberry Township Butler County	PAG02001007002R	BelleVue Park Partners LP Attn: William Weaver PO Box 449 Mars PA 16046	Brush Creek WWF	Butler Conservation District 724-284-5270
Forward Township Butler County	PAG02001011025	Meadow Ridge Partners Attn: Mr. Steven Victor 241 Emmet Road Wexford PA 15090	Connoquenessing Creek (WWF)	Butler Conservation District 724-284-5270
City of Philadelphia Philadelphia County	PAR600025	SPC Corporation 143 Harding Avenue Bellmawr, NJ 08031	Schuylkill River—3F	Southeast Region Clean Water Program 484.250.5970
Logan Township Blair County	PAR503504	Altoona Solid Waste Transfer Station 1586 Old Sixth Ave. Rd Altoona, PA 16601	UNT Little Juniata River / WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Halifax Township Dauphin County	PAR803551	Aumiller's Auto Parts P. O. Box 515 Halifax, PA 17032	UNT Susquehanna River / WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

*General Permit Type—PAG-4**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>
Haycock Township Bucks County	PAG040164	Helverson Robert 1164 Richlandtown Pike Richlandtown, PA 18955	Dimple Creek—2D	Southeast Region Water Management 484-250-5970
Plumstead Township Bucks County	PAG040163	Salisbury Behavioral Health Inc. Durham House 6061 Durham Road Pipersville, PA 18947	Unnamed Tributary to Cabin Run—2D	Southeast Region Water Management 484-250-5970

*General Permit Type—PAG-8**Facility Location:*

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Penn Township Huntingdon County	PAG083599	Mr. Dwight Beall Army Corps of Engineers—Lake Raystown Project 6145 Seven Points Road Hesston, PA 16647	Seven Points Wastewater Treatment Plant 6145 Seven Points Road Hesston, PA 16647	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

*General Permit Type—PAG-9**Facility Location:*

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Montoursville Borough Lycoming County	PAG 09 4830	Kremser Brothers 1300 Jordan Avenue Montoursville, PA 17754	Kremser Brothers Montoursville Borough Lycoming County	NCRO 570-327-0526

*General Permit Type—PAG-12**Facility Location:**Municipality & County**Permit No.**Applicant Name & Address**Receiving Water / Use**Contact Office & Phone No.*Strasburg Township
Lancaster County

PAG123727

Mr. Kenneth Meck
Kenneth Meck Farm
1503 Beaver Valley Pike
Willow Street, PA 17584Little Beaver Creek /
TSFDEP—SCRO
909 Elmerton Avenue
Harrisburg, PA
17110-8200
717-705-4707**PUBLIC WATER SUPPLY PERMITS**

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

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

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

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

SAFE DRINKING WATER**Actions taken under the Pennsylvania Safe Drinking Water Act**

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

Operations Permit No. 0912506 issued to: **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010, (PWSID #1460073), Bensalem Township, **Bucks County** on March 14, 2012 for the operation of Three 1,400 gpm pumps at the Haunted Lane Booster Station Improvements approved under construction permit # 0911545.

Permit No. 4611527 Public Water Supply.
Applicant **Superior Water Company**
1885 Swamp Pike
Gilbertsville, PA 19525-9666
Township Upper Frederick
County **Montgomery**

Type of Facility	PWS
Consulting Engineer	Entech Engineering 4 South Fourth Street P. O. Box 32 Reading, PA 19603
Permit to Construct Issued	March 14, 2012
Permit No. 4612501	Public Water Supply.
Applicant	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Borough	Hatboro
County	Montgomery
Type of Facility	PWS
Consulting Engineer	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Permit to Construct Issued	March 14, 2012
Permit No. 4611525	Public Water Supply.
Applicant	Windhaven Mobile Homes 2917 East High Street, Office Pottstown, PA 19464-3129
Township	Lower Pottsgrove
County	Montgomery
Type of Facility	PWS
Consulting Engineer	James A. Koppenhaver 304 Logan Avenue Wyomissing, PA 19610
Permit to Construct Issued	March 14, 2012

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

Operations Permit issued to: **ATG Properties, LLC** (Newberry Estates MHP), 7670119, Newberry Township, **York County** on 3/2/2012 for the operation of facilities submitted under Application No. 6711515 MA.

Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Williamsport, PA 17701

Permit No. Minor Amendment—Operation Public Water Supply.
Applicant **Somers Lane Mobile Home Park**
[Township or Borough] Lawrence Township
County **Tioga**

Responsible Official	Mr. Charles Wilcox Somers Lane Mobile Home Park 229 Upper Somers Lane Lawrenceville, PA 16829	Permit Issued	March 16, 2012
Type of Facility	Public Water Supply	Description of Action	4-log inactivation of viruses at Entry Point 101 (Well Nos. 1 and 2).
Consulting Engineer	N/A	Permit No. Minor Amendment —Operation	Public
Permit Issued	March 13, 2011	Water Supply.	
Description of Action	4-log inactivation of viruses at Entry Point 101 (Well No. 2).	Applicant	Salem Manor Mobile Home Park
Permit No. Minor Amendment —Operation	Public	[Township or Borough]	Penn Township
Water Supply.		County	Snyder
Applicant	Mountaintop Regional Water Authority—Pine Glen Water System	Responsible Official	Mr. Robert L. Kiefer Salem Manor Enterprises, Inc. 67 Salem Manor Court Selinsgrove, PA 17870
[Township or Borough]	Burnside Township	Type of Facility	Public Water Supply
County	Centre	Consulting Engineer	Raymond Robbins, P.E. RH Robbins Enterprise, LLC 805 Johnstown Road Mifflinburg, PA 17844
Responsible Official	Mr. John Rigg Mountaintop Regional Water Authority P. O. Box 294 Snow Shoe, PA 16874	Permit Issued	March 16, 2012
Type of Facility	Public Water Supply	Description of Action	4-log inactivation of viruses at Entry Point 100 (Well Nos. 1 and 2).
Consulting Engineer	N/A	Permit No. 4112501 —Operation	Public Water Supply.
Permit Issued	March 13, 2012	Applicant	Montgomery Water and Sewer Authority
Description of Action	4-log inactivation of viruses at Entry Point 101 (Sterling Spring).	[Township or Borough]	Montgomery Borough
Permit No. Minor Amendment —Operation	Public	County	Lycoming
Water Supply.		Responsible Official	Jerry Yeagles, Operator Montgomery Water and Sewer Authority 35 South Main Street Montgomery, PA 17752
Applicant	Laporte Borough Municipal Water System	Type of Facility	Public Water Supply
[Township or Borough]	Laporte Borough	Consulting Engineer	Eric Raski, P.E. Larson Design Group 1000 Commerce Park Drive Williamsport, PA 17701
County	Sullivan	Permit Issued	March 19, 2011
Responsible Official	Mr. Charles Shultz Borough Supervisor Laporte Borough Municipal Water System P. O. Box 125 Laporte, PA 18626	Description of Action	Construction of transmission main and a booster pump station.
Type of Facility	Public Water Supply	Permit No. Minor Amendment —Operation	Public
Consulting Engineer	N/A	Water Supply.	
Permit Issued	March 15, 2012	Applicant	Collumsville Mutual Waterworks Association
Description of Action	4-log inactivation of viruses at Entry Point 102 (Makoma Well and the Spring).	[Township or Borough]	Limestone Township
Permit No. Minor Amendment —Operation	Public	County	Lycoming
Water Supply.		Responsible Official	Dale Winter, Operator Collumsville Mutual Waterworks Association 342 Wells Road South Williamsport, PA 17702
Applicant	Cogan Valley Farms, Inc.	Type of Facility	Public Water Supply
[Township or Borough]	Hepburn Township	Consulting Engineer	N/A
County	Lycoming	Permit Issued	March 20, 2012
Responsible Official	Mr. Stanley Brass Cogan Valley Farms, Inc. 480 Route 973 West Cogan Station, PA 17728		
Type of Facility	Public Water Supply		
Consulting Engineer	N/A		

Description of Action 4-log inactivation of viruses at Entry Point 101 (Well Nos. 1 and 2).

Permit No. Minor Amendment—Operation Public Water Supply.

Applicant **Ralston Area Joint Authority**

[Township or Borough] McIntyre Township

County **Lycoming**

Responsible Official John P. Orr, Operator
Ralston Area Joint Authority
P. O. Box 146
Ralston, PA 17763

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued March 20, 2012

Description of Action 4-log inactivation of viruses at Entry Point 101 (Well Nos. 2 and 3).

Permit No. Minor Amendment—Operation Public Water Supply.

Applicant **Penn Township Water District**

[Township or Borough] Penn Township

County **Centre**

Responsible Official Mr. Richard Musser
Penn Township Water District
572 Main Street
P. O. Box 125
Coburn, PA 16832

Type of Facility Public Water Supply

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

Permit Issued March 19, 2012

Description of Action 4-log inactivation of viruses at Entry Point 100 (Well Nos. 1 and 2).

Permit No. Minor Amendment—Operation Public Water Supply.

Applicant **Blossburg Township Municipal Authority**

[Township or Borough] Blossburg Township

County **Tioga**

Responsible Official Mr. Chester Mahosky
Water Supervisor Blossburg
Township Municipal Authority
P. O. Box 70
Arnot, PA 16911

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued March 20, 2012

Description of Action 4-log inactivation of viruses at Entry Point 101 (South Spring).

Permit No. Minor Amendment—Operation Public Water Supply.

Applicant **Perry Township Municipal Authority**

[Township or Borough] Perry Township

County **Snyder**

Responsible Official Steven M. Sauers, Operator
Perry Township Municipal
Authority
9351 Route 35
Mt. Pleasant Mills, PA 17853

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued March 20, 2012

Description of Action 4-log inactivation of viruses at Entry Point 101 (CHE Well).

Permit No. Minor Amendment—Operation Public Water Supply.

Applicant **Harvest Moon Mobile Home Park**

[Township or Borough] Woodward Township

County **Lycoming**

Responsible Official Mr. David Liberti
Harvest Moon Mobile
Home Park
38 Harvest Moon MHP
Linden, PA 17744

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued March 20, 2012

Description of Action 4-log inactivation of viruses at Entry Point 101 (Well Nos. 1, 3, 4 and 5).

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

Cancellation of Permit issued to **Youngsville Borough**, PWSID #6620039, Youngsville Borough, **Warren County** on March 12, 2012. This action represents the cancellation of Permit Number 6200501 issued December 8, 2000. This action is due to a consolidation of certain permits related to Well No. 3.

Cancellation of Permit issued to **Youngsville Borough**, PWSID #6620039, Youngsville Borough, Warren County on March 12, 2012. This action represents the cancellation of Permit Number 6200501-MA4 issued April 12, 2011. This action is due to the removal of Entry Point 100.

Permit No. 4311504 Public Water Supply

Applicant **Borough of Fredonia**

Township or Borough Fairview Township

County **Mercer**

Type of Facility Public Water Supply

Consulting Engineer Joseph A. Kurtanich Kurtanich
Engineers & Associates, Inc.
6124 East State Street
Hermitage, PA 16148

Permit to Construct Issued March 14, 2012

Operation Permit issued to **VisionQuest National, LTD.**, PWSID #6201174, East Mead Township, **Crawford County**. Permit Number 2011501 issued March 15, 2012 for the operation of the VisionQuest Lee Prep Academy located east of the intersection of State Route 77 and State Route 198 in East Mead Township, Crawford County. This permit is issued in response to an operation inspection conducted by Department of Environmental Protection personnel on February 14, 2012.

Operation Permit issued to **William Cunningham d/b/a Cedar Acres Mobile Home Park**, PWSID #6370910, Scott Township, **Lawrence County**. Permit Number 3793503-T1-MA1, issued March 15, 2012 for the operation of 4-Log treatment of viruses for Entry Points 101 and 102. This action is taken under the requirements of the Groundwater Rule.

Operation Permit issued to **Palmer Shores Water Association**, PWSID #6250035, Fairview Township, **Erie County**. Permit Number 2505501-MA1, issued March 15, 2012 for the operation of 4-Log treatment of viruses for Entry Point 001. This action is taken under the requirements of the Groundwater Rule.

Operation Permit issued to **Quality Life Services, Inc. d/b/a Chicora Medical Center**, PWSID #5100127, Donegal Township, **Butler County**. Permit Number 1091501-T1-MA1, issued March 20, 2012 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

Operation Permit issued to **Sandy Hill Estates Mobile Home Park, L.P.**, PWSID #5100018, Middlesex Township, **Butler County**. Permit Number 1088512-T2-MA1, issued March 20, 2012 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Nuangola Borough	5150 Nuangola Road Mountain Top, PA 18707	Luzerne

Plan Description: The Plan's selected alternative is Alternative No.1. The selected alternative does not alter the layout of the Borough's proposed wastewater collection system within the corporate boundaries of Nuangola Borough. The layout of the proposed collection system remains the same as outlined in the Official Sewage Facilities Plan Update Revision approved by the Department on May 13, 2005. Alternative No. 1 of the current Plan does, however, revise the route and type of the Borough's proposed wastewater conveyance facilities located outside of the Borough in Rice and Dorrance Townships. Wastewater will be conveyed from the Nuangola Borough/Rice Township boundary on Church Road through a low-pressure force main to a proposed high-pressure pumping station to be located near the existing wastewater treatment facility on the Crestwood School District's Rice Elementary School Campus adjacent to the intersection of Church and Stairville Roads.

The existing wastewater treatment facility utilized by the school will be abandoned. Wastewater from the school will be discharged via a gravity lateral to the proposed pumping station. The combined sanitary wastewater stream from the school and the Borough will then be pumped through a proposed force main that will travel from the pumping station, south on Church Road, west on Stairville Road and southeast on Blytheburn Road. The force main will be located within the rights-of-way of each of the previously mentioned roadways. The force main will terminate and tie into an existing gravity manhole owned by the Mountaintop Area Joint Sanitary Authority (MAJSA) located in the right-of-way of Blytheburn Road approximately 425 feet south of the intersection of Blytheburn and Prospect Roads. Wastewater will then be conveyed from the tie-in point, as shown for Alternative No. 1 on the "Alternatives" Drawing found in the Plan, to the MAJSA Wastewater Treatment Facility for treatment with ultimate discharge of the treated wastewater to Big Wapwallopen Creek.

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

Any additional wastewater-related improvements, additions, deletions or changes outside of those explicitly described in the Plan and its correspondence, must be in compliance with the Department's regulations and be submitted to and approved by the Department in writing. This approval correspondence covers only the wastewater planning aspects of the selected wastewater disposal alternative as it relates to Nuangola Borough's Official Sewage Facilities Plan. This review has also not identified any significant environmental impacts resulting from this proposal.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Grove City Borough	123 West Main Street, Grove City, PA 16127	Mercer

Plan Description: The approved plan provides for amending a previous plan which would have resulted in an increase to the rated capacity of the WWTP from 3.0 to 3.525 MGD. The selected plan now recommends undertaking rehabilitation projects that will maintain the existing two-stage activated sludge treatment process and will allow the Grove City WWTP to continue to treat sewage flows up to 3.0 MGD. The WWTP will undergo two phases of rehabilitation. The flow allocation for each municipality will remain as previously established in their respective wastewater treatment service agreements. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

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

Notice of Prompt Interim Response

**West Lebanon Groundwater Site
West Lebanon Township, Lebanon County**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites

Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305) has initiated a prompt interim response at the West Lebanon Groundwater Site (Site).

The Site is located in West Lebanon Township, Lebanon County. Groundwater from a public supply well is contaminated with tetrachloroethylene, also referred to as perchloroethylene (PCE). The West Lebanon Township Water System has 310 metered connections that serve a population of approximately 900 people.

The proposed response will consist of using an interconnection with the City of Lebanon Water Authority, treatment of the West Lebanon Municipal water supply, and removal of PCE contaminated soil. The interconnection with City of Lebanon Authority was initiated on November 14, 2011. At that time, the Township took Well #2 offline and activated the emergency interconnection. The Township has applied for and received permit approval for the addition of carbon treatment for the water supply. Areas of PCE contaminated soil in excess of the Land Recycling and Remediation Standards Act (Act 2) Residential Statewide Health Standard Soil to Groundwater Medium Specific Concentration of 0.5 ppm will be excavated and disposed in accordance with regulatory requirements. Clean fill will be used to replace the volume of excavated materials and the area will be graded and grass planted to restore the affected areas. Further investigation to determine the extent of soil and groundwater contamination will be conducted to determine if additional response actions are necessary.

The Department is providing this notice under sections 505(b) and 506(b) of HSCA (35 P. S. Sections 6020.505(b) and 6020.506(b)), and the publication of this notice in the *Pennsylvania Bulletin* starts the administrative record period under HSCA. The Administrative Record which contains information about this site and which supports the Department's decision to perform this action at the site is available for public review and comment. The Administrative Record can be examined Monday through Friday from 8:00 a.m. to 4:00 p.m. at the Department's Southcentral Regional Office located at 909 Elmerton Avenue, Harrisburg, PA 17110, by contacting Ms. Ruth Bishop at 717-705-4833. The Administrative Record can also be reviewed at the West Lebanon Township Building, 322 North 22nd Street, Lebanon, PA during normal business hours.

The Administrative record will be open for comment from the date of publication of this notice in the *Pennsylvania Bulletin* on March 31, 2012, and will remain open for 90 days. Persons may submit written comments regarding this action to the Department before June 29, 2012, by mailing them to Ms. Bishop at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

The public will have an opportunity to present oral comments regarding the proposed action at a public hearing. The hearing has been scheduled for May 16, 2012, at 7:00 p.m. at the West Lebanon Township Building, 322 North 22nd Street, Lebanon, PA. Persons wishing to present formal oral comment at the hearing should register before 3:30 p.m., May 11, 2012, by calling Ms. Bishop at the above number. There will be an informational presentation of the Department's activities at this site prior to the public hearing.

Persons with a disability, who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings, should call Ms. Bishop at the above number or through the

Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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:

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

Mt. Airy USA, City of Philadelphia, **Philadelphia County**. Jeremy W. Bolyn, Environmental Management Company, Inc. 1420 East Mermaid Lane, Glenside, PA, 19038 on behalf of Jason Salus, Mt. Airy USA, 6702 Germantown Avenue, Suite 200, Philadelphia PA 19067 has submitted a Final Report concerning remediation of site soil contaminated with lead. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Westnor LP Facility, West Norriton Township, **Montgomery County**. Craig Herr, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA

19406 on behalf of Martin Macgregor, Westnor, L.P., 10059 Sandmeyer Lane, Philadelphia, PA 19116 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific Standard.

St Joseph University, City of Philadelphia, **Philadelphia County**. David B Farrington, P.G., Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Howard R. Heim, Saint Joseph University, 5600 City Avenue, Philadelphia, PA 19006 has submitted a Final Report concerning remediation of site soil contaminated with petroleum. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Bristol Steel Treat Company, Bristol Borough, **Bucks County**. Samuel J. Kucia, Environmental Consulting, Inc. 500 East Washington Street, Suite 375, Norristown, PA 19401, Andrew Hubley, Environmental Consulting, Inc. 500 East Washington Street, Suite 375, Norristown, PA 19401 on behalf of Robert White, Bucks County Redevelopment Authority, Suite 1, One North Wilson Avenue, Bristol, PA 19007 has submitted a Baseline Environmental Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Special Industrial Area.

Brigs Jones Property, City of Philadelphia, **Philadelphia County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Scott Nichols, State Farm, Pennsylvania Fire Claims, PO Box 106110, Atlanta, GA 30348-6110 on behalf of Denise Briggs-Jones, 3337 Longshore Avenue, Philadelphia, PA 19149 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Mancill Mill Road Company, Upper Merion Township **Montgomery County**. Walter Hungarter, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Annunzio Calvarese, Mancill Road Company, 50 Brandon Road, Jeffersonville, PA 19403 has submitted a Cleanup Plan concerning the remediation of site soil contaminated with asbestos. The report is intended to document remediation of the site to meet the Site Specific Standard.

Ludwigs Construction Equipment, West Vincent Township **Chester County**. Richard D. Trimpi, Trimpi Associates, Inc. 1635 Old Plains Road, Pennsburg, PA 18073, Frank Lynch, EnviroLink, Inc. 165 Daleville Road, Cochranville, PA 19330 on behalf of Rob Haly, MCH Management, LLC 1235 Pottstown Pike, Glenmoore, PA 19343 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Northeast Region: Environmental Cleanup & Brown fields Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Former Ashland Specialty Chemical Company, 400 Island Park Road, Glendon Borough, **Northampton County**. Nicholas DeSalvo, ARCADIS U.S., Inc., 500 N. Gulph Road, King of Prussia, PA 19406 has submitted a Notice of Intent to Remediate (on behalf of his client, Air Products and Chemicals, Inc., 7201 Hamilton Boulevard, Allentown, PA 18195-1501), concerning the remediation of soil and groundwater found to have been impacted by

chlorinated VOCs as a result of historical chemical, industrial processes and disposal on the property, associated with operations prior to Ashland's ownership of the facility. The applicant proposes to remediate the site to meet the Statewide Health Standard for soil and the Site-Specific Standard for soil and groundwater. A summary of the Notice of Intent to Remediate was published in *The Express Times* on August 6, 2010.

Turkey Hill 123, 120 South Main Street, Shenandoah Borough, Schuylkill County. Kelly Lee Kinkaid, Liberty Environmental, Inc., 50 North 5th Street, 5th Floor, Reading, PA 19601 has submitted a combined Remedial Investigation Report/Site Characterization Report/Remedial Action Plan on behalf of her client, Turkey Hill, LP, 257 Centerville Road, Lancaster, PA 17603, concerning the remediation of soil and groundwater found to have been impacted by leaded gasoline as a result of a release from one or more closed-in-place underground storage tanks. The combined report was submitted to document attainment of the Site-Specific Standard by pathway elimination in both soil and groundwater on site and for groundwater off site. A public notice regarding the submission of the combined report was published in *The Republican-Herald* on May 5, 2011.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

Mancill Mill Road Company, Upper Merion Township **Montgomery County**. Walter Hungarter, III, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Annunzio Calvarese, Mancill Road Company, 50 Brandon Road, Jeffersonville, PA 19403 has submitted a Cleanup Plan concerning the remediation of site soil contaminated with asbestos. The Cleanup Plan was approved by the Department on February 23, 2012.

Florence Titus Elementary School, Warrington Township **Bucks County**. Daniel B. Lewis, SSM Group, Inc. 1947 North Park Road, Reading, PA 19610 on behalf of Central Bucks School District, 320 West Swamp Road, Doylestown, PA 18901 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with Statewide Health Standard. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 17, 2012.

3101 West Girard Avenue, Lot 2, City of Philadelphia **Philadelphia County**. Angelo Waters, Urban Engineers, Inc. 530 Walnut Street, 14th Floor, Philadelphia, PA 19106, Lawrence McKnight, Westrum BT3, L.P. 370 Commerce Drive, Fort Washington, PA 19034 on behalf of John Mershon, Westrum BT3, L.P. 370 Commerce Drive, Fort Washington, PA 19034 has submitted a Cleanup Plan and Remedial Investigation Final Report concerning the remediation of site groundwater and soil contaminated with pcb. The Cleanup Plan and Remedial Investigation Report were approved by the Department on February 10, 2012.

Ludwigs Construction Equipment, West Vincent Township **Chester County**. Richard D. Trimpi, Trimpi Associates, Inc. 1635 Old Plains Road, Pennsburg, PA 18073, Frank Lynch, EnviroLink, Inc. 165 Daleville Road, Cochranville, PA 19330 on behalf of Rob Haly, MCH Management, LLC 1235 Pottstown Pike, Glenmoore, PA 19343 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 5, 2012.

Briggs Jones Property, City of Philadelphia, **Philadelphia County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Scott Nichols, State Farm, Pennsylvania Fire Claims, PO Box 106110, Atlanta, GA 30348-6110 on behalf of Denise Briggs-Jones, 3337 Longshore Avenue, Philadelphia, PA 19149 has submitted a Final Report concerning remediation

of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 7, 2012.

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

Turkey Hill 123, 120 South Main Street, Shenandoah Borough, **Schuylkill County**. Kelly Lee Kinkaid, Liberty Environmental, Inc., 50 North 5th Street, 5th Floor, Reading, PA 19601 submitted a combined Remedial Investigation Report/Site Characterization Report/Remedial Action Plan on behalf of her client, Turkey Hill, LP, 257 Centerville Road, Lancaster, PA 17603, concerning the remediation of soil and groundwater found to have been impacted by leaded gasoline as a result of a release from one or more closed-in-place underground storage tanks. The combined report documented attainment of the Site-Specific Standard by pathway elimination in both soil and groundwater on site and for groundwater off site and was "conditionally" approved on March 13, 2012.

Cricket Hill Golf Course, RR 2, Cricket Hill Road, Berlin Township, **Wayne County**. Martin P. Gilgallon, Pennsylvania Tectonics, Inc., 723 Main Street, Archbald, PA 18403 submitted a Final Report (on behalf of his client, FNB Holding Corp., 4866 State Route 52, Jeffersonville, NY 12748), concerning the remediation of soil and groundwater found to have been impacted by leaded and unleaded gasoline as a result of the disposal of these contaminants into an on-lot septic system. The report documented attainment of the Residential Statewide Health Standard for soil and groundwater and was approved on March 14, 2012.

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

Gasoline Spill at Junction of Routes 222 and 30, Manheim Township, **Lancaster County**. ARM Group, Inc., 1129 West Governor Road, PO Box 797, Hershey, PA 17033, on behalf of Grandview Chase Condominium Association, 1935 Fruitville Pike, No. 230, Lancaster, PA 17601, PA Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103 and E.C. Barnes Inc., 8632 Lincoln Way West, Saint Thomas, PA 17252, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of a combination of the Residential Statewide Health and Site-Specific Standards and was approved by the Department on March 15, 2012.

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

Warrant 2244 Westline Compressor Discharge Line Spill, Lafayette Township, **McKean County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412 on behalf of EnerVest Operating, LLC., 300 Capitol Street, Suite 300, Charleston, WV 25301 has submitted a Final Report concerning the remediation of site soil contaminated with Benzene, Ethylbenzene, Toluene, and Xylenes. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 13, 2012.

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

Triangle Fasteners, (former Amoco Bulk Plant), City of Pittsburgh, **Allegheny County.** Shaw Environmental, Inc., 2790 Mossie Boulevard, Monroeville, PA 15146 on behalf of Steve Gonzalski, Atlantic Richfield Company, a BP Products, North America Inc. Company, 1 West Pennsylvania Avenue, Suite 440, Towson, Maryland, 21204, has submitted a Final Report concerning the remediation of site soils and groundwater contaminated with diesel and leaded gasoline constituents. The Final Report was approved by the Department on March 15 2012. The Final Report demonstrated attainment of a site specific standard for soils and groundwater.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit No. 101696. Swanson Rail Transfer Station, 13 Pattison Avenue, Philadelphia PA 19148, City of Philadelphia, **Philadelphia County.** Permittee has requested final closure certification approval for the Swanson Rail Transfer Station located at 13 Pattison Avenue in the City of Philadelphia. The facility was approved to be constructed and operated as a municipal waste and construction/demolition waste transfer station. However, the facility was never constructed subsequent to the permit issuance on January 15, 2010, and the final closure certification has been accepted pursuant to the requirements of the closure requirements contained in Solid Waste Permit No. 101696. Accordingly, the permit was revoked by the Southeast Regional Office on March 7, 2012.

Permit No. 100708. Jones & Losito Inc., 485 Willow Street, Toughkenamon, PA 19374. Permittee has requested final closure certification approval for the former Cloud Landfill, a closed municipal waste landfill located at 320 Reedville Road in Lower Oxford Township, **Chester County.** The final closure certification has been accepted pursuant to the requirements of 25 Pa. Code § 271.342. Accordingly, the permit was revoked by the Southeast Regional Office on March 9, 2012.

Permit Issued Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

Permit No. 301165. Emanuel Tire of Pennsylvania Inc., 1251 Conshohocken Road, Conshohocken, PA 19428-1030. This amended permit is for a change in existing configuration of Processing Area 2 and for the addition of two small storage area bins without changing the overall storage or processing capacity at Emanuel Tire of Pennsylvania, Inc.'s tire processing facility, located at 1251 Conshohocken Road, in Plymouth Township, **Montgomery County.** The permit amendment was issued by the Southeast Regional Office on March 7, 2012.

AIR QUALITY

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

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

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

GP3-46-0099: Mobile Aggregate Recycling Services (P. O. Box 1374, HC 1, Brodheadsville, PA 18322) On March 12, 2012, was authorized to operate a portable nonmetallic mineral processing plant in Whitpain Township, **Montgomery County.**

GP9-46-0054: Mobile Aggregate Recycling Services (P. O. Box 1374, HC 1, Brodheadsville, PA 18322) On March 12, 2012, was authorized to operate a diesel/No. 2 fuel-fired internal combustion engines in Whitpain Township, **Montgomery County.**

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

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

58-399-038GP5: Bluestone Pipeline Company of PA, LLC (1 Energy Plaza, WCB 2084, Detroit, MI 48226) on March 7, 2012 for the construction and operation of a Natural Gas Compressor Station at the site located in Harford Twp., **Susquehanna County.**

66-399-013GP5: Chief Gathering LLC (6051 Wallace Road Ext., Suite 210, Wexford, PA 15090) on March 7, 2012 for the construction and operation of two dehydrators at the Hirkey Site located in Washington Twp., **Wyoming County.**

66-399-014GP5: Chief Gathering LLC (6051 Wallace Road Ext., Suite 210, Wexford, PA 15090) on March 7, 2012 for the construction and operation of two dehydrators at the Chaplin Site located in Monroe Twp., **Wyoming County.**

58-310-056GP3: E.R. Linde Construction Inc. (9 Collan Park, Honesdale, PA 18431) on March 6, 2012 for the construction and operation of a Portable Crushing Operation with watersprays at the site located in Bridgewater Twp., **Susquehanna County.**

58-329-049GP9: E.R. Linde Construction Inc. (9 Collan Park, Honesdale, PA 18431) on March 6, 2012 for the installation and operation of Diesel I/C engines located at the site located in Bridgewater Twp., **Susquehanna County.**

40-323-020GP4: InterMetro Industries Corp. (651 North Washington Street, Wilkes-Barre, PA 18705) on March 9, 2012 for the construction and operation of a Natural Gas Burn Off Oven at the site located in Wilkes-Barre, **Luzerne County.**

58-310-057GP3: New Enterprise Stone & Lime Co. Inc d/b/a Eastern Industries Inc (4401 Camp Meeting Road, Center Valley, PA 18034) on March 6, 2012 for the construction and operation of a Portable Crushing Operation with watersprays at the site located in Clifford Twp., **Susquehanna County.**

58-329-0502GP9: New Enterprise Stone & Lime Co. Inc d/b/a Eastern Industries Inc (4401 Camp Meeting Road, Center Valley, PA 18034) on March 6, 2012 for the installation and operation of a Diesel I/C engine located at the site located in Clifford Twp., **Susquehanna County**.

54-302-081GP1: PA Dept. of Corrections (301 Morea Road, Frackville, PA 17932-0001) on March 7, 2012 for the operation of a 27.7 MMBTU Boiler at the site located in Frackville Borough, **Schuylkill County**.

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

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863

GP1-21-03081A: Keystone Biofuels, Inc. (2850 Appleton Street, Suite E, Camp Hill, PA 17011) on March 12, 2012 for the reactivation as a new source under GP1, of a 25 MMBtu/hr natural gas-fired boiler, at the biofuel manufacturing facility located in Lower Allen Township, **Cumberland County**.

GP2-07-05021: Albemarle Corporation (2858 Back Vail Road, Tyrone, PA 16686-8100) on March 13, 2012 for the conversion of an existing fixed roof storage tank, under GP2, to hold VOC/HAP liquids, at the specialty chemical manufacturing facility located in Tyrone Borough, **Blair County**.

GP14-29-03011: BL Cornelius Crematory, LLC (122 Leasure Mountain Road, McConnellsburg, PA 17233) on March 14, 2012 for the installation and operation of a human crematory at the Kelso Cornelius Funeral Home located in McConnellsburg Borough, **Fulton County**.

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

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

GP3-08-340F: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on March 13, 2012, to construct and operate a portable nonmetallic mineral processing plant with associated water spray dust suppression system pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at the Bradford County Quarry located in Burlington Borough, **Bradford County**.

GP11-08-340F: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on March 13, 2012, to construct and operate one 340 brake horsepower, Cummins QSC8.3-C diesel-fired engine pursuant to the General Plan Approval And/Or General Operating Permit (BAQ-GPA/GP-11): Nonroad engines at the Bradford County Quarry located in Burlington Borough, **Bradford County**.

GP5-59-217A: SWEPI, LP (190 Thorn Hill Road, Warrendale, PA 15086) on February 23, 2012, for installation and operation of two Miratech model SP-ZES-30x310120XH2B1 oxidation catalysts on two existing 1340 bhp Caterpillar model 3516 TALE (serial numbers WPW02706 and WPW02575) four-stroke lean-burn compressor engines, the construction and operation one new 1380 bhp Caterpillar G3516B LE (serial number) four-stroke ultra-lean-burn compressor engine equipped with a Miratech model IQ-RE-30EH (element)/IQ-30-16-HSG (housing), the addition of one 95 hp GM 4.3L Vortec rich-burn natural gas fired generator engine, update one

30.0 MMscf/day NATCO model SB12-8 dehydrator unit equipped with a 0.275 MMBtu/hr reboiler heater, one 60.0 MMscf/day NATCO SB12-8 dehydrator unit equipped with a 0.55 MMBtu/hr reboiler heater, and one 10,000 gallon produced water tank at the Netterman Compressor Station located in Charleston Township, **Tioga County**.

GP5-59-229: SWEPI, LP (190 Thorn Hill Road, Warrendale, PA 15086) on February 29, 2012, for the construction and operation of four 1380 bhp Caterpillar model G3516B LE (serial numbers TBD) four-stroke ultra-lean-burn compressor engines, one 95 hp GM 4.3L Vortec rich-burn natural gas fired generator engine, two 60.0 MMscf/day glycol dehydrator units each equipped with a 0.55 MMBtu/hr reboiler heater, and one 10,000 gallon produced water tank at the Yaggie Compressor Station located in Union Township, **Tioga County**.

GP5-59-219A: SWEPI, LP (190 Thorn Hill Road, Warrendale, PA 15086) on February 28, 2012, for the installation and operation of three Miratech model IQ-RE-30EH (element)/IQ-30-16-HSG (housing) oxidation catalysts on three existing 1380 bhp Caterpillar model G3516B LE (serial numbers JEF01210, JEF01239, & JEF01240) four-stroke ultra-lean-burn compressor engines, the addition of one 95 hp GM 4.3L Vortec rich-burn natural gas fired generator engine, and update one 30.0 MMscf/day glycol dehydrator unit equipped with a 0.275 MMBtu/hr reboiler heater, one 60.0 MMscf/day glycol dehydrator unit equipped with a 0.55 MMBtu/hr reboiler heater, and one 10,000 gallon produced water tank at the Shelman Compressor Station located in Charleston Township, **Tioga County**.

GP5-59-220B: SWEPI, LP (190 Thorn Hill Road, Warrendale, PA 15086) on March 1, 2012, for the installation and operation of three Miratech model IQ-RE-30EH (element)/IQ-30-16-HSG (housing) oxidation catalysts on three existing 1380 hp Caterpillar model G3516B LE (serial numbers JEF01183, JEF01182, & JEF01194) four-stroke lean-burn natural-gas fired compressor engines, to revise two existing NATCO model SB 12-8 glycol dehydration units (30 MMSCFD and 60 MMSCFD, respectively) each equipped with separate reboiler heater (0.275 MMBtu/hr and 0.55 MMBtu/hr, respectively). There is also one 95 hp GM 4.3L Vortec natural-gas fired generator engine and one 10,000 gallon drained water tank at the Trimble Compressor Station located in Union Township, **Tioga County**.

GP5-59-228: SWEPI, LP (190 Thorn Hill Road, Warrendale, PA 15086) on March 1, 2012, for the construction and operation of four 1380 bhp Caterpillar model G3516B LE (serial numbers 27297, 27295, 27296, & 27217) four-stroke ultra-lean-burn compressor engines, one 95 hp GM 4.3L Vortec rich-burn natural gas fired generator engine, two 60.0 MMscf/day glycol dehydrator units each equipped with a 0.55 MMBtu/hr reboiler heater, and one 10,000 gallon produced water tank at the Warren Johnson Compressor Station located in Delmar Township, **Tioga County**.

GP5-53-115A: Penn Virginia Oil & Gas Corporation (1000 Town Center Way, Suite 210, Canonsburg, PA 15317) on February 17, 2012, authorize the construction and operation of a 690 brake horsepower, Caterpillar model G3516B natural gas-fired engine to be equipped with an Emit Technologies, Inc. model ELS-3550Z-1616F-32CEE-241 oxidation catalyst and a 15 MMscf/day, Exterran, model SN1239 Tri-ethylene glycol dehydrator pursuant to the General Plan Approval And/Or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/

GP5) at the Finley Run Compressor Station located in Shippen Township, **Cameron County**.

GP3-08-340D: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on March 5, 2012, to construct and operate a portable nonmetallic mineral processing plant with associated water spray dust suppression system pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at the Bradford County Quarry located in Burlington Borough, **Bradford County**.

GP3-08-340E: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on March 5, 2012, to construct and operate a portable nonmetallic mineral processing plant with associated water spray dust suppression system pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at the Bradford County Quarry located in Burlington Borough, **Bradford County**.

GP11-08-340E: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on March 5, 2012, to construct and operate one 300 brake horsepower, Caterpillar model C9 DITA diesel-fired engine pursuant to the General Plan Approval And/Or General Operating Permit (BAQ-GPA/GP-11): Nonroad engines at the Bradford County Quarry located in Burlington Borough, **Bradford County**.

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

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

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

46-0121: Main Line Hospitals, Inc.—dba Lankenau Medical Center (100 Lancaster Avenue, Wynnewood, PA 19096) On March 12, 2012, for authorization to combust #2 fuel oil in four steam boilers as a backup fuel to natural gas in Lower Merion Township, **Montgomery County**. The additional fuel use would not cause the facility to exceed any major source thresholds. The facility will continue to maintain a synthetic minor operating status. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

46-0108C: Highway Materials, Inc. (1128 Crusher Road, Perkiomenville, PA 18074) On March 14, 2012, for installation of a secondary crusher and baghouse at their Perkiomenville Quarry in Marlborough Township, **Bucks County**. The crusher replaces an existing secondary crusher and will be electrically powered. This replacement will not cause the facility to exceed any major source thresholds and the facility will continue to maintain its synthetic minor operating status. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

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

58-310-057GP3: New Enterprise Stone & Lime Co. Inc d/b/a Eastern Industries, Inc (4401 Camp Meeting Road, Center Valley, PA 18034) on March 6, 2012 for the construction and operation of a Portable Crushing Operation with watersprays at the site located in Clifford Twp., **Susquehanna County**.

58-329-0502GP9: New Enterprise Stone & Lime Co. Inc d/b/a Eastern Industries Inc (4401 Camp Meeting Road, Center Valley, PA 18034) on March 6, 2012 for the installation and operation of a Diesel I/C engine located at the site located in Clifford Twp., **Susquehanna County**.

54-302-081GP1: PA Dept. of Corrections (301 Morea Road, Frackville, PA 17932-0001) on March 7, 2012 for the operation of a 27.7 MMBTU Boiler at the site located in Frackville Borough, **Schuylkill County**.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863

06-03151A: Luicana Industries, Inc. (230 East Philadelphia Avenue, Boyertown, PA 19512-1187) on March 8, 2012, for the installation and temporary operation of a gelcoat spray booth, open molding process and cold cleaning station (degreaser) at the cast polymer products manufacturing facility in Bally Borough, **Berks County**.

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

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

18-00032A: PVS Choralkali, Inc. (10900 Harper Avenue, Detroit, MI 48213) on February 29, 2012 for the installation of a packed bed scrubber at their facility located in Castanea Township, **Clinton County**.

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

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

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

46-0037AB: Global Advanced Metals USA, Inc. (650 County Line Road, Boyertown, PA 19512) On March 15, 2012, issued a revised Plan Approval for a change of ownership of the Boyertown facility from Cabot Supermetals to Global Advanced Metals USA, Inc. This facility is located in Douglass Township, **Montgomery County**. This revised plan approval contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

46-313-146: Penn Color, Inc. (2755 Bergey Road, Hatfield, PA 19440) On March 19, 2012, to operate (2) two dust collectors in Hatfield Township, **Montgomery County**.

09-0007C: Waste Management Disposal Services of PA, Inc. (1000 New Ford Mill Road, Morrisville, PA 19067) On March 19, 2012, to operate back-up flares in Falls Township, **Bucks County**.

15-0060F: Southeastern Chester County Refuse Authority (P. O. Box 221, Kennett Square, PA 19348) On March 19, 2012, to operate an IC engine/generator in London Grove Township, **Chester County**.

23-0100A: Haines & Kibblehouse, Inc. (Pyramid Materials (2052 Lucon Road, Skippack, PA 19474) On March 19, 2012, to operate a nonmetallic mineral processing plant with IC engines in Aston Township, **Delaware County**.

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

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863

06-05002H: Lehigh Cement Company (537 Evansville Road, Fleetwood, Pa, 19522) on March 13, 2012, for the installation of SNCR NO_x controls on the two cement kilns at the cement manufacturing facility located in Maiden creek Township, **Berks County**. The Plan Approval was extended.

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

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

17-00066A: Forum US Inc. (PO Box 897, Gainesville, TX 76241-0897), issued a revised plan approval on March 15, 2012 for the change of ownership from Allied Production Services Inc. to Forum US Inc. for the facility located in Lawrence Township, **Clearfield County**.

18-315-001F: First Quality Tissue, LLC (904 Woods Avenue, Lock Haven, PA 17702-7428) on February 24, 2012 to extend the authorization to operate a paper towel and tissue manufacturing operation at their facility in Castanea Township, **Clinton County** on a temporary basis to August 24, 2012. The plan approval has been extended.

59-00006B: Dominion Transmission, Inc. (PO Box 2450, Clarksburg, WV 26302-2450), on February 21, 2012, for the construction and operation of a natural gas-fired salt bath heater; an increase in hours of operation for an existing heater and dehydration engine. In addition, Dominion Transmission, Inc. is proposing to decrease the operational hour limitation of Engine #9 to offset the increase in air contaminant emissions due to the proposed construction and operation of the salt bath heater at their Boom Compressor Station located in Lawrence Township, **Tioga County**. The plan approval has been extended.

59-00005G: Dominion Transmission, Inc. (501 Martindale St. Suite 400, Pittsburgh, PA 15212-5817) on March 5, 2012, to extend the authorization for the construction of a 2370 horsepower, natural-gas fired reciprocating internal combustion compressor engine controlled by a prechambered combustion system, an LE-54C air/fuel ratio controller and an EAS model EN4YE28 oxidation catalyst, for the construction of a 5810 horsepower (49.98 million Btu per hour heat input), natural-gas fired compressor turbine, controlled by a dry low NO_x (SoLoNO_x) combustion system and a Universal Silencer oxidation catalyst and for the construction of eight 65 kilowatt model C65 NG Low NO_x Capstone MicroTurbines, at the Sabinsville Station located in

Clymer Township, **Tioga County** to September 8, 2012. The plan approval has been extended.

08-313-004J: Global Tungsten & Powders, Corp. (Hawes Street, North Towanda, PA 18848) on March 5, 2012, to extend the authorization to temporarily operate two new process tanks and associated scrubber at their facility located in North Towanda Township, **Bradford County** until September 1, 2012. The plan approval has been extended.

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

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

11-00241A: Pennsylvania Department of Corrections, (1920 Technology Parkway, Mechanicsburg, PA 17050) On March 13, 2012, as a result of necessary additional equipment shakedown time, to establish an additional 180-day period of temporary operation of the Hurst Wood Fired Boiler authorized under plan approval PA-11-00241A, until September 14, 2012, at the SCI Cresson Center, located in Cresson Township, **Cambria County**.

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

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

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

09-00001: Avery Dennison Corp.—Fasson Roll Division (35 Penn Am Drive, Quakertown, PA 18951) On March 14, 2012, for renewal of a Title V Operating Permit in Richland Township, **Bucks County**. Avery Dennison Corp. manufactures pressure sensitive adhesive label stock. Sources at the facility include an adhesive coating line, emergency electric generator, diesel fire pump engine, wash tanks, and maintenance & cleaning equipment. The facility is categorized as a major source for volatile organic compounds (VOC) with a potential to emit greater than 25 tons per year. The facility is not a major source of HAP emissions. The permit includes 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: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6131

42-00028: Saint Gobain Containers (1 Glass Place, Port Allegany, PA 16743), on March 9, 2012, issued an administrative amendment to the Title V Operating Permit to incorporate the change in responsible official for the facility located in Port Allegany Borough, **McKean County**.

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

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

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

40-323-020GP4: InterMetro Industries Corp. (651 North Washington Street, Wilkes-Barre, PA 18705) on March 9, 2012 for the construction and operation of a Natural Gas Burn Off Oven at the site located in Wilkes-Barre, **Luzerne County**.

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

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863

06-03107: Morgan Corporation (PO Box 588, Morgantown, PA 19543-0588) on March 13, 2012 for the facility that manufacturers flatbed truck bodies, frames and parts, located in New Morgan Borough, **Berks County**. The State-only permit was renewed.

06-03128: Royal Green, LLC (Huller Lane, PO Box 9, Temple, PA 19560) on March 14, 2012 for the ferrous metal shredding facility located in Ontelaunee Township, **Berks County**. The State-only permit was renewed.

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

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

49-00018: Arcos Industries LLC. (1 Arcos Drive, Mount Carmel, PA 17851-2504), issued a state only permit on March 1, 2012 for the operation of their production facility. This facility is located in Mount Carmel Township, **Northumberland County**.

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.

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

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

09-00102: Clean Earth of Southeast PA, Inc. (7 East Steel Road, Morrisville, PA 19067) On March 12, 2012, is a non-Title V facility located in Falls Township, **Bucks County**. The Synthetic Minor Operating Permit No. 09-00102 has been amended to incorporate conditions from Plan Approval No. 09-0102D, under which the permittee installed a 36-Cone Multi-Cone Cyclone (Source ID C05), which replaced a High Efficiency Cyclone (Source ID C01). The installation of the 36-Cone Multi-Cone Cyclone does not result in any increase in emissions from the facility. The permittee will maintain the pressure drop across the 36-Cone Multi-Cone Cyclone between 3.0 and 8.0 inches water gauge to ensure proper operation

of the unit. The administrative amendment also incorporates Request for Determination (RFD) No. 2481, which allows for the permittee to accept and process Marcellus shale drill cuttings at this facility without a Plan Approval. This too will not increase emissions from the facility. The handling of Marcellus shale drill cuttings shall be done so in accordance with the requirements of the Synthetic Minor Operating Permit. The RFD requirements are included in Section G of the amended permit. The Synthetic Minor Operating Permit contains monitoring, recordkeeping, and operating conditions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

46-00037: Global Advanced Metals USA, Inc. (650 County Line Road, Boyertown, PA 19512) On March 15, 2012, issued a revised Title V Operating Permit for a change of ownership of the Boyertown facility from Cabot Supermetals to Global Advanced Metals USA, Inc. This facility is located in Douglass Township, **Montgomery County**. This revised operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

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

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

S10-003: Southeastern Pennsylvania Transportation Authority Berridge/Courtland Maintenance Shop (200 West Wyoming Avenue, Philadelphia, PA 19140) for the operation of a Trolley maintenance facility in the City of Philadelphia, **Philadelphia County**. The operating permit was administratively amended to correct typographically errors and facility contact information.

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

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

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

42-00194: Glenn O Hawbaker Inc., Shinglehouse Plant 8 (711 East College Avenue, Bellefonte, PA 16823), for its facility located at 497 Horse Run Road, in Shinglehouse, PA. This site is located in Ceres Township, **McKean County**. The de minimis emission increase is due to the addition of a 6 feet by 16 feet 2D screen at the facility. The Department has started a list of de minimis increases as prescribed in 25 Pa. Code § 127.449(i).

Since the November 13, 2007 State Only Permit issuance date, Glenn O. Hawbaker, Inc. has notified the Department of the following de minimis emission increases at the Shinglehouse Plant 8:

Date	Source	PM ₁₀ (tons)	SO _x (tons)	NO _x (tons)	VOC (tons)	CO (tons)
12-19-11	Addition of 6' x 16' 2D Screen	0.055				
6-23-11	Conveyor mods and additions	0.353				
4-2-08	24' x 50' stacking conveyor	0.071				

Date	Source	PM ₁₀ (tons)	SO _x (tons)	NO _x (tons)	VOC (tons)	CO (tons)
2-11-08	10' x 14' bin, 36' belt feeder, 36" x 400' conveyor	0.564				
Total Reported Increases		1.043				
Allowable		0.6 ton/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

Coal Permits Actions

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

65091301 and NPDES No. PA 0235873, C&D Coal Company, (145 Ivy Lane, Tazwell, VA 24651), to operate the Kinston-West Mine in Derry Township, **Westmoreland County** a new underground mine and related NPDES permit. Surface Acres Proposed 10.0, Underground Acres Proposed 999.0, Subsidence Control Plan Acres Proposed 599.0. Receiving streams: Unnamed Tributaries to Loyalhanna Creek, classified for the following use: WWF. The application was considered administratively complete on September 1, 2009. Application received: April 24, 2009. Permit issued: March 16, 2012.

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

11050102 and NPDES PA0249831. Hoffman Mining, Inc., P. O. Box 130, 118 Runway Road, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface and auger mine in Adams Township, **Cambria County**, affecting 90.6 acres. Receiving stream(s): UTS to/and Paint Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 15, 2011. Permit issued: March 8, 2012.

32070103 and NPDES No. N/A. RES Coal LLC, 224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in East Mahoning Township, **Indiana County**, affecting 201.4 acres. Receiving stream(s): Little Mahoning Creek classified for the following use(s): high quality—cold water

fishery. There are no potable water supply intakes within 10 miles downstream. Application received: October 31, 2011. Permit issued: March 8, 2012.

56960106 and NPDES No. PA0234192. AMFIRE Mining Company, LLC, One Energy Place, Latrobe, PA 15650, permit renewal for the continued operation and restoration of a bituminous surface mine in Lincoln Township, **Somerset County**, affecting 352.6 acres. Receiving stream(s): North Branch Quemahoning Creek and Horner Run classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning SWI. Application received: September 21, 2011. Permit issued: March 6, 2012.

Permit No. 32100201 and NPDES No. PA0262960. Robindale Energy Services, Inc., 224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920, commencement, operation and restoration of a bituminous surface coal refuse reprocessing mine in Brush Valley Township, **Indiana County**, affecting 58.5 acres. Receiving stream(s): Blacklick Creek classified for the following use(s): trout stocked fishery. There are no potable water supply intakes within 10 miles downstream. Application received: February 17, 2010. Permit issued: March 13, 2012.

Noncoal Permits Actions

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

7075SM1 and NPDES Permit No. PA0612120. Pennsy Supply, Inc., 1001 Paxton Street, Harrisburg, PA 17105, renewal of NPDES Permit, Spring Township, **Perry County**. Receiving stream(s): Shermans Creek classified for the following use(s): warm water fishery. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received: January 18, 2012. Permit issued: March 13, 2012.

50820303 and NPDES Permit No. PA0613169, Pennsy Supply, Inc., 1001 Paxton Street, Harrisburg, PA 17105, renewal of NPDES Permit, Oliver Township, **Perry County**. Receiving stream(s): Little Buffalo Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received: January 18, 2012. Permit issued: March 13, 2012.

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

37910305. Three Rivers Aggregates, LLC. (225 North Shore Drive, Pittsburgh, PA 15212) Renewal of NPDES Permit No. PA0208485 in Plain Grove Township, **Lawrence County**. Receiving streams: Taylor Run and unnamed tributary to Taylor Run. Application received: December 14, 2011. Permit Issued: March 14, 2012.

20090303. Hasbrouck Sand & Gravel, Inc. (12225 Gresham Road, Titusville, PA 16354) Commencement, operation and restoration of a large industrial minerals mine in Oil Creek Township, **Crawford County** affecting

56.6 acres. Receiving streams: Oil Creek. Application received: September 22, 2009. Permit Issued: March 14, 2012.

1929-20090303-E-1. Hasbrouck Sand & Gravel, Inc. (12225 Gresham Road, Titusville, PA 16354) Application for a stream encroachment to conduct mining activities within 100 feet of Oil Creek in Oil Creek Township, **Crawford County**. Receiving streams: Oil Creek. Application received: September 22, 2009. Permit Issued: March 14, 2012.

20090303-GP-104. Hasbrouck Sand & Gravel, Inc. (12225 Gresham Road, Titusville, PA 16354) General NPDES Permit for stormwater discharge associated with mining activities on Surface Mining Permit Nos. 20090303, 3075SM16 and 20020303 in Oil Creek Township & Hydetown Borough, **Crawford County**. Receiving streams: Oil Creek. Application received: December 1, 2011. Permit Issued: March 14, 2012.

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

40090302 and NPDES Permit No. PA0224782. Pennsy Supply, Inc., (1001 Paxton Street, P. O. Box 3331, Harrisburg, PA 17104), commencement, operation and restoration of a quarry operation and NPDES Permit for discharge of treated mine drainage in Dorrance Township, **Luzerne County** affecting 316.75 acres, receiving stream: an unnamed tributary to Big Wapwallopen Creek. Application received: March 27, 2009. Permit issued: March 12, 2012.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Actions

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

02124002. Waste Management, Inc. (600 Thomas St., Monroeville, PA 15146). Blasting activity permit for construction of cell development at the Monroeville Landfill, located in Monroeville Borough, **Allegheny County**. The duration of blasting is expected to last one year. Blasting permit issued: March 15, 2012.

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

23124103. Maine Drilling & Blasting, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Agnes Irwin School in Radnor Township, **Delaware County** with an expiration date of March 6, 2013. Permit issued: March 12, 2012.

46124105. Maine Drilling & Blasting, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Southview in Lower Pottsgrove Township, **Montgomery County** with an expiration date of March 6, 2013. Permit issued: March 12, 2012.

38124108. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Wilmer Good addition in Millcreek Township, **Lebanon County** with an expiration date of June 30, 2012. Permit issued: March 14, 2012.

06124105. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Maxatawny Marketplace in Maxatawny Township, **Berks County** with an expiration date of March 13, 2013. Permit issued: March 15, 2012.

36124110. Maine Drilling & Blasting, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Willow Ridge Manor in West Lampeter Township, **Lancaster County** with an expiration date of March 12, 2013. Permit issued: March 15, 2012.

36124111. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Chris King manure pit in West Earl Township, **Lancaster County** with an expiration date of June 30, 2012. Permit issued: March 15, 2012.

58124005. Tidelands Geophysical, Inc., (101 East Park Boulevard, Suite 955, Plano, TX 75074), seismic testing for the Susquehanna East 3-D site in Gibson, Ararat, Thompson and Jackson Townships, **Susquehanna County** with an expiration date of August 31, 2012. Permit issued: March 16, 2012.

58124007. Holbert Explosives, Inc., (237 Masthope Plank Road, Suite A, Lackawaxen, PA 18435), construction blasting for the Central Gas Pad Site/Linde Corporation in Bridgewater and Brooklyn Townships, **Susquehanna County** with an expiration date of March 8, 2013.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once.

Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E5729-018: Appalachia Midstream Services, LLC, 100 IST Center, Horseheads, NY 14845, Colley Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line impacting 80 linear feet of an unnamed tributary to Sciota Brook (CWF) (Jenningsville, PA Quadrangle 41°32'25"N 76°13'33"W);

2) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line impacting 90 linear feet of an unnamed tributary to Sciota Brook (CWF) (Jenningsville, PA Quadrangle 41°32'11"N 76°13'57"W);

3) an 8 inch diameter natural gas gathering line impacting 4 linear feet of an unnamed tributary to Sciota Brook (CWF) (Jenningsville, PA Quadrangle 41°32'06"N 76°13'53"W);

4) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line impacting 8,213 square feet of an exceptional value, scrub shrub, and forested (PEM/PSS/PFO) wetland (Jenningsville, PA Quadrangle 41°32'18"N 76°13'48"W);

5) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line impacting 3,792 square feet of a palustrine emergent (PEM) wetland (Jenningsville, PA Quadrangle 41°32'13"N 76°13'56"W).

6) an 8 inch diameter natural gas gathering line impacting 602 square feet of an exceptional value, scrub shrub, and forested (PEM/PSS/PFO) wetland (Jenningsville, PA Quadrangle 41°31'56"N 76°13'47"W).

The project will result in 174 linear feet of temporary stream impacts, a total of 8,483 square feet (0.19 acre) of temporary wetland impacts, and 4,124 square feet (0.09 acre) of permanent wetland impacts all for the purpose of installing natural gas gathering line and associated access roadways in Colley Township, Sullivan County. This project is associated with permit application number E0829-029. The permittee will provide 0.09 acre of compensatory mitigation at the Hardenstine Site (Wyalusing, PA Quadrangle 41°37'55"N 76°20'57"W) and along the right of way near impact 4 (Jenningsville, PA Quadrangle 41°32'18"N 76°13'48"W).

E0829-029 Appalachia Midstream Services, LLC, 100 IST Center, Horseheads, NY 14845, Wilmot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a temporary road crossing using a mat bridge, an 8 inch diameter natural gas gathering line impacting 80 linear feet of an unnamed tributary to Miller Brook (CWF) (Jenningsville, PA Quadrangle 41°32'45"N 76°13'24"W);

2) an 8 inch diameter natural gas gathering line impacting 290 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Jenningsville, PA Quadrangle 41°33'40"N 76°13'52"W).

The project will result in 80 linear feet of temporary stream impacts, a total of 290 square feet (0.01 acre) of temporary wetland impacts all for the purpose of installing natural gas gathering line and associated access roadways in Wilmot Township, Bradford County. This project is associated with permit number E5729-018.

E0829-027: Angelina Gathering Company, LLC, 2350 N. Sam Houston Parkway Houston, TX 77032, Herrick Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 12 inch diameter natural gas line impacting 8 linear feet of an unnamed tributary to Cold Creek (WWF, MF) and adjacent Palustrine Emergent Wetland (PEM) impacting 4,585 square feet (Le Raysville, PA, Latitude: 41°48'30", Longitude: -76°13'14");

2. a 12 inch diameter natural gas line and a permanent access road impacting 1,616 square feet of Palustrine Emergent Wetland (PEM) (Le Raysville, PA Quadrangle, Latitude: 41° 48'29", Longitude: -76° 13'03");

The project will result in 8 linear feet of temporary stream impacts, 4,585 square feet (0.105 acre) of PEM wetland and 1,616 (0.37) permanent PEM wetland impact all for the purpose of installing a natural gas pipeline with associated access roadways.

E5729-019: Appalachia Midstream Services, LLC, 100 IST Center, Horseheads, NY 14845, Cherry Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a temporary road crossing using a mat bridge and a 20 inch diameter natural gas gathering line impacting 150 linear feet of Little Loyalsock Creek (EV) and 7,721 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Colley, PA Quadrangle 41°32'13"N 76°21'09"W);

2) a temporary road crossing using a mat bridge and a 20 inch diameter natural gas gathering line impacting 80 linear feet of an unnamed tributary to Little Loyalsock Creek (EV) (Colley, PA Quadrangle 41°32'03"N 76°21'25"W);

3) a temporary road crossing using a mat bridge and a 20 inch diameter natural gas gathering line impacting 191 linear feet of an unnamed tributary to Little Loyalsock Creek (EV) and 17,931 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Colley, PA Quadrangle 41°31'37"N 76°21'07"W);

4) a 20 inch diameter natural gas gathering line impacting 303 square feet of a palustrine forested (PFO) wetland (Colley, PA Quadrangle 41°33'05"N 76°21'49"W);

5) a temporary road crossing using a mat bridge and a 20 inch diameter natural gas gathering line impacting 693 square feet of a palustrine scrub shrub (PSS) wetland (Colley, PA Quadrangle 41°33'02"N 76°21'42"W);

6) a temporary road crossing using a mat bridge and a 20 inch diameter natural gas gathering line impacting 1,471 square feet of a palustrine scrub shrub (PSS) wetland (Colley, PA Quadrangle 41°33'00"N 76°21'39"W);

7) a temporary road crossing using a mat bridge and a 20 inch diameter natural gas gathering line impacting 4,963 square feet of a palustrine scrub shrub (PSS) wetland (Colley, PA Quadrangle 41°32'46"N 76°20'55"W);

8) a temporary road crossing using a mat bridge and a 20 inch diameter natural gas gathering line impacting 1,069 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Colley, PA Quadrangle 41°32'42"N 76°20'51"W);

9) a temporary road crossing using a mat bridge and a 20 inch diameter natural gas gathering line impacting 41,483 square feet of a palustrine emergent and scrub shrub (EV-PEM/PSS) wetland (Colley, PA Quadrangle 41°32'28"N 76°20'52"W);

10) a temporary road crossing using a mat bridge and a 20 inch diameter natural gas gathering line impacting 5,494 square feet of a palustrine emergent (EV-PEM) wetland (Colley, PA Quadrangle 41°32'15"N 76°21'06"W);

11) a temporary road crossing using a mat bridge and a 20 inch diameter natural gas gathering line impacting 1,635 square feet of a palustrine emergent and forested (EV-PEM/PFO) wetland (Colley, PA Quadrangle 41°32'04"N 76°21'25"W);

12) a temporary road crossing using a mat bridge, a 20 inch diameter natural gas gathering line impacting 545 square feet of a palustrine emergent (EV-PEM) wetland (Colley, PA Quadrangle 41°31'57"N 76°21'22"W).

The project will result in 421 linear feet of temporary stream impacts, a total of 83,348 square feet (1.91 acres) of temporary wetland impacts, and 686 square feet (0.02 acre) of permanent wetland impacts all for the purpose of installing natural gas gathering line and associated access roadways in Cherry Township, Bradford County. The permittee will provide 0.14 acre of compensatory mitigation at the Hardenstine Site (Wyalusing, PA Quadrangle 41°37'55"N 76°20'57"W) and along the right of way near impact 11 (Colley, PA Quadrangle 41°32'04"N 76°21'22"W).

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, Telephone 570-826-251.

E48-415. Borough of Freemansburg, 600 Monroe Street Freemansburg, PA 18017. Borough of Freemansburg, **Northampton County**, Army Corps of Engineers Philadelphia District.

To construct and maintain an approximately 0.63 mile long section of an 8-foot wide at-grade stone recreational biking/hiking trail in the floodway of the Lehigh River. The project is located on an existing towpath between the Lehigh Canal and Lehigh River beginning at the Freemansburg Borough/ City of Bethlehem line (Hellertown, PA Quadrangle Latitude: 40° 37' 16.6"; Longitude -75° 20' 50.5") and extending approximately 1.43 miles upstream to the confluence of the Lehigh River and Nancy Run (Nazareth, PA Quadrangle Latitude: 40° 37' 55.1", Longitude: -75° 20' 3.1"). Subbasin: 2C.

E45-563. Middle Smithfield Township, 25 Municipal Drive, East Stroudsburg, PA 18302. Middle Smithfield Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To remove the existing structure and to construct and maintain a road crossing (Big Ridge Drive) of tributary to Pond Creek (HQ-CWF, MF) and 170 feet of adjacent wetlands consisting of four 60-inch diameter HDPE culverts and five 24-inch diameter HDPE culverts. Portions of the project were previously authorized by Emergency Permit EP4510403. The permittee is required to provide for 0.25 acre of replacement wetlands by participating in the Pennsylvania Wetland Replacement Project. The project is located on Big Ridge Drive approximately 1.0 mile north of its intersection with SR 0209 (Bushkill Quadrangle Latitude: 41°03'53"; Longitude: -75°06'14"). Subbasin: 1E.

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

E63-636. East Bethlehem Township, P. O. Box 687, 36 Water Street, Fredericktown, PA 15333, East Bethlehem Township, **Washington County**; ACOE Pittsburgh District

Has been given consent to operate and maintain an existing 120 foot long dock and construct and maintain a 100 foot expansion of their existing docking facility for a total length of 220 feet along the Monongahela River (WWF). The project is located along PA88 (Water Street) at the East Bethlehem Township Offices. (Carmichaels, PA Quadrangle; N: 22.5 inches, W: 17 inches; Latitude: 40°00'00"; Longitude: 79°-59'-48") in East Bethlehem Township, Washington County.

ENVIRONMENTAL ASSESSMENTS

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

EA21-008: Gene Giza, Cumberland Valley Trout Unlimited, PO Box 520, Carlisle, PA 17013, in South Middleton Township, **Cumberland County**, ACOE Baltimore District

To line 150.0 linear feet of streambank with sandbags and coir logs and fill subsided pockets along the floodway of LeTort Spring Run (EV) following emergency sinkhole repair, temporarily impacting 0.02 acre and permanently impacting 0.01 acre of Exceptional Value Palustrine Emergent (PEM) Wetland, all for the purpose of restoring the banks and preventing future sinkhole formation. The project is located approximately 1,500 feet northeast of the intersection of SR 34 and Bonneybrook Road in South Middleton Township, Cumberland County (Carlisle, PA Quadrangle; N: 9.89 inches, W: 8.71 inches; Latitude: 40° 10'46", Longitude: -77°11'14.5").

Central Office: Bureau of Waterways Engineering, Rachel Carson State Office Building, Floor 3, 400 Market Street, Harrisburg, PA 17105

D46-070EA. Mr. James Mensch, American Legion Post 184, 744 Gravel Pike, East Greenville, PA 18041. Upper Hanover Township, **Montgomery County**, ACOE Philadelphia District.

Project proposes to remove the remaining portions of Mill Side Park Dam across Perkiomen Creek (TSF) for the purpose of eliminating a threat to public safety and restoring the stream channel. The dam is located approximately 300 feet west of the intersection of SR 029 and Water Street (T218) (East Greenville, PA Quadrangle; Latitude: 40° 25' 22", Longitude: -75° 31' 30").

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

Southwest Region: Oil & Gas Program 400 Waterfront Drive Pittsburgh, PA

1/26/12

ESCGP-1 No.: ESX11-063-0001 MAJOR REVISION
Applicant Name: CNX GAS COMPANY LLC
Contact Person: CRAIG NEAL
Address: 280 INDIAN SPRINGS ROAD SUITE 333
City: INDIANA State: PA Zip Code: 15701
County: INDIANA Township: YOUNG
Receiving Stream (s) And Classifications: NESBIT RUN & TRIB 43217 TO WHISKY RUN / NESBIT & WHISKY RUN WATERSHEDS; OTHER CWF

2/16/12

ESCGP-1 No.: ESX11-051-0011 MAJOR REVISION
Applicant Name: LAUREL MOUNTAIN MIDSTREAM LLC
Contact Person: CLAYTON A ROESLER
Address: 1605 CORAOPOLIS HEIGHTS RD
City: MOON TOWNSHIP State: PA Zip Code: 15108
County: FAYETTE Township(s): BULLSKIN & UPPER TYRONE TWP
Receiving Stream(s) and Classifications: UNT TO JACOBS CREEK (WWF), UNT TO GALLEY RUN (WWF) & UNT TO IRISH RUN (WWF) LOWER YOUGHLOGHENY RIVER WATERSHED; OTHER

2/17/12

ESCGP-1 No.: ESX12-059-0002
Applicant Name: ALPHA SHALE RESOURCES LP
Contact Person: TOBY Z RICE
Address: 171 HILLPOINTE DRIVE STE 301
City: CANONSBURG State: PA Zip Code: 15317
County: GREENE Township(s): CENTER
Receiving Stream(s) and Classifications: UNT TO HARGUS CREEK AND PURSLEY CREEK / S. FORK TENMILE CREEK

2/2/12

ESCGP-1 No.: ESX12-005-0003
Applicant Name: NORTHEAST NATURAL ENERGY LLC
Contact Person: BRETT D LOFLIN
Address: 707 VIRGINIA STREET E #1400
City: CHARLESTON State: WV Zip Code: 25301
County: ARMSTRONG Township(s): WAYNE
Receiving Stream(s) and Classifications: TWO UNT TO MAHONING CREEK (CWF); ONE UNT TO SCRUBGRASS CREEK (CWF) CAVE RUN (WWF N); OTHER

12/6/11

ESCGP-1 No.: ESX11-129-0044
Applicant Name: CNX GAS COMPANY LLC
Contact Person: MR DANIEL BITZ
Address: 280 INDIAN SPRINGS ROAD SUITE 333
City: INDIANA State: PA Zip Code: 15701
COUNTY WESTMORELAND Township(s): WASHINGTON AND BELL
Receiving Stream(s) and Classifications: TRIBUTARIES OF BEAVER RUN (HQ-CWF), BEAVER RUN (TSF) AND ASSOCIATED TRIBUTARIES IN KISKIMINETAS RIVER WATERSHED (WWF). SEE ESS PLAN FOR COMPLETE LIST OF TRIBUTARIES; HQ

11/23/11

ESCGP-1 No.: ESX11-059-0070
Applicant Name: COAL GAS RECOVERY LLC
Contact Person: JOANNE REILLY
Address: 158 PORTAL ROAD PO BOX 1020 City: WAYNESBURG State: PA Zip Code: 15370
County: GREENE Township(s): JACKSON
Receiving Stream(s) and Classifications: UNT TO HOUSE RUN / S FORK TENMILE CREEK; HQ

1/20/12

ESCGP-1 No.: ESX12-125-0014
Applicant Name: CHESAPEAKE APPALACHIA LLC
Contact Person: ERIC HASKINS
Address: 101 NORTH MAIN STREET
City: ATHENS State: PA Zip Code 18810
County: WASHINGTON Township(s): DONEGAL
Receiving Stream(s) and Classifications: DOG RUN—(HQ-WWF)/UPPER OHIO-SOUTH;HQ

1/24/12

ESCGP-1 No.: ESX12-125-0017
Applicant Name: RANGE RESOURCES APPALACHIA LLC
Contact Person: LAURA RUSMISEL
Address: 3000 TOWN CENTER BOULEVARD
City: CANONSBURG State: PA Zip Code: 15317
County: WASHINGTON Township(s): DONEGAL
Receiving Stream(s) and Classifications: UNTs TO MIDDLE WHEELING CREEK/WHEELING-BUFFALO CREEKS WATERSHED; OTHER

2/6/12

ESCGP-1 No.: ESX12-059-0005
Applicant Name: RICE DRILLING B LLC
Contact Person: TOBY Z RICE
Address: 171 HILLPOINTE DRIVE SUITE 301
City: CANONSBURG State: PA Zip Code: 15317
County: GREENE Township(s): GRAY
Receiving Stream(s) and Classifications: GRINNAGE RUN/GRAYS FORK; HQ

1/19/12
 ESCGP-1 NO.: ESX12-007-0001
 Applicant Name: CHESAPEAKE APPALACHIA LLC
 CONTACT PERSON: ERIC HASKINS
 ADDRESS: 101 NORTH MAIN STREET
 City: ATHENS State: PA Zip Code: 18810
 County: BEAVER Township(s): SOUTH BEAVER
 Receiving Stream(s) and Classifications: UNT OF BRUSH
 RUN-(HQ-CWF)/LITTLE BEAVER CREEK; HQ

12/13/11
 ESCGP-1 NO.: ESX11-125-0116
 Applicant Name: RANGE RESOURCES APPALACHIA
 LLC
 CONTACT: GLENN D TRUZZI
 ADDRESS: 3000 TOWN CENTER BOULEVARD
 City: CANONSBURG State: PA Zip Code: 15317
 County: WASHINGTON Township(s): ROBINSON
 Receiving Stream(s) and Classifications: UNTs TO
 LITTLE RACCOON RUN/RACCOON CREEK WATER-
 SHED; OTHER

12/1/11
 ESCGP-1 NO.: ESX11-125-0113
 Applicant Name: RANGE RESOURCES APPALACHIA
 LLC
 CONTACT: GLENN D TRUZZI
 ADDRESS: 3000 TOWN CENTER BOULEVARD
 City: CANONSBURG State: PA Zip Code: 15317
 County: WASHINGTON Township(s): CROSS CREEK
 Receiving Stream(s) and Classifications: UNTs TO
 SOUTH FORK CROSS CREEK / RACCOON CREEK
 WATERSHED; HQ

11/23/11
 ESCGP-1 NO.: ESX11-007-0020

Applicant Name: CHESAPEAKE APPALACHIA LLC
 CONTACT: ERIC HASKINS
 ADDRESS: 101 NORTH MAIN STREET
 City: ATHENS State: PA Zip Code: 18810
 County: BEAVER Township(s): DARLINGTON
 Receiving Stream(s) and Classifications: DILWORTH
 RUN (HQ-CWF) LITTLE BEAVER CREEK; HQ

1/3/12
 ESCGP-1 NO.: ESX12-125-0001
 Applicant Name: MARKWEST LIBERTY MIDSTREAM &
 RESOURCES LLC
 CONTACT: RICK LOWRY
 ADDRESS: 824 MORGANZA ROAD
 City: CANONSBURG State: PA Zip Code: 15317
 County: WASHINGTON Township(s): HOPEWELL
 Receiving Stream(s) and Classifications: UNTs TO
 CROSS CREEK

2/27/12
 ESCGP-1 NO.: ESX11-059-0048
 Applicant Name: CHEVRON APPALACHIA LLC
 CONTACT: JEREMY HIRTZ
 ADDRESS: 800 MT VIEW DRIVE
 City: SMITHFIELD State: PA Zip Code: 15478
 County: GREENE Township(s): CUMBERLAND
 Receiving Stream(s) and Classifications: UNT TO LITTLE
 WHITELEY CREEK (WWF)/UPPER
 MONONGAHELA; OTHER

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

*Greene County Conservation District: 19 South Wash-
 ington Street, Waynesburg, PA 15370 (724) 852-5278*

<i>ESCGP-1 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
OG30128-001	Dominion Transmission 466 E. Pittsburgh St. Greensburg, PA 15601	Greene	Wayne Township	Pursley Creek (HQ-WWF)

*Northwest Region: Oil and Gas Program Manager, 230
 Chestnut St., Meadville, PA 16335*

ESCGP-1 #ESX12-123-0017—FOREST BROKENSTRAW
 PAD A
 Applicant Pennsylvania General Energy Company LLC
 Contact Mark Mummert
 Address 120 Market Street
 City Warren State PA Zip Code 16365
 County Warren Township(s) Brokenstraw(s)
 Receiving Stream(s) and Classification(s) Brokenstraw
 Creek (CWF), UNT to Brokenstraw Creek (CWF), UNT
 to Allegheny River (CWF)

ESCGP-1 #ESX11-083-0059—MOJ-4 Pipeline Project
 Applicant NFG Midstream Mt. Jewett, LLC
 Contact Duane A. Wassum
 Address 6363 Main St
 City Williamsville State NY Zip Code 14221
 County McKean Township(s) Wetmore(s)
 Receiving Stream(s) and Classification(s) Glad Run/
 Lanigan Brook/Buck Run/Wilson Run, S. Branch
 Kinzua Creek & W. Branch Clarion River—HQ

ESCGP-1 #ESX12-019-0132-Pallack Pipeline
 Applicant Keystone Midstream Services LLC
 Contact David Yourd

Address 11400 Westmoor Circle, Suite 325
 City Westminster State CO Zip Code 80021
 County Butler Township(s) Lancaster(s)
 Receiving Stream(s) and Classification(s) UNT to Yellow
 Creek and Yellow Creek (CWF), and UNT to Crab Run
 (CWF)

ESCGP-1 #ESX12-123-0015—Bear Lake Properties
 Applicant Bear Lake Properties, LLC
 Contact Mr. Karl Kimmich
 Address 3000 Village Run Road, Unit 103, #223
 City Wexford State PA Zip Code 15090
 County Warren Township(s) Columbus(s)
 Receiving Stream(s) and Classification(s) Brokenstraw
 Creek Watershed/Pine Valley Creek Watershed

ESCGP-1 #ESX12-083-0063—SG G Pipeline
 Applicant EOG Resources Inc
 Contact Greg Shaffer
 Address 191 Beaver Drive
 City Dubois State PA Zip Code 15801
 County McKean Township(s) Sergeant(s)
 Receiving Stream(s) and Classification(s) Buck Run, West
 Fork West Branch Potato Ck, Gumboot Run & E.
 Branch Clarion River

ESCGP-1 #ESX11-019-0108A—Paul Smith Freshwater Impoundment
 Applicant XTO Energy, Inc
 Contact Melissa Breitenbach
 Address 502 Keystone Drive
 City Warrendale State PA Zip Code 15086
 County Butler Township(s) Jefferson(s)
 Receiving Stream(s) and Classification(s) UNT of Thorn Creek—CWF

SPECIAL NOTICES

Construction Contract for Abandoned Mine Land Reclamation

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

P & N Coal Company, Inc., GFCC No. 17-08-02, Lower Slab Run Operation, Sandy Township, **Clearfield County** (Slab Run to Sandy Lick Creek -Upper Allegheny Watershed): A construction contract has been awarded to P & N Coal Company, Inc., that will result in the reclamation of approximately 17.0 acres of abandoned mine land, the elimination and reclamation of 7,850-feet of abandoned highwall and the recovery of approximately 94,000 tons of remaining coal reserves. The site will be reclaimed and regraded to approximate original contour. The estimated value of the reclamation work is \$400,000.00 which will be done at no cost to the Commonwealth. The site is located to the northwest of the city of Dubois on State Game Lands No 77 on lands formerly mined and subsequently abandoned by McIntosh Coal Company in the late 1950's. P&N will add 32,000 tons of lime to the mining area to prevent acid drainage. In addition, in order to further restore water quality in Slab Run, the Department has also awarded the operator \$150,000.00 in Growing Greener funds to pay for an additional 14,000 tons of lime to be incorporated into the backfill. Slab Run is a tributary of Sandy Lick Creek.

[Pa.B. Doc. No. 12-583. Filed for public inspection March 30, 2012, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at <http://www.eLibrary.dep.state.pa.us>. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to Technical Guidance Documents

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Final Technical Guidance—Substantive Revision

DEP ID: 363-2134-008. Title: Erosion and Sediment Pollution Control Program Manual. Description: The Department by this notice is providing the final version of the Erosion and Sediment Pollution Control Program Manual; Document No. 363-2134-008, March 2012 (Manual). The Manual includes specific guidance, performance requirements and design criteria to support the implementation of the Department's water quality regulatory requirements, including those found at 25 Pa. Code Chapter 102 (relating to erosion and sediment control).

The draft version of the Manual was announced for a 60-day public comment period at 39 Pa.B. 6121 (October 17, 2009). In response to the notice the Department received 607 comments from 24 commenters. The Department has developed a Comment and Response document that summarizes the comments received and the Department's response to the comments. The final version of the Manual reflects changes made to the draft Manual based on comments received, updating and correcting typographical errors and improving formatting, photos and drawings for clarity.

The Manual has been designed to be more user-friendly and to complement the Pennsylvania Stormwater BMP Manual; Document No. 363-0300-002, December 2006. The Manual has been revised to follow an overall approach that supports the managing of stormwater for erosion and sediment control during earth disturbance activities that are compatible with, and can be integrated into, structural and non-structural post construction stormwater management practices. Contact: Questions regarding this final guidance document should be directed to Jennifer Orr, (717) 772-5961 or jeorr@pa.gov.

Effective Date: Upon publication as final in the *Pennsylvania Bulletin*.

MICHAEL L. KRANCER,
Secretary

[Pa.B. Doc. No. 12-584. Filed for public inspection March 30, 2012, 9:00 a.m.]

Bid Opportunity

BOGM 11-8, Cleaning Out and Plugging Eight Abandoned Gas/Oil, Gas and Oil Wells (Joseph N. Denardo, William Graziani and Mr. and Mrs. Robert A. Steele Properties), Cecil Township, Washington County. The principal items of work and approximate quantities are to clean-out and plug eight abandoned gas/oil, gas and oil wells, estimated to be 3,500 feet in depth, to Department of Environmental Protection specifications; to prepare and restore well sites/site; and to mobilize and demobilize plugging equipment. This project issues on March 30, 2012, and bids will be opened on May 3, 2012, at 2 p.m. Bid documents cost \$10 per set and will

not be mailed until payment has been received. A prebid conference is planned for April 10, 2012, at 10 a.m. Use the contact information contained in this advertisement to find out more about the prebid. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

MICHAEL L. KRANCER,
Secretary

[Pa.B. Doc. No. 12-585. Filed for public inspection March 30, 2012, 9:00 a.m.]

Mine Families First Response Communications and Advisory Council Meeting Change

The April 24, 2012, meeting location and time of the Mine Families First Response and Communications Advisory Council has been changed. The meeting will now take place at 9 a.m. in the First Floor Conference Room, Rachel Carson State Office Building, Harrisburg, PA.

Questions concerning the meeting can be directed to Allison D. Gaida at (724) 439-7289 or agaida@pa.gov.

The agenda and meeting materials for the meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.dep.state.pa.us> (DEP Keywords: "Public Participation, Participate").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Allison Gaida directly at (724) 439-7289 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. 12-586. Filed for public inspection March 30, 2012, 9:00 a.m.]

Small Business Compliance Advisory Committee Meeting Change

The April 25, 2012, meeting of the Small Business Compliance Advisory Committee (Committee) will convene at an alternate location than was previously published at 42 Pa.B. 272 (January 14, 2012). The meeting will begin at 10 a.m. at the Emerging Technology Applications Center Facility, Fowler Family Southside Center, 511 East Third Street, Bethlehem, PA.

Questions concerning the next scheduled meeting of the Committee can be directed to Susan Foster at (717) 787-7019 or sufoster@pa.gov. The agenda and meeting materials for the meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.dep.state.pa.us> (select "Public Participation").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 787-7019 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. 12-587. Filed for public inspection March 30, 2012, 9:00 a.m.]

DEPARTMENT OF HEALTH

Breastfeeding Awareness and Support Program; Breastfeeding and Birthing Hospital and Birthing Centers Initiative for State Fiscal Year 2012-2013

The Department of Health's Breastfeeding Awareness and Support Program (Program) is announcing the Breastfeeding and Birthing Hospital and Birthing Centers Initiative for State Fiscal Year 2012-2013 (July 2, 2012, to June 30, 2013). This initiative aims to support and enhance existing breastfeeding activities within birthing hospitals/centers across this Commonwealth with the overarching goals of continuing to develop baby friendly birthing hospitals and centers and increasing this Commonwealth's overall breastfeeding initiation and duration rates.

Total funding of \$50,000 is available to fund between 10 and 12 small no-bid grants at \$3,000 to \$4,999 each for the period of July 1, 2012, to June 30, 2013. For additional information or to apply, visit the Program's web page at <http://www.health.state.pa.us/breastfeeding> and click on the link "2012-2013 Birthing Hospital/Center Small No-Bid Grant Application" under the Quick Links section of the page. Note, funding for these grants will not be made available until the State Fiscal Year 2012-2013 Commonwealth budget is passed by the Legislature.

Persons with questions regarding this information should contact Kay Hoover, Coordinator of the Breastfeeding Awareness and Support Program, c-kahoover@pa.gov, (717) 772-2763.

Persons with a disability who require an alternative format of this Notice (for example, large print, audiotape, Braille) should contact Kay Hoover, Department of Health, Bureau of Family Health, Health and Welfare Building, 7th Floor, Harrisburg, PA 17120 or (717) 772-2763, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

[Pa.B. Doc. No. 12-588. Filed for public inspection March 30, 2012, 9:00 a.m.]

Health Policy Board Meeting

The Health Policy Board is scheduled to hold a meeting on Wednesday, April 18, 2012, at 10 a.m. in Room 812, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so contact Katrina Kyle, Bureau of Health Planning, Room

1033, Health and Welfare Building, Harrisburg, PA 17120, (717) 772-5298, katkyle@pa.gov, or V/TT (717) 783-6514 for speech and/or hearing impaired persons, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

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

[Pa.B. Doc. No. 12-589. Filed for public inspection March 30, 2012, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Millionaire Raffle XIV Raffle Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 874.4 (relating to notice of raffle lottery game rules), the Secretary of Revenue hereby provides public notice of the rules for the following raffle lottery game:

1. *Name:* The name of the raffle game is Pennsylvania Millionaire Raffle XIV.
2. *Price:* The price of a Pennsylvania Millionaire Raffle XIV lottery game ticket is \$20.
3. *Ticket Sales And Drawing Date:* Pennsylvania Millionaire Raffle XIV lottery game tickets sales will commence on or after May 4, 2012, and will continue until all 500,000 tickets have been sold, or 5:00 p.m. on July 7, 2012, whichever occurs earlier.
4. *Ticket Characteristics:* Each Pennsylvania Millionaire Raffle XIV lottery game ticket will contain one unique eight-digit number between 00000001 and 00500000, for a total of 500,000 tickets.
5. *Prizes:* The prizes that can be won in this game are \$100, \$1,000, \$100,000 and \$1,000,000. A player may only win one time on each ticket or chance.

Ticket Matching Exactly the Unique Eight-digit Number Drawn:

	<i>Win Prize Of:</i>
First-Prize-Tier	\$1,000,000
Second-Prize-Tier	\$100,000
Third-Prize-Tier	\$1,000
Fourth-Prize-Tier	\$100

All Pennsylvania Millionaire Raffle XIV lottery game prize payments, including first-prize-tier prizes, will be made as one-time lump-sum cash payments.

10. *Consumer Promotional Programs:* The Lottery may conduct promotional activities to promote the sale of Pennsylvania Millionaire Raffle XIV lottery game tickets, including offering tickets at a discounted price. Details of any such offering will be disseminated through media used to advertise or promote Millionaire Raffle XIV or through normal communications methods.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Millionaire Raffle XIV lottery

6. *Maximum Number of Tickets Printed and Sold for the Game:* There will be no more than 500,000 tickets printed and sold for the Pennsylvania Millionaire Raffle XIV lottery game. The chances will be sequentially issued on a statewide basis from the range of individual unique numbers representing the chances available for the game.

7. *Conduct of Drawing:* The results of the Pennsylvania Millionaire Raffle XIV will be televised on July 7, 2012, at or about 7:00 p.m. A computer-generated randomizer will be used to conduct the drawing. Six-thousand (6,000) unique eight-digit numbers will be drawn from the range of numbers representing the chances sold. The first four unique eight-digit numbers drawn will be the first-prize-tier winning numbers. The fifth through eighth unique eight-digit numbers drawn will be the second-prize-tier winning numbers. The ninth through 108th unique eight-digit numbers drawn will be the third-prize-tier winning numbers. The 109th through 6,000th unique eight-digit numbers drawn will be the fourth-prize-tier winning numbers.

8. *Determination of Prize Winners:*

- (a) Holders of tickets upon which the unique eight-digit number matches exactly one of the first-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$1,000,000.
 - (b) Holders of tickets upon which the unique eight-digit number matches exactly one of the second-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$100,000.
 - (c) Holders of tickets upon which the unique eight-digit number matches exactly one of the third-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$1,000.
 - (d) Holders of tickets upon which the unique eight-digit number matches exactly one of the fourth-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$100.
9. *Number and Description of Prizes and Approximate Odds:* The Pennsylvania Millionaire Raffle XIV prizes and determination of winners are as follows:

<i>Maximum Odds Of Winning Are 1 In:</i>	<i>Number Of Winners</i>
125,000	4
125,000	4
5,000	100
84.86	5,892

game tickets. The conduct of the Program will be governed by 61 Pa. Code § 811.41 (relating to promotional prizes).

12. *Unclaimed Prize Money:* Unclaimed prize money on winning PA Millionaire Raffle XIV lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the announced close of the Raffle XIV lottery game. If no claim is made within 1 year of the announced close of the Raffle XIV lottery game conducted by the State Lottery, the right of a ticket holder to claim the prize represented by that ticket, if any, expires and the prize money will be paid into the State Lottery Fund and used for purposes otherwise provided for by statute.

13. *Governing Law*: In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 12-590. Filed for public inspection March 30, 2012, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Medical Advisory Board Meeting

The Medical Advisory Board (Board) will meet on Friday, April 13, 2012, at 10 a.m. at the Riverfront Office Center, Transportation University, 1101 South Front Street, Harrisburg, PA. The meeting is open to the public. Chairperson Janet L. Dolan will preside.

Members of the public interested in addressing the Board with a concern relating to medical regulations must contact Laura Krol at (717) 783-4534 by Friday, April 6, 2012. These concerns will be discussed during “Items from the Floor” on the Agenda, which will open at 1:30 p.m.

The meeting location is accessible to persons with disabilities. Persons with special needs or requiring special aids are also requested to contact Laura Krol at (717) 783-4534 prior to the meeting so that disability needs may be accommodated.

BARRY J. SCHOCH, P. E.,
Secretary

[Pa.B. Doc. No. 12-591. Filed for public inspection March 30, 2012, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Horsham Water & Sewer Authority v. DEP; EHB Doc. No. 2012-044-C

Horsham Water & Sewer Authority has appealed the issuance by the Department of Environmental Protection of an NPDES Permit No. PA0051985 to Horsham Water & Sewer Authority for a facility in Horsham Township, Montgomery County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board’s rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Chairperson

[Pa.B. Doc. No. 12-592. Filed for public inspection March 30, 2012, 9:00 a.m.]

GOVERNOR’S ADVISORY COMMISSION ON POSTSECONDARY EDUCATION

Meeting Scheduled

The Governor’s Advisory Commission on Postsecondary Education will be meeting Monday, April 16, 2012. The meeting will begin at 12:30 p.m. in the Rachel Carson State Office Building, Room 105, 400 Market Street, Harrisburg, PA. Persons with any questions should contact Becky Myers at (717) 772-9048 or rebmyers@pa.gov.

ROBERT WONDERLING,
Chairperson

[Pa.B. Doc. No. 12-593. Filed for public inspection March 30, 2012, 9:00 a.m.]

INSURANCE DEPARTMENT

Progressive Advanced Insurance Company; Progressive Preferred Insurance Company; Progressive Specialty Insurance Company; Private Passenger Automobile; Rate and Rule Revisions

On March 1, 2012, the Insurance Department (Department) received from Progressive Advanced Insurance Company, Progressive Preferred Insurance Company and Progressive Specialty Insurance Company a filing for rate level changes for private passenger automobile insurance.

The companies request an overall 4.9% increase, amounting to \$10,154,765, to be effective June 29, 2012, for new business and August 8, 2012, for renewal business. This overall figure represents an average; the effect of this filing on the rates for individual consumers may vary.

The filing also includes significant revisions to the companies’ rules, including an Occupation/Education rating variable. Section 5(a)(7)(iii) of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.5(a)(7)(iii)) prohibits insurers from “[m]aking or permitting any unfair discrimination between individuals of the same class and essentially the same hazard with regard to underwriting standards and practices or eligibility requirements by reason of . . . occupation,” among other things. The act, however, further provides that “[t]he terms ‘underwriting standards and practices’ or ‘eligibility rules’ do not include the promulgation of rates if made or promulgated in accordance with the appropriate rate regulatory act.”

A copy of the filing is available on the Department's web site at www.insurance.pa.gov. Under the tab "How to Find..." click on "PA Bulletin." Refer to rules P41 and P97, the Occupation Group Table, the Occupation/Education Rank Table and the Occupation/Education Factor Table for the full details regarding the proposed Occupation/Education rating variable.

Unless formal administrative action is taken prior to April 30, 2012, the subject filing may be deemed approved by operation of law.

Interested parties are invited to submit written comments regarding the filing to Michael McKenney, Insurance Department, Office of Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mmckenney@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 12-594. Filed for public inspection March 30, 2012, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Act 13 of 2012—Implementation of Unconventional Gas Well Impact Fee Act; Tentative Implementa- tion Order

Public Meeting held
March 15, 2012

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

*Act 13 of 2012—Implementation of Unconventional Gas
Well Impact Fee Act; M-2012-2288561*

Tentative Implementation Order

By the Commission:

On February 14, 2012, Governor Corbett signed into law Act 13 of 2012, the Unconventional Gas Well Impact Fee Act (Act 13), which amends Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes. Act 13 provides, inter alia, for an impact fee, Oil and Gas Act amendments and standards for local ordinances. Act 13 allows counties to pass ordinances to impose an impact fee on unconventional gas well producers and, alternatively, allows municipalities, under certain circumstances, to adopt resolutions compelling the imposition of fees if a county elects not to do so.

The Pennsylvania Public Utility Commission's (Commission) administrative responsibilities for implementing the provisions of Act 13 are contained within Chapters 23 and 33 of the Act. In general, Chapter 23 addresses the determination, collection and disbursement of the impact fees established by Act 13, as well as the method by which counties and municipalities may adopt ordinances and resolutions to qualify for impact fee disbursements. Chapter 33 addresses uniformity of local ordinances, the processes for obtaining advisory reviews of proposed local ordinances and substantive reviews of disputed ordinances, and the ineligibility of a local government for impact fee disbursements if its local ordinance is inconsistent with state law, as provided by Act 13. Accordingly,

this Tentative Implementation Order will address those responsibilities and propose procedures to carry out the administrative responsibilities contained in these two chapters.

Chapter 23—Determination, Collection and Disbursement of Impact Fees

Chapter 23 defines the unconventional gas well fee, as well as the Commission's responsibilities for the collection, administration and distribution of fees collected from producers and distributed to qualified counties, municipalities, and other specified recipients. Specific statutory provisions are discussed below.

Section 2302. Unconventional gas well fee.

Impact Fee Notification Procedures and Notice Content

Section 2302 explains the process by which counties may establish impact fee ordinances. Under Section 2302(a), the governing body of a county that has unconventional gas wells¹ located within its borders may elect to impose a fee on such wells spud in that county.² By Monday, April 16, 2012, the governing body of each county may adopt an ordinance to impose an unconventional gas well fee.

The ordinance imposing a fee under subsection (a.1) must be in language that is readily understandable and must include specific language in the following form:

The county of (insert name) hereby imposes an unconventional gas well fee on each unconventional gas well spud in this county.

Further, each county governing body electing to implement an impact fee must notify the Commission and give public notice of its intent to adopt an ordinance. See Section 2302(a.1). In order to administer the collection and disbursement of the impact fee, this notice must be provided to the Commission in a timely fashion. Accordingly, counties that adopt impact fee ordinances must provide notice to the Commission, in the form of an official filing directed to the Secretary of the Commission, together with a verified copy of the ordinance, as soon as possible after its adoption but no later than April 23, 2012.³

These official filings must contain the docket number (M-2012-2288561) for this matter (unless a new matter/filing). They may be filed via U.S. mail (first class, certified or overnight delivery⁴); in person⁵; or via the Commission's eFiling system.⁶ Faxes or filings attached to an email are not acceptable. We recognize that these notification procedures may not become final prior to April 23, 2012. To address this possibility, we note that the above procedures should be used pending the issuance of our Final Implementation Order.

¹ "Unconventional gas well" is defined as "a bore hole drilled or being drilled for the purpose of or to be used for the production of natural gas from an unconventional formation." 58 Pa.C.S. § 2301. "Unconventional formation" is defined as "a geological shale formation existing below the base of the Elk Sandstone or its geologic equivalent stratigraphic interval where natural gas generally cannot be produced at economic flow rates or in economic volumes except by vertical or horizontal well bores stimulated by hydraulic fracture treatments or by using multi-lateral well bores or other techniques to expose more of the formation of the wellbore." Id.

² "Spud" is defined as "the actual start of drilling on an unconventional gas well." Id.

³ The County Commissioners Association of Pennsylvania has developed a standardized form that the Commission has determined fulfills this requirement. That form is available at www.pacounties.org. Click on "Shale Gas/Act 13 Analysis and resources," then under "Attachments," click on "Model County Ordinance."

⁴ Date of deposit or postmark or shipping date by first class mail, certified or overnight delivery must be the same date the filing is due.

⁵ In person filings may be made between 8 a.m. and 4:30 p.m. Monday through Friday on the date due at the Commission's offices at 400 North St., Harrisburg, in the Secretary's Bureau Filing Room, located on the Second Floor.

⁶ Information on eFiling is located at www.puc.state.pa.us. Click on "eFiling" on the left. A tutorial for eFiling can be found at http://www.puc.state.pa.us/naturalgas/naturalgas_marcellus_Shale.aspx.

Section 2302(a.3) provides that a county that does not adopt an ordinance imposing an unconventional gas well fee by April 16, 2012 will be prohibited from receiving any funds generated by the fee under this section. This prohibition on the receipt of funds by the county, which extends to its municipalities, will expire and funds may be received for the calendar year following the adoption of an ordinance imposing the fee.

However, Section 2302(a.4) establishes an alternative fee implementation mechanism. If a county's governing body does not impose an unconventional gas well fee under subsection (a.1), the municipalities in that county can compel the imposition of an unconventional gas well fee on every unconventional gas well located in the county if an adequate number of municipalities adopt resolutions to compel the county to impose an impact fee. See Section 2302(a.4)(1).

Specifically, Section 2302(a.4)(2) provides that between April 16 and June 13, 2012,⁷ if the governing bodies of at least half of the municipalities located in a county or municipalities representing at least 50% of the county's population adopt resolutions to impose unconventional gas well fees on all unconventional gas wells in the county, the fee will take effect. A copy of each municipally adopted resolution must be sent to both the governing body of the county and the Commission.

Municipalities that adopt resolutions and are located in more than one county must transmit a copy of the adopted resolution to the Commission and the governing body of each county in which the municipality is located. See Section 2302(a.4)(2). The population of municipalities located in more than one county will be determined separately for each county based on the municipality's population within each county. *Id.* at 2302(a.4)(3).

Per Section 2302(a.4)(4), municipal resolutions adopted under this section of Act 13 are required to contain the following language:

The (insert name) in the county of (insert name) hereby resolves to have the county impose an unconventional gas well fee on each unconventional gas well spud in the county.

Similar to ordinances adopted by counties, in order to properly administer our duties under the Act, each municipality's notice must be provided to the Commission in a timely fashion. The Commission will tally the municipal resolutions for each county and determine whether either the 50% of municipalities or 50% of a county's population standard has been met to qualify that county for imposition of the impact fee. Accordingly, each municipality that adopts a resolution to impose an unconventional gas well fee must provide notice to the Commission, in the form of an official filing directed to the Secretary of the Commission as described on page 3, together with a verified copy of the resolution, as soon as possible after its adoption but no later than June 20, 2012.

Municipalities located in a county that does not adopt an ordinance imposing an unconventional gas well fee and that do not adopt a resolution under the alternative mechanism by June 13, 2012, will be prohibited from receiving funds under Section 2314(d) of Act 13. Thus, except as provided in Section 2303(a.3), Act 13 does not provide for any subsequent opportunity for municipalities to adopt such resolutions.⁸

⁷ June 13, 2012 is 120 days from February 14, 2012, the effective date of Chapter 23.
⁸ Alternatively, Act 13 does permit counties to receive funds in subsequent years upon adoption of an ordinance imposing the impact fee even if the county failed to adopt such an ordinance previously. See 58 Pa.C.S. § 2302(a.3)(2).

Application of Impact Fee to Wells Spud 2011 or Prior

Section 2302(b) provides that the fee adopted under Section 2302 will be imposed on every producer and will apply to all unconventional gas wells regardless of when those wells were spud. Unconventional gas wells spud before the fee is imposed will be considered to have been spud in the calendar year prior to the imposition of the fee for purposes of determining the amount of the fee. In other words, all unconventional wells spud in calendar year 2011 or before 2011 will be treated as if they were spud in calendar year 2011.

Calculation of Impact Fee

Sections 2302(b)(1)—(b)(6) provide a detailed description of how the impact fee will be calculated based on factors including: when the well was spud, the number of years the well has been subject to the impact fee and the average annual price of natural gas.⁹ Under Section 2302(b.1), for an unconventional well that begins paying the impact fee and is subsequently capped or is producing less than a stripper well,¹⁰ the Commission's initial interpretation is that the unconventional well will pay the impact fee for at least the first three years of production; if the well then qualifies as a stripper well or is capped after the third year of paying the fee, the fee shall be suspended. A vertical gas well,¹¹ however, would only pay a fee (20% of the unconventional well fee) provided that it produces more than a stripper well. See Section 2302(f). Also, for purposes of calculating production from a stripper well, the Commission expects producers to simply divide the well's annual production by the number of days the well is in production in the relevant calendar year.

Section 2302(c) provides for an annual adjustment of the fee to reflect any "upward changes" in the Consumer Price Index (CPI) for the Mid-Atlantic Region.

The Commission interprets this section to mean that if there is no upward change in the CPI, no CPI adjustment will be made to the impact fee.¹² In addition, this subsection provides that the annual CPI adjustment will take effect only if "the total number of unconventional gas wells spud in the adjustment year exceeds the total number of unconventional wells spud in the prior year." In other words, the CPI adjustment to the impact fee will be applicable only if the industry is growing.

Section 2302(d) provides for impact fee assessment procedures for re-stimulated unconventional wells. Section 2302(e) provides that payments of the fee will cease upon certification to the Pennsylvania Department of Environmental Protection (DEP) by the producer that the unconventional gas well has ceased production and has been plugged according to DEP regulations.

Section 2303. Administration.

Fee Collection Timing and Procedures

Section 2303(a)(1) establishes the due date for payment of the fee imposed under this chapter for wells spud after January 1, 2012 to be April 1, 2013 and each April 1

⁹ "Average annual price of natural gas" is defined as "the arithmetic mean of the New York Mercantile Exchange (NYMEX) settled price for the near-month contract, as reported by the Wall Street Journal for the last trading day of each month of a calendar year for the 12-month period ending December 31." 58 Pa.C.S. § 2301.

¹⁰ "Stripper well" is defined as "an unconventional gas well incapable of producing more than 90,000 cubic feet of gas per day during any calendar month, including production from all zones and multi-lateral well bores at a single well, without regard to whether the production is separately metered." *Id.*

¹¹ "Vertical gas well" is defined as "an unconventional gas well which utilizes hydraulic fracture treatment through a simple vertical well bore and produces natural gas in quantities greater than that of a stripper well." *Id.*

¹² It should be noted that even if the CPI remains unchanged, the fee may change due to changes in the price of gas as provided for in Sections 2302(b)(1)—(b)(6).

thereafter. For wells spud before January 1, 2012, initial fees imposed under this chapter are due by September 1, 2012.

Section 2303(b) requires each producer to submit payment of the fee and a report of such payment to the Commission by September 1, 2012 and each April 1 thereafter.¹³ The report to the Commission must include the following information: (1) the number of that producer's spud unconventional gas wells in each municipality within each county that has imposed a fee; and (2) the date that each unconventional gas well was spud or ceased production of gas. In order to fulfill this requirement and track information necessary to administer the Act, the Commission has developed a draft of a Producer Report form, which is labeled as Attachment "A" to this Tentative Implementation Order outlining the information to be contained in the annual report to the Commission. Comments to improve the draft report are welcome.

Administrative Charges

Section 2303(c)(1) authorizes the Commission to impose an annual administrative charge of not more than \$50 per spud unconventional gas well to cover the costs incurred to administer and enforce the requirements of Act 13. Sections 2303(c)(2) and (c)(3) generally establish procedures for the Commission to estimate its annual expenditures directly attributable to administration and enforcement of this chapter, after subtracting any funds received from the \$50 per well fee and Section 2314(c.1) amounts received by the Commission, and allows the Commission to assess any remaining balance on all producers in proportion to the number of wells owned by each producer. Payment of the assessment is due within 30 days of receipt of the invoice.

Further, by June 30, 2012, and each June 30 thereafter, the Commission must estimate its expenditures attributable to the administration and enforcement of Act 13. The Commission has established time codes within the agency to track employee hours and costs associated with the administration of Act 13, and will use that data to develop a fair, accurate and transparent assessment process. Finally, if any disputes are raised regarding the calculated assessment amounts, Act 13 provides that producers may challenge these amounts under the procedures set forth in Section 510 of the Public Utility Code, 66 Pa.C.S. § 510.¹⁴

Section 2304. Well information.

Section 2304 requires the DEP, by February 28, 2012, to provide the Commission and, upon request, a county, with a list of all spud unconventional gas wells. Further, the DEP must update the list and provide it on a monthly basis to the Commission. The Commission has already received this well information from the DEP and it is under review for integration into the Commission's impact fee determination, collection and disbursement processes under the Act.¹⁵

Additional requirements are placed on producers to self-report and update the Commission regarding: (1) the spudding of additional wells; (2) the initiation of production at an unconventional well; and (3) the removal of an unconventional gas well from production.¹⁶ Lastly, we

¹³ Based on the average annual price of natural gas for the 12-month period ending December 31, 2011, the Commission has determined that the fee shall be \$50,000 per unconventional well for year 1.

¹⁴ An explanation of the procedure for challenging the assessment will be included with each invoice.

¹⁵ DEP well information can be found at http://files.dep.state.pa.us/OilGas/OilGasLandingPageFiles/Act13/PUC_2011_Web.pdf.

¹⁶ The form for the Producer Well Update Report is at Attachment B. Comments on this draft form are welcome.

note here that if a producer or local government determines that the well information provided by the DEP to the Commission is incomplete or otherwise inaccurate, the producer should address that concern with the DEP.

Section 2305. Duties of department.

Section 2305(a) requires the DEP to confirm that, prior to issuance of a permit, all fees owed for an existing unconventional gas well have been paid. Section 2305(b) prohibits the DEP from issuing a permit to a producer to drill an unconventional gas well until all fees owed have been paid. Section 2305(c) requires the Commission to provide the DEP with the information necessary to determine that a producer has paid gas well fees owed for all unconventional gas wells under Section 2302.

Section 2307. Commission.

Section 2308. Enforcement.

Section 2309. Enforcement orders.

Section 2310. Administrative penalties.

Sections 2307 through 2310 are related and we address them collectively. Section 2307 authorizes the Commission to make all inquiries and determinations necessary to calculate and collect impact fees, administrative charges and assessments to be paid by producers, including interest and penalties. Section 2308 authorizes the Commission to assess interest, penalties, and deficiency notices on producers, and also make available equitable remedies including liens and execution of judgments in state civil court for non-payment.¹⁷ Section 2309 allows the Commission to issue enforcement orders. Section 2310 authorizes the Commission to assess civil penalties for violations of this chapter.¹⁸

The Commission expects that producers will cooperate by responding timely to any inquiry necessary to calculate and collect the impact fees imposed under Act 13. At the same time, and consistent with basic due process, the Commission intends to provide producers with notice and an opportunity to be heard before any final enforcement order or measure is rendered. The Commission will issue additional orders and/or Secretarial Letters as needed to inform interested parties of any future developments regarding these investigation and enforcement processes.

Section 2312. Recordkeeping.

Section 2313. Examinations.

Section 2312 establishes record-keeping requirements on producers, and authorizes the Commission to require producers to make reports, render statements or keep records as deemed necessary to determine liability for the impact fee. Section 2313 authorizes the Commission to access, review and audit records maintained by producers and requires producers to maintain records for at least three years. Section 2313 also provides certain confidential protections for information obtained from producers.

Section 2314. Distribution of fee.

Section 2314(a) establishes a fund in the State Treasury known as the "Unconventional Gas Well Fund" that will be administered by the Commission. Section 2314(b) requires that all fees imposed and collected under Chap-

¹⁷ Under Section 2308, if a producer fails to make a timely payment of the fee, there shall be added to the amount of the fee due a penalty of 5% of the amount of the fee for less than a month with an additional 5% penalty for each additional month or fraction of a month not to exceed 25% in the aggregate.

¹⁸ Under Section 2310, the Commission may assess a civil penalty not to exceed \$2,500 per violation upon a producer for the violation of this chapter. In determining the amount of the penalty, the Commission must consider the willfulness of the violation and other relevant factors. Each violation for each separate day and each violation of this chapter shall constitute a separate offense.

ter 23 must be deposited into this fund. Section 2314(c) provides a detailed allocation procedure for the distribution of collected funds to various recipients including conservation districts, state agencies and to the “Marcellus Legacy Fund.”¹⁹ See Sections 2314(c), (c.1), (c.2).

Fee Distribution to Localities

Section 2314(d) provides that for the year 2011 and each year thereafter, 60% of the funds remaining in the Unconventional Gas Well Fund, after specified distributions, will be allocated to counties and municipalities for those purposes specifically authorized in Section 2314(g). The legislation also specifies, at Sections 2314(d)(1), (2) and (3), that the remaining amount will be allocated to counties and municipalities by a formula whose denominator is “the number of spud unconventional gas wells in this Commonwealth.” See *id.* at §§ 2314(d)(1), (d)(2), (d)(3). The intention of the legislation is to distribute this entire 60% amount to the entities described in these three subsections. At the same time, all spud wells may not be subject to the impact fee under Act 13 if a county declines to participate. Accordingly, for purposes of calculating the disbursement, the Commission will interpret these subsections as referring to the total number of spud unconventional wells subject to the impact fee under Act 13.

Also, 40% of the remaining funds of the Unconventional Gas Well Fund, following specific distributions, will be deposited in the Marcellus Legacy Fund, appropriated to the Commission and distributed to various recipients pursuant to Section 2315. The Commission is presently developing the algorithms and computer programs necessary to distribute the Unconventional Gas Well Funds in accordance with this statutory formula.

In addition, because Section 2314(e) provides that the amount allocated to each municipality shall not exceed the greater of \$500,000 or 50% of the total budget for the prior fiscal year beginning with the 2010 budget year, the Commission needs budget information regarding each municipality that qualifies for impact fee disbursements under Subsection (d). Accordingly, in order to administer the distributions in accordance with the statutory formula for impact fee disbursement to local governments, the Commission has developed a draft Municipality Budget Report form for the use of municipalities, located at Attachment “C” to this Tentative Implementation Order. Comments to improve the draft budget report are welcome.

Reporting

Section 2314(h)(1) establishes a requirement on the Commission to submit an annual report to the Senate and House of Representatives Appropriations Committees and Environmental Resources and Energy Committees by December 30, 2012 and by September 30 of each year thereafter. The initial report must include a detailed listing of all deposits to and expenditures from the fund.

Section 2314(h)(2) requires that all counties and municipalities receiving funds submit information to the Commission on a Commission prepared form that sets forth the amount and use of funds received in the prior year. Specifically, the form will document that the funds

received were committed to a specific project or used as authorized in Chapter 23 of the Act. Further, Section 2314(h)(2) requires that these reports must be published annually on the county or municipality’s publicly accessible website. In order to comply with the requirements of this Section, the Commission has developed a draft Impact Fee Disbursements Report form for use of counties and municipalities, marked as Attachment “D” to this Tentative Implementation Order. Comments to improve the draft disbursements report are welcome.

Section 2315. Statewide initiatives.

Section 2315 establishes a State Treasury fund known as the Marcellus Legacy Fund and provides detailed requirements for the distribution of the proceeds of that Fund. As noted, this Legacy Fund receives 40% of the impact fee monies remaining in the Unconventional Gas Well Fund, after specific distributions. The Commission is presently developing the algorithms and computer coding necessary to distribute the Marcellus Legacy Funds in accordance with this statutory formula.

Chapter 33. Local Ordinances Relating to Oil and Gas Operations.

Chapter 33 governs the enactment by local governments of local ordinances that impose conditions, requirements or limitations on those aspects of oil and gas operations regulated by Chapter 32 (relating to development of oil and gas operations).²⁰ More specifically, Chapter 33 preempts and supersedes the local regulation of oil and gas operations that are inconsistent with Act 13 standards. Accordingly, no local ordinances adopted pursuant to the Municipalities Planning Code (MPC), 53 P. S. § 10101 et seq., or the Flood Plain Management Act (FPMA), 32 P. S. § 679.101 et seq., can contain provisions that impose conditions, requirements or limitations on the same features of oil and gas operations regulated by Chapter 32 or that accomplish the same purposes as set forth in Chapter 32.

In addition, Chapter 33 provides processes for obtaining advisory opinions from the Commission of proposed local ordinances regarding oil and gas operations, substantive reviews of disputed ordinances and appeals, and the ineligibility of a local government for impact fee disbursement if its local ordinance is inconsistent with state law, as provided by Act 13.

Section 3301. Definitions.

A number of terms are defined within Chapter 33. Of particular significance is the definition of “oil and gas operations” which is defined as follows:

The term includes the following:

- (1) well location assessment, including seismic operations, well site preparation, construction, drilling, hydraulic fracturing and site restoration associated with an oil or gas well of any depth;
- (2) water and other fluid storage or impoundment areas used exclusively for oil and gas operations;
- (3) construction, installation, use, maintenance and repair of: (i) oil and gas pipelines; (ii) natural gas compressor stations; and (iii) natural gas processing plants or facilities; and
- (4) construction, installation, use, maintenance and repair of all equipment directly associated with activities specified in paragraphs (1),

¹⁹ The Marcellus Legacy Fund, as defined in Section 2315, is a fund established in the State Treasury for the deposit of 40% of the remaining revenue following distribution under Section 2314(c), (c.1) and (c.2) from fees collected for 2011 and thereafter. The proceeds of this fund are to be distributed as follows: (1) 20% to the Commonwealth Financing Agency; (2) 10% to the Environmental Stewardship Fund; (3) 25% to the Highway Bridge Fund; (4) 15% for county conservation projects; (5) 25% for water and sewer projects; and (6) 5% to the Department of Community and Economic Development. Section 2314(c.2) provides for additional amounts to be deposited into the Marcellus Legacy Fund for distribution to DEP for the Natural Gas Energy Development Program.

²⁰ Chapter 32 substantially replaces the former Oil & Gas Act of 1984 and, in its place, establishes a new statutory framework for well permitting registration and identification; well location, site restrictions, plugging and site restoration; protection of surface and groundwater supplies; corrosion control; gathering lines; treatment of wastewater; and reporting requirements. All of the statutory requirements imposed by Chapter 32 are delegated to the DEP to administer.

(2), and (3), to the extent that the equipment is necessarily located at or immediately adjacent to a well site, impoundment area, oil and gas pipeline, natural gas compressor station or natural gas processing plant; and the activities are authorized and permitted under the authority of a Federal or Commonwealth agency.

For purposes of application of the provisions of Chapter 33, the Commission will be required to interpret local government ordinances that purport to regulate "oil and gas operations" pursuant to the above definition.

Section 3302. Oil and gas operations regulated pursuant to Chapter 32.

Section 3302 preempts all local ordinances purporting to regulate "oil and gas operations" except with respect to local ordinances adopted pursuant to the MPC and the FPMA. In addition, no local ordinance adopted pursuant to the MPC or the FPMA may impose conditions, requirements or limitations over the same aspects of oil and gas operations now regulated by Chapter 32.

Section 3303. Oil and gas operations regulated by environmental acts.

Section 3303 further preempts and supersedes local ordinances that are inconsistent with existing state or federal environmental statutes regulating environmental aspects of oil and gas operations. However, because the environmental regulation of oil and gas operations are exclusively regulated by the DEP under environmental acts, the Commission will render no determinations in this area.

Section 3304. Uniformity of local ordinances.

Section 3304 provides that all local ordinances addressing development of oil and gas operations "must allow for the reasonable development of oil and gas resources" based on the standards set forth in Sections 3304(b)(1) through (b)(10). These provisions, as well as standards established in Chapter 32, provide the guidelines against which the Commission will evaluate local government ordinances presented to it for issuance of either an advisory opinion or request for review as described in Section 3305.

Section 3305. Commission.

Commission Procedures for Ordinance Review

Section 3305 establishes the scope of Commission review regarding local government ordinances presented to it for evaluation. Two procedures are contemplated under this provision, depending on which entity seeks review. Of note, these procedures are applicable pending the issuance of our final Implementation Order.

Advisory Opinions

Where a municipality requests a review of a local ordinance prior to its enactment, Section 3305(a) provides that the Commission shall issue "advisory opinions" to municipalities regarding whether proposed ordinances violate the MPC, Chapter 32 (relating to development of oil and gas resources) or Chapter 33 (relating to local ordinances affecting oil and gas operations). These opinions are advisory in nature, and are not appealable. See Section 3305(3).

Municipal requests for advisory opinions regarding proposed local ordinances must be officially filed with the Commission's Secretary's Bureau as described on page 3. Requests need to include a complete copy of the proposed ordinance for which advice is requested, as well as an identification of the specific section of the ordinance that

is in potential conflict with Chapter 32 and/or 33 of Act 13 or the MPC. The Commission must issue an advisory opinion within 120 days of the filing. Section 3305(2).

In order to assist municipalities with these requirements, the Commission has developed a draft Request for Advisory Opinion Form for counties and municipalities at Attachment "E" to this Tentative Implementation Order. Comments to improve the draft Request for Advisory Opinion Form are welcome. Although not required by statute, the Commission will also accept, as resources permit, requests for advisory opinions regarding previously enacted local ordinances.

Requests for Review

Section 3305(b) allows owners or operators of an oil or gas operation or a person living within the geographic boundaries of a local government, aggrieved by enactment or enforcement of a local ordinance, to request that the Commission review the ordinance in question to determine whether the local ordinance violates the MPC, Chapter 32 and/or Chapter 33 of Act 13. The Commission must issue an Order within 120 days of receipt of the request. Participation in the Commission review under this provision will be limited to the owner or operator of the gas well, the resident who brings the action and the local government.

Requests for review of a local ordinance under Section 3305(b) shall be filed with the Commission Secretary's Bureau. The request for review must include the following: (1) the exact name and address of the local government whose ordinance is to be reviewed, (2) a complete copy of the ordinance for which review is requested, and (3) an identification of the section of the ordinance or issue with the ordinance that is in potential conflict with Chapters 32, 33 or the MPC. The Commission will serve a copy of the request for review and a notice to respond on the local government that enacted the ordinance.

The local government served with the request for review will have 20 days from the date of service to file, with the Secretary of the Commission, an answer to the request for review. See 52 Pa. Code § 1.11 (date of filing) and § 1.56 (date of service). Requests for review and answers may be filed by mail, in person, or electronically consistent with the Commission's rules of practice and procedure found at 52 Pa. Code §§ 1.1—1.59.

The Commission has developed a draft Request for Review Form for use by owners or operators of an oil or gas operation or a person residing in the local government's geographic boundaries at Attachment "F" of this Tentative Implementation Order. Comments to improve the draft request for review form are welcome.

The Commission anticipates that, absent unusual circumstances, requests for review will involve issues regarding potential inconsistencies between the local ordinance and the requirements of Chapters 32, 33 and the MPC and, accordingly, will not require an oral hearing to resolve contested material facts. However, the Commission reserves the right, in its sole discretion, to refer a matter involving any disputed issues of fact to the Office of Administrative Law Judges (OALJ) for an expedited hearing and the development of a record. The hearing, if held, will be convened in person or, if appropriate, telephonically. The record will then be certified to the Commission so that it may complete its review within 120 days.

As indicated above, the Commission must issue an order regarding the request for review within 120 days of the filing. In order to allow the Commission to meet this

120 day deadline, Act 13 has exempted the Commission from the requirements of the Sunshine Act, which would otherwise require the Commission's votes to be cast at a public meeting. Nevertheless, this will be a public and transparent process. All requests for review and answers thereto will be public documents, available on the Commission's website. Moreover, each Commissioner's vote will be noted on the face of the order and each order, including any statements and dissenting opinions, will be public documents posted to the Commission's website.

Lastly, while the ex parte prohibitions in Public Utility Code do not apply, the Commission will nevertheless continue to abide and require the parties to abide by the ex parte prohibitions set forth in Section 334. The requests for review under Act 13 are contested proceedings and, accordingly, basic principles of due process require that no party should have the ability to hold off the record communications with the Commission regarding the merits of the contested matter.

An order issued by the Commission in response to a request for review is subject to de novo review by the Commonwealth Court. This allows the court to review the entire matter and to supplement the Commission record as needed.

Section 3305(d) provides the Commission with additional authority to employ persons, issue orders and promulgate temporary and permanent regulations to implement provisions of the legislation. The Commission anticipates that it will acquire additional resources to assist the Commission in handling advisory opinions and requests for review under this section.

Section 3306. Civil actions.

Section 3306 authorizes anyone aggrieved by the enactment or enforcement of a local ordinance to bypass Commission review and, instead, file a civil action directly with Commonwealth Court in order to attempt to invalidate an ordinance that violates the MPC, Chapter 32 or Chapter 33 of this legislation. An aggrieved party may elect to proceed under this Section without seeking review of an ordinance before the Commission. See section 3306(2). However, there is no statutory deadline for action by the Commonwealth Court.

Section 3307. Attorney fees and costs.

Section 3307 allows for recovery of reasonable costs and fees from a local government by a plaintiff if that party successfully prevails over the local government and establishes that the local ordinance was enacted with willful or reckless disregard of the law. Similarly, if the action is deemed "frivolous or was brought without substantial justification," the Commonwealth Court (not the Commission) may order the plaintiff to pay reasonable attorney fees and other reasonable costs incurred by the local government in defending the civil action. This provision applies only to civil matters originating in Commonwealth Court under Section 3306(1) and not to matters adjudicated before the Commission.

Section 3308. Ineligibility.

Section 3308 provides that if the Commission or Court issues an order that a local ordinance violates the MPC, Chapter 32 or Chapter 33 of Act 13, the local government will be "immediately ineligible" to receive any impact fee funds. The local government shall remain ineligible until it amends or repeals its ordinance or a determination that the local ordinance is unlawful is reversed on appeal.

In the event that the Commission determines, in the context of a request for review, that the local ordinance is

inconsistent with Chapter 32, 33 or the MPC, the local government may elect to amend or repeal the ordinance to remove the inconsistency. The amendment or repeal of the inconsistent ordinance should be filed with the Commission within five (5) business days of the local government's action. If, upon review by the Commission, the inconsistency is determined to have been cured, the Commission will so notify the local government by subsequent order or Secretarial Letter and restore the local government to the list of municipalities eligible to receive funds under Chapter 23.

Section 3309. Applicability.

Section 3309(a) provides that this chapter shall apply to the enforcement of all local ordinances existing on the effective date of this chapter and to the enactment and enforcement of a local ordinance enacted on or after the effective date of this chapter.

The legislation also provides, at Section 3309(b), that local governments will have 120 days from the effective date of this chapter, April 14, 2012, to review and amend an existing ordinance to comply with Act 13. Because the ability of persons aggrieved by the enactment or enforcement of a local ordinance to file a request for review under Section 3305(b) also commences on April 14, 2012, the Commission advises local governments that intend to revise their ordinances to comply with the act to do so in advance of the 120 day deadline or by Monday, August 13, 2012. This avoids the potential for issuance of a Commission order triggering ineligibility under Section 3308.

Conclusion

The Unconventional Gas Well Impact Fee Act (Act 13) establishes an impact fee for unconventional wells that will be administered by the Commission and, further, establishes a uniformity of local ordinances standard regarding oil and gas operations that will be subject to review by the Commission and de novo review by the Commonwealth Court. The Commission has issued this Tentative Implementation Order in order to outline the key portions of the act that this agency is required to administer and to provide our tentative views on how those provisions will be implemented. At this juncture, our order will be issued for public comment and, upon review of those comments and further meetings with stakeholders as appropriate, the Commission will issue a final implementation order to set forth its interpretations and processes.

Finally, in addition to this Implementation Order process, we will continue to respond to informal inquiries made to the Commission's resource account at ra-Act13@pa.gov, update frequently asked questions (FAQs) as appropriate and, as needed, issue Secretarial Letters to provide guidance on further issues that may arise regarding the implementation of Act 13. Requests for advisory opinions or requests for reviews related to local ordinances should not be emailed to the Commission at the ra-Act13@pa.gov email account. Those requests must be officially filed with the Secretary of the Commission as described on page 3.

In the meantime, work to implement Act 13 will continue. The Commission will be developing the processes to determine, collect and distribute the impact fee funds, and the Commission will provide advisory opinions regarding proposed local ordinances. The Commission also recognizes that it is addressing a new set of issues with stakeholders that are unfamiliar with our processes. In an effort to familiarize these parties with our procedures, we have informally met with stakeholders, produc-

ers and local governments, and will continue to do so, as needed, to ensure that we understand their concerns, and that we implement Act 13 in a manner that is fair, transparent and consistent with its legislative intent. While this order addresses the key issues necessary for implementation of Act 13, we recognize that there are other issues not presently addressed or that may arise and require resolution in the future. Accordingly, if there are additional issues that should be addressed, commenters may, by April 30, 2012, identify these issues and propose resolutions for our consideration and disposition in a Supplemental Implementation Order. *Therefore,*

It Is Ordered That:

1. Upon issuance of a Final Implementation Order in this matter, each producer with unconventional wells spud in this Commonwealth shall submit payment of the impact fee imposed under Chapter 23, for each county that has imposed an impact fee, to the Unconventional Gas Well Fund by September 1, 2012 and by April 1 of each year thereafter, and shall file a Producer Report with the Commission regarding such payments using the form set forth in Attachment A of this Order by those same dates.

2. Each producer shall file a Producer Well Update Report with the Commission by September 1, 2012 and each April 1 thereafter, using the form set forth in Attachment B of this Order.

3. Each municipality qualified to receive disbursements from the impact fee imposed under Chapter 23 shall file a Municipality Budget Report with the Commission by July 6, 2012 using the form set forth in Attachment C of this Order.

4. Each county and municipality receiving disbursements from the impact fee imposed under Chapter 23 shall file an Impact Fee Disbursements Report with the Commission by April 15 of each year, using the form set forth in Attachment D of this Order.

5. The draft Advisory Opinion and Requests for Review forms in Attachments E and F shall be used for any such requests filed on and after the entry date of this order pending any changes to these forms that may be directed as a result of our final implementation order.

6. Any interested party may submit comments regarding this Tentative Implementation Order within twenty (20) days of entry of this Order.

7. Any interested party may, by April 30, 2012, propose issues beyond those addressed in this order that warrant our consideration and disposition in a supplemental implementation order.

8. A copy of this Tentative Order shall be published in the Pennsylvania Bulletin and posted on the Commission's website at www.puc.state.pa.us click on Natural Gas/Act 13 (Impact Fee).

9. A copy of this Tentative Order be served on the following organizations: County Commissioners Association of Pennsylvania, Pennsylvania State Association of Boroughs, Pennsylvania Association of State Township Supervisors and the Pennsylvania League of Cities and Municipalities.

ROSEMARY CHIAVETTA,
Secretary

Instructions for Completion of Annual Act 13 of 2012 Well Report

Rows:

- 1 **Company Name** is the legal entity responsible for the operation and oversight of well production and listed on the Department of Environmental Protection (DEP) permit application or well registration as of December 31 of the reporting Calendar Year.
- 2 **Date of Report** is the day the report is completed for submission to the Commission.
- 3 **Address field** is for the corporate address where all correspondence is to be directed.
- 4 **Contact Name** is the person responsible for the information contained in the report and can answer questions regarding the report.
- 5 **Telephone number** is for the person listed as the contact.
- 6 **e-mail** is the contact e-mail address if applicable. If not available write N/A.

Columns:

- (1) **Spud date** is the begin date of actual drilling of an unconventional gas well. However for the purposes of reporting under this Act all wells spud prior to January 1, 2011 is considered spud in Calendar year 2010. For reporting purposes these wells should all have a spud date of 12/31/2011. The year a well is restimulated is considered first year of spud if done after the 10th year of operation or if the restimulation results in a substantial increase in production. Please see Section 2302 regarding Unconventional gas well fee.
- (2) **API** is the American Petroleum Institute (API) unique, permanent, numeric identifier assigned to each drilled well and used to report production.
- (3) **County** is the legal name of the Pennsylvania County where the well is located. **Are there any wells that cross county borders and how is that reported?**
- (4) **Municipality** is the legal name of the Pennsylvania municipality where the well is located. **(Same question as above?)**
- (5) **Latitude** The latitude value, in decimal degrees, as it relates to the position of the well.
- (6) **Longitude** The longitude value, in decimal degrees as it relates to the position of the well.
- (7) **Horizontal** If the well is a Horizontal (as defined in the Act) = Y, if not = N.
- (8) **Well status** A = Active and producing more than 90,000 cf of gas on any one day in any one calendar month of the reporting year. S = Spud but not producing. R = Restimulated (fee is applicable). P = Plugged according to DEP regulations. X = not required (by the Act) to pay the fee.
- (9) **Cease Date** is the date the well ceased production and has been plugged according to the DEP regulations.
- (10) **Fee** This is the amount applicable to the well based on spud date, production and any other specifics defined in the Act. The fee amounts will be published yearly in the PA Bulletin.

ATTACHMENT B

PRODUCER MONTHLY UPDATE - UNCONVENTIONAL GAS WELL DATA
ACT 13 OF 2012 SECTION 2304(b)

PRODUCER: _____ REPORTING MONTH/YEAR: _____
 REPORT COMPLETED BY: _____ DATE OF REPORT: _____
 PHONE NUMBER: _____

SPU Date	API Number	DEP Well Permit Number	County	Municipality	Latitude	Longitude	Horizontal	Production Level	Notes
9/22/2010	009-20085-00-00	009-20085	Bedford	West Saint Clair Twp	40.19638	-78.661111	Y	Active	EXAMPLE

DRAFT

Instructions:

Producer: The Legal Name of the Entity currently authorized to engage in the business of severing natural gas.

Reporting Month/Year: The month and year that the actual change occurred.

Report Completed by: Name of individual responsible for the data included in the report.

Phone Number: Contact number for the individual responsible for the data included in the report.

Spud Date: The actual date the well was spud.

API Number: The American Petroleum Industry unique identifying number for the well.

DEP Well Permit Number: The Department of Environmental Protection unique identifying number for the well.

County: Pennsylvania County where the well is located.

Municipality: The name of the borough, city, town or township where the well is located.

Latitude and Longitude: A geographic coordinate system where Latitude is the horizontal position and Longitude is the vertical position.

Horizontal: Y if the unconventional well is horizontal or N if the unconventional well is vertical.

Production Level:

A = Actively producing unconventional well that does not meet the definition of Stripper Well

B = An unconventional well that **now** meets the definition of Stripper Well

C = Cessation must be certified by DEP and plugged/capped.

N/A = Well was just spud.

Production Level Notes:

A = Date that the spud well began production

B = Date that the well production dropped meeting stripper well definition. C =

Date plugged/capped and date DEP certified.

Or any other information on that particular well relevant to Act 13 reporting.

ATTACHMENT C

Pennsylvania Public Utility Commission
Bureau of Administration
PO Box 3265
Harrisburg, PA 17105-3265

For questions call: 717-783-6190

eFile:<http://www.puc.state.pa.us/efiling/default.aspx>

2010 MUNICIPALITY APPROVED BUDGET REPORT

County: _____ Name of Municipality: _____

Contact Name: _____

Address: _____ Email Address: _____

Address 2: _____ Telephone No.: _____ ext: _____

City: _____ State: PA Zip Code: _____

2010 APPROVED BUDGET AMOUNT: _____

VERIFICATION STATEMENT

I, the undersigned, 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 to be able to prove the same at a 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).

Signature of Individual or Officer

Date

Name of person to be contacted for additional information: _____

Phone Number: _____

Email: _____

ATTACHMENT D

Pennsylvania Public Utility Commission
 Bureau of Administration
 PO Box 3265
 Harrisburg, PA 17105-3265

For questions call: 717-783-6190
 eFile: <http://www.puc.state.pa.us/efiling/default.aspx>

UNCONVENTIONAL GAS WELL FUND USAGE REPORT

Calendar Year Reporting: _____ SAP Vendor No.: _____

County: _____ Name of Municipality: _____

County / Municipal Website: _____

Contact Name: _____

Address: _____ Email Address: _____

Address 2: _____ Telephone No.: _____ ext: _____

City: _____ State: PA Zip Code: _____

TOTAL AMOUNT OF FUNDS RECEIVED: _____

USE OF UNCONVENTIONAL GAS WELL FUNDS	AMOUNT <small>(rounded to the nearest hundred)</small>
1. Construction, reconstruction, maintenance and repair of roadways, bridges and public infrastructure.	
2. Water, storm water and sewer systems, including construction, reconstruction, maintenance and repair	
3. Emergency preparedness and public safety, including law enforcement and fire services, hazardous material response, 911, equipment acquisition and other services	
4. Environmental programs, including trails, parks and recreation, open space, flood plain management, conservation districts and agricultural preservation	
5. Preservation and reclamation of surface and subsurface waters and water supplies	
6. Tax reductions, including homestead exclusions	
7. Projects to increase the availability of safe and affordable housing to residents	
8. Records management, geographic information systems and information technology	
9. The delivery of social services	
10. Judicial services	
11. Deposit into the municipality's capital reserve fund if the funds are used solely for a purpose set forth in Act 13 of 2012	
12. Career and technical centers for training of workers in the oil and gas industry	
13. Local or regional planning initiatives under the act of July 31, 1968 (P.L. 805, No. 247), known as the Pennsylvania Municipalities Planning Code	
TOTAL FUND USAGE	

Rev. 3-2-2012

Calendar Year Reporting: _____ SAP Vendor No.: _____

County: _____ Name of Municipality: _____

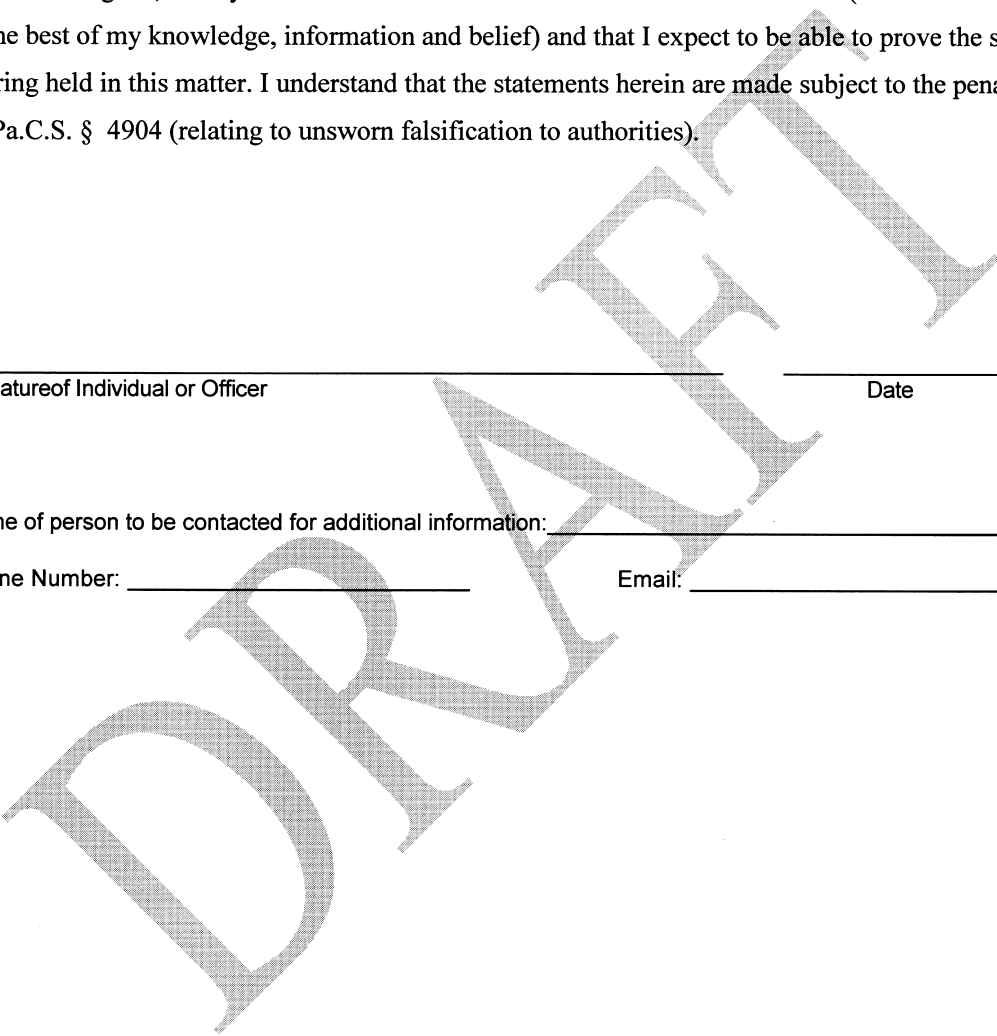
VERIFICATION STATEMENT

I, the undersigned, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a 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).

Signature of Individual or Officer Date

Name of person to be contacted for additional information: _____

Phone Number: _____ Email: _____



Instructions for Unconventional Gas Well Fund Usage Report

1. **Calendar Year Reporting** is the prior calendar year that is applicable to funds received from Unconventional Gas Well Fees.
2. **SAP Vendor Number** is the unique number assigned to your organization through the Department of General Services, Bureau of Procurement. This number is necessary in order to process payment.
3. **County** is the name of the county submitting the report or if a municipality this is the county where the municipality is located.
4. **Municipality** is the name of your municipality as listed with the IRS.
5. **County/Municipal Website** is the address of the website where this financial information contained in this report will be published as required by the Act.
6. **Contact Name** is the person responsible for the information contained in this report and who will be able to address any questions or concerns.
7. **Address** is the mailing address where all correspondence related to this Act should be directed.
8. **E-mail Address** is the e-mail address of the contact listed on this form. If an e-mail address is not available please write N/A
9. **Total Amount of Funds Received** is the amount received applicable to the distribution of funds contained in the Act and received by your organization in the calendar year of this report.
10. **Usage of funds:** The Act defines 13 broad categories where funds received from the Unconventional Gas Well fees may be used. All of the funds must be placed in one of the defined categories. The funds do not need to be spent by a date certain, they just need to be committed through any authorizing body as defined by your organization. These amounts will be subject to audit.

ATTACHMENT E

Pennsylvania Public Utility Commission

Request for Advisory Opinion

Pursuant to Section 3305(a) of Act 13, a local government may request the Commission to review a **proposed** local ordinance and to issue an advisory opinion on whether ordinance violates the Municipalities Planning Code, Chapter 32 and/or Chapter 33. In order to facilitate a request for a Commission advisory opinion, a local government should use the attached form to make that request. The Commission will docket the request and issue an advisory opinion within 120 days of filing.

An advisory opinion issued by the Commission is not a binding legal determination by the Commission regarding the validity of the proposed ordinance and does not preclude any subsequent formal legal review by this Commission or the Courts.

Please read and follow the attached instructions to make sure your Request for Advisory Opinion is properly completed.

Instructions

There are three ways to file: In person with the Secretary's Bureau in Harrisburg, mailing by first class, certified, or overnight delivery to the Secretary of the Commission, or eFile with the Commission's eFiling system at www.puc.state.pa.us

These instructions will help you fill out each section of the Request form. Please print in ink, type, or eFile this form with the Commission's eFiling system at the Commission's website at www.puc.state.pa.us . Facsimiles and/or filings attached to an email will not be accepted.

- 1. Your name, mailing address, county, daytime telephone number, and e-mail address.**

Fill in your name, mailing address (this must be the address where you receive your mail), county and local government (township, borough, town, city), phone number, and e-mail address.

- 2. Full name of the local government that is requesting an advisory opinion from the Commission.**

- 3. Details of Request.**

The request shall include a complete copy of the **proposed ordinance** for which advice is requested, as well as an identification of the specific section of the ordinance that is in potential conflict with Chapter 32, Chapter 33 or the Municipalities Planning Code (MPC).

4. **You must sign your Request form.**
5. **Filing. If mailing, please return the completed form to one of the addresses listed below:**

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105-3265	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
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OR eFile using the Commission's eFiling system at www.puc.state.pa.us , click onto eFiling at left, create an account and follow the instructions. Upon successful submission of this form, you will receive a confirmation number and M docket number.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

PENNSYLVANIA PUBLIC UTILITY COMMISSION
REQUEST FOR ADVISORY OPINION

Please print in ink, type or eFile.

1. INFORMATION

Your name, mailing address, county and local government (township, borough, town, city), and your telephone number:

Name _____

Street/P.O. Box _____ Apt # _____

City _____ State _____ Zip _____

County _____ Municipality _____

Daytime Telephone Number Where We Can Contact You:(____) _____

E-mail Address : _____

2. FULL NAME OF THE LOCAL GOVERNMENT REQUESTING THE ADVISORY OPINION:

3. DETAILS OF REQUEST.

The request shall include a complete copy of the **proposed ordinance** for which advice is requested, as well as an identification of the specific section(s) of the ordinance that is in potential conflict with Chapter 32, Chapter 33 or the Municipalities Planning Code (MPC).

The ordinance or specific provisions may be attached to this form or uploaded with your eFiling.

4. SIGNATURE OF LOCAL GOVERNMENT OFFICIAL OR EMPLOYEE

(Signature)

(Date)

Title of authorized employee or official

5. FILING

Please mail the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105-3265	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
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OR eFile with the Commission at www.puc.state.pa.us

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy for your records.

ATTACHMENT F

Pennsylvania Public Utility Commission

Request For Review of Ordinance

The Ordinance Review process involves a legal proceeding before the PUC. Your Request for Review will require Notice and an opportunity for the local government to respond. Your Request must clearly state what specific provisions of the local zoning ordinance, the Municipalities Planning Code, Chapter 32 and/or Chapter 33 is violated by the local government zoning ordinance you want reviewed.

A Request For Review may be filed with the Commission in person, by first class or certified mail, or by overnight delivery, or by eFiling this form at the Commission's website at www.puc.state.pa.us.

Once your Request For Review is filed, the Secretary of the Commission will serve your Request on the local government by certified mail. The local government will then have twenty (20) days from the date of service to file an answer with the Commission.

Instructions

This form can be filed in one of three ways: In Person with the Secretary's Bureau in Harrisburg, mailing it to the Commission by either first class or overnight delivery OR eFile this form through the Commission's website at www.puc.state.pa.us. Facsimiles and/or filings attached to an email will not be accepted.

Please print or type the information required.

- 1. Your name, mailing address where you receive your mail, the name of the county and local government where you reside or do business (township, borough, town, city), your daytime telephone number, and your e-mail address.**
- 2. Full name of the local government that enacted or seeks to enforce a zoning ordinance which is the subject of your Request for Review.**
Give the full name of the local government (county, township, borough, town or city).
- 3. The mailing address and the physical address of the local government. You are required to provide this information so the Commission can serve your Request For Review to the correct address of the local government.**
- 4. Give the name of the county where the local government is located.**

5. Details of Request For Review.

Please identify the section(s) of the zoning ordinance you want the Commission to review and explain the issue with the ordinance that is in potential conflict with Chapter 32, Chapter 33, or the Municipalities Planning Code (MPC). You may use additional pages if needed.

6. Attach a copy of the zoning ordinance including the specific zoning provisions that you want the Commission to review. If eFiling, scan and upload the ordinance as part of your filing.

7. If you are represented by a lawyer in this matter, you must provide your lawyer's name, address, telephone number, and e-mail address, if known. Please know that you do not need to be represented by a lawyer in this proceeding.

8. You must sign your Request For Review form.

You **must** print or type in your name in the space provided in the verification paragraph, and you **must** sign and date your Request form on the lines in this Section. If eFiling, you can use an electronic signature.

9. Please file the completed form by mailing it to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105-3265	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
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OR eFile with the Commission's eFiling system at www.puc.state.pa.us

Facsimiles and/or filings attached to an email will not be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
REQUEST FOR REVIEW OF ORDINANCE**

Please print in ink, type or eFile.

1. INFORMATION

Your name, mailing address, county and local government where you reside or do business (township, borough, town, city), your telephone number, and email address:

Name _____

Street/P.O. Box _____ Apt # _____

City _____ State _____ Zip _____

County _____

Township/Borough/Town/City _____

Daytime Telephone Number Where We Can Contact You: (____)-_____

E-mail Address: _____

2. FULL NAME OF THE LOCAL GOVERNMENT THAT ENACTED OR IS SEEKING TO ENFORCE THE ZONING ORDINANCE YOU WANT REVIEWED (RESPONDENT):

NAME _____

3. MAILING ADDRESS AND PHYSICAL ADDRESS OF THE LOCAL GOVERNMENT:

MAILING ADDRESS _____

PHYSICAL ADDRESS _____

4. COUNTY WHERE THE LOCAL GOVERNMENT IS LOCATED

5. DETAILS REGARDING REQUEST FOR REVIEW

Please identify the section(s) of the zoning ordinance you want the Commission to review and explain the issue with the ordinance that is in potential conflict with Chapter 32, Chapter 33, or the Municipalities Planning Code (MPC). You may use additional pages if needed.

6. ATTACH COPY OF ZONING ORDINANCE INCLUDING SPECIFIC ZONING PROVISIONS THAT YOU WANT REVIEWED. (scan and upload the ordinance as part of your eFiling).

7. LEGAL REPRESENTATION. Note: you do not need to be represented by a lawyer in this proceeding.

If you are represented by a lawyer in this matter you must provide your lawyer's name, address, telephone number, and e-mail address.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

E-mail Address _____

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification:

I _____, hereby state that the facts set forth above are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same 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).

(Signature)

(Date)

Title of authorized employee or officer

9. FILING

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105-3265	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
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OR eFile with the Commission's eFiling system at www.puc.state.pa.us

Facsimiles and/or filings attached to an email will not be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy for your records.

Implementation of the Federal Communications Commission's Order of November 18, 2011 as Amended or Revised and Coordination with Certain Intrastate Matters

Public Meeting held
March 15, 2012

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

Implementation of the Federal Communications Commission's Order of November 18, 2011 as Amended or Revised and Coordination with Certain Intrastate Matters; M-2012-2291824

Opinion and Order

By the Commission:

The recent decision by the Federal Communications Commission (FCC) in *In re Connect America Fund et al.*, WC Docket No. 10-90 et al., FCC 11-161 (November 18, 2011) (FCC Order), which promulgated a series of changes and reforms in the federal universal service fund (USF) mechanism and in various parameters of interstate and intrastate intercarrier compensation, interacts with and materially affects rulings that this Commission already has rendered in certain adjudications and their subsequent implementation. Although the FCC Order has been appealed, it has not been stayed, and it triggers a series of compliance obligations and associated deadlines that involve both regulated telecommunications carriers and State utility commissions. This Commission, therefore, must take appropriate actions to synchronize and properly coordinate some of our own rulings and pending matters with the intrastate implementation of the FCC Order.

In a separate Opinion and Order, which we also adopted today, we have reopened the record in our recently-concluded RLEC Access Charge Investigation¹ for the limited purpose of examining the cross-effects of the FCC Order on our July 18, 2011 Order in that proceeding. By the instant Opinion and Order, we are opening a separate proceeding to address other issues related to the implementation of the FCC Order and its prospective effect on various intrastate matters. As part of this new proceeding, we shall convene an on-the-record collaborative workshop session before an Administrative Law Judge to be held on April 20, 2012, in Hearing Room 1 of the Commonwealth Keystone Building in Harrisburg, Pennsylvania at a time to be announced.

Discussion

The implementation of the FCC Order will entail a series of activities and tasks that need to be performed by this Commission. Of critical importance are the upcoming intrastate intercarrier compensation reforms that the FCC has directed to be implemented on July 1, 2012. This Commission and other State utility regulatory agencies maintain certain oversight and enforcement duties over the future submissions of intrastate carrier access tariffs that will implement these reforms. Such duties potentially include the policing of carrier actions so that their implementation of the FCC's directives does not "enable a windfall and/or double recovery" and ensures "consistency with the uniform [FCC Order] framework." FCC Order,

¶ 813, at 277. Naturally, the filing of the contemplated intrastate carrier access tariffs needs to be coordinated with the corresponding transitional use by the affected carriers of the federal Eligible Recovery mechanism inclusive of the new federal Access Recovery Charge (ARC) and the potential availability and utilization of support from the federal Connect America Fund (CAF).

The particular mechanics of implementing many aspects of the FCC Order are still in flux. For example, the FCC has permitted "carriers to determine at the holding company level how Eligible Recovery will be allocated among their incumbent LECs' ARCs" and found that by "providing this flexibility, carriers will be able to spread the recovery of Eligible Recovery among a broader set of customers, minimizing the increase experienced by any one [wireline end-user] customer." FCC Order, ¶ 910, at 327. This provision is the subject of a Petition for Reconsideration filed by the Public Service Commission of the District of Columbia (DC PSC) that currently is pending before the FCC. Multi-state allocations of Eligible Recovery are not favorably viewed by the DC PSC and other State utility commissions in light of the fact that the wireline end-user consumers of a particular jurisdiction potentially can be disadvantaged by this type of recovery.

For these reasons, we are of the opinion that it is appropriate to open a proceeding to afford all interested stakeholders with the opportunity to present appropriate information and material regarding this Commission's implementation of the FCC's directives well in advance of the carrier access tariff submissions that will put in place the intercarrier compensation reforms mandated by the FCC. As part of this proceeding, we shall convene an on-the-record collaborative workshop session on April 20, 2012, where stakeholders will be invited to provide recommendations to the Commission regarding the implementation of the FCC Order. The presentations of the interested and participating parties should at a minimum address the following areas:

1. The appropriate legal boundaries of the Commission's authority and jurisdiction to exercise appropriate oversight and enforcement while implementing the FCC's directives including but not limited to:

a. Requiring the timely submission of the proposed tariffs and supporting data demonstrating that the FCC-mandated intercarrier compensation reforms comply with the FCC's directives and do not lead to a potential "windfall and/or double recovery" if and when a carrier also utilizes the federal Eligible Recovery mechanism inclusive of the ARC and CAF support.

b. Requiring the timely submission of the necessary assurances, jurisdictional allocations and accompanying data by incumbent local exchange carriers (ILECs) that are subsidiaries or affiliates of holding companies demonstrating that the federal Eligible Recovery amounts at issue arising from their interstate and intrastate carrier access services are properly allocated or otherwise attributed to their Pennsylvania operations and do not include any cross-jurisdictional amounts.

c. Monitoring any broadband deployment requirements under the FCC Order standards where the relevant obligation may have been triggered by a federal price cap utilization of federal Eligible Recovery and CAF intercarrier compensation support.

¹ Investigation Regarding Intrastate Access Charges and IntraLATA Toll Rates of Rural Carriers and The Pennsylvania Universal Service Fund et al., Docket No. I-00040105, C-2009-2098380, et al. (Order entered July 18, 2011) (July 18, 2011 Order).

2. Appropriate and demonstrative methods and quantitative examples of the following:

a. How carriers will determine the federal Eligible Recovery amounts inclusive of the ARC and CAF support. This information should be provided in a disaggregated fashion for the relevant components (ARC versus CAF support), and for the applicable time frames when such support components will be recovered or otherwise utilized. This information also should be provided based on the appropriate ILEC classifications, e.g., federal price cap and rate-of-return (ROR) ILECs, while also taking into account the existing ILEC basic residential local exchange service rates vis-à-vis the FCC's Residential Rate Ceiling.

b. How, within specific and applicable time frames, carriers will properly document and verify the reconciliation between the access reforms contemplated in the FCC Order and the utilization of the federal Eligible Recovery mechanism inclusive of the ARC and CAF support. This information also should be provided based on the appropriate ILEC classifications, e.g., federal price cap and ROR ILECs, while also taking into account the existing ILEC basic residential local exchange service rates vis-à-vis the FCC's Residential Rate Ceiling.

3. The potential modifications that will be required in existing interconnection agreements in order to timely effectuate the FCC's directives on intercarrier compensation where such interconnection agreements also involve wireline and wireless carriers.²

4. Whether individual federal price cap ILECs operating in Pennsylvania will be utilizing Eligible Recovery and CAF intercarrier compensation support with the concurrent accrual of broadband deployment obligations under the FCC Order standards.

5. The use of properly designed informal dispute resolution processes with or without the involvement of Commission Staff for addressing such areas as:

a. The verification of intrastate intercarrier compensation rates and amounts.

b. Intercarrier compensation disputes that may arise within or outside the context of interconnection agreements and where such disputes may involve both direct and indirect interconnection.

Stakeholders who wish to request the opportunity to make a presentation at the collaborative session are directed to contact the Commission's FCC Order Task Force³ on or before April 6, 2012, at RA-PUCTelco@pa.gov, and provide the name and title of the person who would be presenting on behalf of the stakeholder, along with the a brief summary of the topic(s) that will be covered. After that date, the Commission's FCC Order Task Force will organize representative panels among those stakeholders that have selected to make presentations, and will post an agenda and other information concerning the collaborative session on the Commission's website at: http://www.puc.state.pa.us/telecom/FCC_Implementation_Order.aspx.

All stakeholders, including those that are selected to participate in panel presentations at the collaborative session, are invited to submit detailed information and

material to the Commission as outlined in this Opinion and Order.

The Office of Administrative Law Judge will simply preside over the collaborative session. Following the collaborative session, we shall assess the information that has been submitted by interested parties and determine what further actions by this Commission may be necessary to implement the FCC's directives.

Conclusion

For the reasons in the foregoing discussion, we shall convene an on-the-record collaborative workshop session on April 20, 2012, where interested stakeholders will be afforded the opportunity to present recommendations regarding this Commission's implementation of the FCC Order; *Therefore*,

It Is Ordered That:

1. An on-the-record collaborative session shall be convened on April 20, 2012, for the purpose of facilitating discussion and soliciting comments, presentations and recommendations from interested stakeholders regarding this Commission's implementation of the recent decision by the FCC in *In re Connect America Fund et al.*, WC Docket No. 10-90 et al., FCC 11-161 (November 18, 2011).

2. The Office of Administrative Judge shall assign an Administrative Law Judge to preside over the April 20, 2012 on-the-record collaborative session, to be held in Hearing Room 1 of the Commonwealth Keystone Building, Harrisburg, Pennsylvania, at a time to be announced. Requests to make presentations at the collaborative session must be submitted on or before April 6, 2012, to the Commission's FCC Order Task Force at RA-PUCTelco@pa.gov. Stakeholders requesting the opportunity to make a presentation shall provide the name and title of the person who would be presenting on behalf of the stakeholder, along with a brief summary of the topics that would be covered. An agenda and further information about the collaborative session will be posted by April 13, 2012, on the Commission's website at the FCC Order Task Force web page at: http://www.puc.state.pa.us/telecom/FCC_Implementation_Order.aspx.

3. The deadline for submitting the information and material requested by this Opinion and Order is April 11, 2012. Stakeholders shall file an original and five copies with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3264. In addition, an electronic copy of the information and material shall be submitted to the Commission's FCC Order Task Force at RA-PUCTelco@pa.gov.

4. Following the collaborative session, the record will be certified to the Commission and assigned to the FCC Order Task Force for the purpose of preparing a recommendation to the Commission regarding what further steps may need to be taken to implement the directives in the Federal Communication Commission's recent decision in *In re Connect America Fund et al.*, WC Docket No. 10-90 et al., FCC 11-161 (November 18, 2011).

5. This Opinion and Order be served on all Incumbent Local Exchange Carriers, Competitive Local Exchange Carriers, Competitive Access Providers, Interexchange Carriers, Interexchange Resellers, the Pennsylvania Telephone Association, the Broadband Cable Association of Pennsylvania, the Office of Consumer Advocate, and

² FCC Order on Reconsideration, WC Docket No. 10-90 et al., December 23, 2011.

³ The FCC Order Task Force is an ad hoc task force comprised of staff from the Commission's Law Bureau, Office of Special Assistants, Bureau of Technical Utility Services, Bureau of Consumer Services and the Executive Office that recently was formed to provide advice to the Commission and coordinate related activities regarding the implementation of the FCC Order.

the Office of Small Business Advocate. In addition, this Opinion and Order shall be posted on the Commission's website.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 12-596. Filed for public inspection March 30, 2012, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by April 16, 2012. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2011-2279531. Bucks County Food Tours, LLC (5326 Ash Road, Doylestown, Bucks County, PA 18902)—persons, in paratransit service, between points in Bucks County, limited to transportation to dairy and vegetable farms, farmers' markets, orchards, bakeries, ice cream stores, restaurants, butchers and other food producers.

A-2012-2284218. Heath Magill Limousine Service, LLC (112 Franklin Avenue, Cheltenham, Montgomery County, PA 19012)—persons, in limousine service, from points in the Counties of Montgomery, Bucks and Philadelphia, to points in Pennsylvania and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2012-2286479. Grandeur Executive Transportation, LLC (286 Stanton Court, Glen Mills, PA 19342) for the right to begin as a common carrier, persons in limousine service, between points in Pennsylvania, excluding areas under the jurisdiction of the Philadelphia Parking Authority.

A-2012-2287026. LLG Transportation, LLC (1163 George Street, Jenkintown, PA 19046), for the right to begin to transport as a common carrier, by motor vehicle, persons in paratransit service in the City and County of Philadelphia to medical facilities in Pennsylvania, and return. *Attorney:* Jeanne Hainz, P. O. Box 541, Feasterville-Trevoze, PA 19053.

A-2012-2288574. Pearl Express, LLC (770 Fahs Street, York, PA 17404) for the right to begin to transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the County of York, to casino's in the Counties of Bucks, Delaware, Dauphin, Philadelphia, Lancaster and York, and return.

A-2012-2289325. Family Ties Transportation, LLC (1707 South Conestoga Street, Philadelphia, PA 19143)

for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points within the City and County of Philadelphia, to points in Pennsylvania and return.

A-2012-2289612. McCarthy Flowered Cabs, Inc. (1932 Cedar Avenue, Scranton, PA 18505) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, between points in the County of Lackawanna. *Attorney:* Paul S. Guarnieri, Esquire, Malone Middleman, PC, Northridge Office Plaza, Suite 310, 117 VIP Drive, Wexford, PA 15090.

Application of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under the application.

A-2012-2285526. E & E Consulting, LLC, t/a E & E Transport (9849 Bonner Street, Philadelphia, Philadelphia County, PA 19115) a limited liability company of the Commonwealth of Pennsylvania—for amendment to its common carrier certificate, which grants the right, to transport by motor vehicle, persons in paratransit service, between points in the City and County of Philadelphia: *So As To Permit:* the transportation of persons in paratransit service, from points in the Counties of Bucks, Chester, Delaware and Montgomery, to points in Pennsylvania, and return. *Attorney:* David Temple, Gallagher, Malloy & Georges, 1760 Market Street, Suite 1100, Philadelphia, PA 19103-4104.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.

A-2012-2283976. Nikos Movers, Inc. (7100 Airport Highway, Pennsauken, NJ 08109)—household goods in use, between points in the Counties of Philadelphia, Bucks, Montgomery, Chester and Delaware.

Application of the following for the approval of the transfer of stock as described under the application.

A-2012-2281563. Burgit City Taxi, Inc. (565 South Main Street, Wilkes-Barre, Luzerne County, PA 18702), ownership transfer for the approval of the transfer of 51 shares of stock held by Robert L. Burgit to Robert B. Burgit. *Attorney:* Patrick J. Aregood, 1218 South Main Street, Wilkes-Barre, PA 18706.

Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Limo Van Inc, t/a Limo Van Express; Doc. No. C-2011-2271059

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau 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 Limo Van Inc, t/a Limo Van Express, Respondent, maintains a principal place of business at 4644 Huckleberry Road, Orefield, PA 18069.

2. That Respondent was issued a certificate of public convenience by this Commission on August 11, 2000, at Docket No. A-00116227,F.1, for limousine authority.

3. That, between December 1 and December 31 of 2010, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its limousine authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Manager, Inspection Division, Bureau of Investigation and Enforcement, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.333(d). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Limo Van Inc, t/a Limo Van Express the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

VERIFICATION

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

Date: 11/29/11 Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

NOTICE

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

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

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

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

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

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

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Good Samaritan
Limousine Service Inc; Doc. No. C-2011-2271011*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau 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 Good Samaritan Limousine Service Inc, Respondent, maintains a principal place of business at 6 Helb Street, New Freedom, PA 17349.

2. That Respondent was issued a certificate of public convenience by this Commission on December 20, 2005, at Docket No. A-00121679, for limousine authority.

3. That, between December 1 and December 31 of 2010, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its limousine authority. The list must contain the year, make, vehicle identification number and registration number for

each vehicle. It shall be mailed to: Manager, Inspection Division, Bureau of Investigation and Enforcement, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.333(d). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Good Samaritan Limousine Service Inc the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

VERIFICATION

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

Date: 11/11 Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

NOTICE

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

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

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direc-

tion, requirement, determination or order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

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

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Galaxy Limousine Inc;
Doc. No. C-2011-2271004*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau 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 Galaxy Limousine Inc, Respondent, maintains a principal place of business at 38 Quill Road, Levittown, PA 19057.

2. That Respondent was issued a certificate of public convenience by this Commission on August 8, 1996, at Docket No. A-00113053,F.1, for limousine authority.

3. That, between December 1 and December 31 of 2010, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its limousine authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Manager, Inspection Division, Bureau of Investigation and Enforcement, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code

§ 29.333(d). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Galaxy Limousine Inc the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

VERIFICATION

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

Date: 11/11 Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

NOTICE

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

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

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Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

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

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your

certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

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

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Ellas Limo Inc;
Doc. No. C-2011-2270882*

COMPLAINT

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

1. That Ellas Limo Inc, Respondent, maintains a principal place of business at 371 Avon Street, Philadelphia, PA 19111.

2. That Respondent was issued a certificate of public convenience by this Commission on September 9, 2005, at Docket No. A-00121390,F.1, for limousine authority.

3. That, between December 1 and December 31 of 2010, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its limousine authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Manager, Inspection Division, Bureau of Investigation and Enforcement, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.333(d). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Ellas Limo Inc the sum of two hundred and fifty dollars (\$250)

for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

VERIFICATION

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

Date: 11/11 Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

NOTICE

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

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

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

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

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

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

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Eagle Limousine & Motorcoach Inc; Doc. No. C-2011-2270777

COMPLAINT

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

1. That Eagle Limousine & Motorcoach Inc, Respondent, maintains a principal place of business at 10 Malin Road, Malvern, PA 19355-1734.

2. That Respondent was issued a certificate of public convenience by this Commission on August 12, 1993, at Docket No. A-00110753,F.1, for limousine authority.

3. That, between December 1 and December 31 of 2010, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its limousine authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Manager, Inspection Division, Bureau of Investigation and Enforcement, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.333(d). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Eagle Limousine & Motorcoach Inc the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

VERIFICATION

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

Date: 11/11 Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

NOTICE

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

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

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

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

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

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

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commis-

sion to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Carol A Deberardinis, t/a White Star Limousine Service;
Doc. No. C-2011-2270767

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau 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 Carol A Deberardinis, t/a White Star Limousine Service, Respondent, maintains a principal place of business at 3831 Kelly Hollow Road, Monongahela, PA 15063.

2. That Respondent was issued a certificate of public convenience by this Commission on September 5, 2003, at Docket No. A-00119298, for limousine authority.

3. That, between December 1 and December 31 of 2010, Respondent did not provide this Commission with a current list of all of her vehicles utilized under her limousine authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Manager, Inspection Division, Bureau of Investigation and Enforcement, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.333(d). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Carol A Deberardinis, t/a White Star Limousine Service the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

VERIFICATION

I, Michael E. Hoffman, Manager, Inspection Division, of the Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the

statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 11/21/11 Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

NOTICE

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

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

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

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

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

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

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law

judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Yannis Cab Co;
Doc. No. C-2011-2270562*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau 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 Yannis Cab Co, Respondent, maintains a principal place of business at 918 Canal Street, Philadelphia, PA 19123.

2. That Respondent was issued a certificate of public convenience by this Commission on November 3, 2004, at Docket No. A-00120932,F.3, on March 8, 2005, at Docket No. A-00120932,F.4, and on March 24, 2005, at Docket No. A-00120932,F.5, for call or demand authority.

3. That, between December 1 and December 31 of 2010, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Manager, Inspection Division, Bureau of Investigation and Enforcement, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Yannis Cab Co the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

VERIFICATION

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

Date: 11/17/11 Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

NOTICE

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

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

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
 Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
 Bureau of Investigation and Enforcement
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

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

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

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

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
 Investigation and Enforcement v. Wlawala Cab Co;
 Doc. No. C-2011-2270560*

COMPLAINT

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

1. That Wlawala Cab Co, Respondent, maintains a principal place of business at 1100 Spring Garden St, Philadelphia, PA 19123.

2. That Respondent was issued a certificate of public convenience by this Commission on March 28, 2002, at Docket No. A-00118559, for call or demand authority.

3. That, between December 1 and December 31 of 2010, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Manager, Inspection Division, Bureau of Investigation and Enforcement, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Wlawala Cab Co the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
 Bureau of Investigation and Enforcement

VERIFICATION

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

Date: 11/17/11 Michael E. Hoffman, Manager
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this Complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the

outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original shall be mailed to:

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

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
 Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
 Bureau of Investigation and Enforcement
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

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

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

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

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
 Investigation and Enforcement v. JIP Inc;
 Doc. No. C-2011-2270333*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth

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

1. That JIP Inc, Respondent, maintains a principal place of business at 6437 Emlen Street, Philadelphia, PA 19119.

2. That Respondent was issued a certificate of public convenience by this Commission on November 16, 1998, at Docket No. A-00115294,F.1, and on December 30, 1998, at Docket No. A-00115294,F.2, for call or demand authority.

3. That, between December 1 and December 31 of 2010, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Manager, Inspection Division, Bureau of Investigation and Enforcement, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine JIP Inc the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
 Bureau of Investigation and Enforcement

VERIFICATION

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

Date: 11/11 Michael E. Hoffman, Manager
 Bureau of Investigation and Enforcement

NOTICE

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

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

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
 Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
 Bureau of Investigation and Enforcement
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

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

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

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 P. O. Box 3265
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
 Investigation and Enforcement v. Wanna Cab Inc;
 Doc. No. C-2011-2270556*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other Bureaus with enforcement responsibilities. Pursuant to that delegated authority and Sec-

tion 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Wanna Cab Inc, Respondent, maintains a principal place of business at 306 East Baltimore Pike, Suite A, Media, PA 19063.

2. That Respondent was issued a certificate of public convenience by this Commission on December 3, 1987, at Docket No. A-00107461,F.1, and on June 23, 1995, at Docket No. A-00107461,F.4, for call or demand authority.

3. That, between December 1 and December 31 of 2010, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Manager, Inspection Division, Bureau of Investigation and Enforcement, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Wanna Cab Inc the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
 Bureau of Investigation and Enforcement

VERIFICATION

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

Date: 11/17/11 Michael E. Hoffman, Manager
 Bureau of Investigation and Enforcement

NOTICE

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

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

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
 Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

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

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

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

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Stephanie Cab Co;
Doc. No. C-2011-2270541*

COMPLAINT

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

1. That Stephanie Cab Co, Respondent, maintains a principal place of business at 100 Spring Garden Street, Philadelphia, PA 19123.

2. That Respondent was issued a certificate of public convenience by this Commission on January 18, 2002, at Docket No. A-00118480, for call or demand authority.

3. That, between December 1 and December 31 of 2010, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Manager, Inspection Division, Bureau of Investigation and Enforcement, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Stephanie Cab Co the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

VERIFICATION

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

Date: 11/17/11 Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

NOTICE

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

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

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

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

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

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

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Slog Enterprises Inc;
Doc. No. C-2011-2270539

COMPLAINT

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

1. That Slog Enterprises Inc, Respondent, maintains a principal place of business at 5 Chippenham Drive, Voorhees, NJ 08043.

2. That Respondent was issued a certificate of public convenience by this Commission on June 29, 1998, at Docket No. A-00115013,F.1, for call or demand authority.

3. That, between December 1 and December 31 of 2010, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for

each vehicle. It shall be mailed to: Manager, Inspection Division, Bureau of Investigation and Enforcement, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Slog Enterprises Inc the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

VERIFICATION

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

Date: 11/17/11 Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

NOTICE

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

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

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direc-

tion, requirement, determination or order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

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

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Satti Cab Corp;
Doc. No. C-2011-2270533*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau 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 Satti Cab Corp, Respondent, maintains a principal place of business at 7122 Pennsylvania Avenue, Upper Darby, PA 19082.

2. That Respondent was issued a certificate of public convenience by this Commission on December 11, 2001, at Docket No. A-00118357, for call or demand authority.

3. That, between December 1 and December 31 of 2010, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Manager, Inspection Division, Bureau of Investigation and Enforcement, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code

§ 29.314(c). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Satti Cab Corp the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

VERIFICATION

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

Date: 11/17/11 Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

NOTICE

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

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

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

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

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your

certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

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

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

—————
*Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Satkartar Enterprises
Inc; Doc. No. C-2011-2270532*

COMPLAINT

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

1. That Satkartar Enterprises Inc, Respondent, maintains a principal place of business at 141 Hampden Road, Upper Darby, PA 19082.
2. That Respondent was issued a certificate of public convenience by this Commission on February 18, 2003, at Docket No. A-00119537, for call or demand authority.
3. That, between December 1 and December 31 of 2010, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Manager, Inspection Division, Bureau of Investigation and Enforcement, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.
4. That Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Satkartar Enterprises Inc the sum of two hundred and fifty dollars

((\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

VERIFICATION

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

Date: 11/17/11 Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

NOTICE

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

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

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

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

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

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

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
 Investigation and Enforcement v. M Sall Inc;
 Doc. No. C-2011-2270529*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau 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 M Sall Inc, Respondent, maintains a principal place of business at 934 Bridge Street, Philadelphia, PA 19124.

2. That Respondent was issued a certificate of public convenience by this Commission on July 11, 2002, at Docket No. A-00118995, for call or demand authority.

3. That, between December 1 and December 31 of 2010, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Manager, Inspection Division, Bureau of Investigation and Enforcement, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine M Sall Inc the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
 Bureau of Investigation and Enforcement

VERIFICATION

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

Date: 11/17/11 Michael E. Hoffman, Manager
 Bureau of Investigation and Enforcement

NOTICE

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

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

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
 Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
 Bureau of Investigation and Enforcement
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

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

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

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

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commis-

sion to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Salgan Inc;
Doc. No. C-2011-2270528*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau 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 Salgan Inc, Respondent, maintains a principal place of business at 10124 Wilbur Street, Philadelphia, PA 19116.

2. That Respondent was issued a certificate of public convenience by this Commission on June 17, 2002, at Docket No. A-00118836, for call or demand authority.

3. That, between December 1 and December 31 of 2010, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Manager, Inspection Division, Bureau of Investigation and Enforcement, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Salgan Inc the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

VERIFICATION

I, Michael E. Hoffman, Manager, Inspection Division, of the Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the

statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 11/17/11 Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

NOTICE

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

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

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

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

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

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

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law

judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. RCW Cab Company;
Doc. No. C-2011-2270515*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau 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 RCW Cab Company, Respondent, maintains a principal place of business at P. O. Box 50054, Philadelphia, PA 19132.

2. That Respondent was issued a certificate of public convenience by this Commission on September 2, 1992, at Docket No. A-00110293, for call or demand authority.

3. That, between December 1 and December 31 of 2010, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Manager, Inspection Division, Bureau of Investigation and Enforcement, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine RCW Cab Company the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

VERIFICATION

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

Date: 11/10/11 Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

NOTICE

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

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

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

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

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

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

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. PS Trans Inc;
Doc. No. C-2011-2270505*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau 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 PS Trans Inc, Respondent, maintains a principal place of business at 810 Pulinski Road, Ivyland, PA 18974.

2. That Respondent was issued a certificate of public convenience by this Commission on March 23, 2004, at Docket No. A-00120364, for call or demand authority.

3. That, between December 1 and December 31 of 2010, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Manager, Inspection Division, Bureau of Investigation and Enforcement, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine PS Trans Inc the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

VERIFICATION

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

Date: 11/10/11 Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this Complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the

outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original shall be mailed to:

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

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

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

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

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

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Raymonde Cab Co;
Doc. No. C-2011-2270514*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth

of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau 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 Raymonde Cab Co, Respondent, maintains a principal place of business at 1461 Mckinley Street, Philadelphia, PA 19149.

2. That Respondent was issued a certificate of public convenience by this Commission on July 10, 1998, at Docket No. A-00114749, for call or demand authority.

3. That, between December 1 and December 31 of 2010, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Manager, Inspection Division, Bureau of Investigation and Enforcement, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Raymonde Cab Co the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

VERIFICATION

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

Date: 11/10/11 Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

NOTICE

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

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

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

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

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Harrisburg, PA 17105-3265

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D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Penntaxi Inc;
Doc. No. C-2011-2270495*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau Investigation and Enforcement and other Bureaus with enforcement responsibilities. Pursuant to that delegated authority and Sec-

tion 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Penntaxi Inc, Respondent, maintains a principal place of business at 1405 West Pike Street, Philadelphia, PA 19140.

2. That Respondent was issued a certificate of public convenience by this Commission on October 26, 1995, at Docket No. A-00112151, for call or demand authority.

3. That, between December 1 and December 31 of 2010, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Manager, Inspection Division, Bureau of Investigation and Enforcement, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Penntaxi Inc the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

VERIFICATION

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

Date: 11/10/11 Michael E. Hoffman, Manager
Bureau of Investigation and Enforcement

NOTICE

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

Rosemary Chiavetta, Secretary
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Harrisburg, PA 17105-3265

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Wayne T. Scott, Prosecutor Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

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

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Pennsylvania Public Utility Commission
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Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 12-597. Filed for public inspection March 30, 2012, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Motor Carrier Application for New Luxury Limousine Service in the City of Philadelphia

Permanent or temporary authority to transport persons in luxury limousine service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant at Docket A-12-03-04.

AJ & M Limo Service, LLC, 2121 South Daggett Street, Philadelphia, PA 19142 registered with the Commonwealth on January 6, 2012.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by April 18, 2012. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday through Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,
Executive Director

[Pa.B. Doc. No. 12-598. Filed for public inspection March 30, 2012, 9:00 a.m.]

Checker Cab Philadelphia, Inc., 2301 Church Street Philadelphia, PA 19124, registered with the Commonwealth on November 28, 2011.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicants by April 18, 2012. Documents filed in support of the application are available for inspection at the TLD office between 9 a.m. and 4:30 p.m. Monday through Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,
Executive Director

[Pa.B. Doc. No. 12-600. Filed for public inspection March 30, 2012, 9:00 a.m.]

Motor Carrier Application for New Rights for Service in the City of Philadelphia to Transport Passengers in Vehicles with Seating for 9 to 15 People

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant at Docket A-12-03-03. The company is operating under CPC 1010116-07 and has requested a new PPA right under limousine service to transport passengers between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Park Avenue Luxury Limousine, Inc., 4206 Old Lincoln Highway, Trevese, PA 19053, registered with the Commonwealth on October 26, 1987.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by April 18, 2012. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday through Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,
Executive Director

[Pa.B. Doc. No. 12-599. Filed for public inspection March 30, 2012, 9:00 a.m.]

Motor Carrier Dispatch Transfer Application for Medallion Taxicab Dispatch Service in the City of Philadelphia

Permanent or temporary authority to render service as a common carrier in the City of Philadelphia as a Medallion Taxicab Dispatch Service has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant, docketed at A-12-02-002. The rights requested are held by All City Taxi, Inc., a PPA certified dispatch association.

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept sealed proposals for Project No. 12-031.P, Request for Proposal—Design of Pier 122 South Rehabilitation Work, until 2 p.m. on Thursday, April 26, 2012 (mandatory request for proposals meeting at 10 a.m. on April 12, 2012). Information concerning this project can be obtained from the PRPA web site www.philaport.com under Procurement, or call the Engineering Department at (215) 426-2600.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 12-601. Filed for public inspection March 30, 2012, 9:00 a.m.]

STATE BOARD OF EDUCATION

Approval of Resolution Establishing a Special Committee on the Riegelsville Independent School District

On March 15, 2012, at a regular public meeting of the State Board of Education (Board), the Board approved a resolution establishing a Special Committee on the Riegelsville Independent School District. The resolution follows.

KAREN MOLCHANOW,
Acting Executive Director

Application of Riegelsville Independent School District for Transfer to the Palisades School District

Resolution

Whereas, pursuant to section 242.1(a) of the Public School Code of 1949 (School Code), as amended, 24 P. S. § 2-242.1(a), a majority of the taxable inhabitants of the now-constituted Riegelsville Independent School District

(Riegelsville), constituting a territory located within Bucks County and the Easton Area School District (Easton), presented their petition to the Court of Common Pleas of Bucks County (docketed as 2007-02132-31), asking that the territory be established as an independent school district for the sole purpose of transfer to the Palisades School District (Palisades), an adjacent school district contiguous to Riegelsville; and

Whereas, the Secretary of Education, pursuant to section 242.1(a) of the Public School Code, passed approvingly, from an educational standpoint, upon the merits of the petition for the creation and transfer of the independent school district; and

Whereas, by decree entered February 24, 2012, pursuant to section 242.1(a) of the School Code, the Court of Common Pleas of Bucks County (1) established Riegelsville for the sole purpose of its transfer from Easton to Palisades; (2) determined the amount of the indebtedness and obligations of Easton that Palisades must assume and pay and the schedule for remitting payment; and (3) stipulated that the transfer will take effect July 1, 2013, subject to approval of the State Board; and

Whereas, the Court of Common Pleas, pursuant to section 292.1 of the School Code, as amended, 24 P. S. § 2-292.1, on February 24, 2012, submitted to the State Board a certified copy of its decree creating Riegelsville; and

Whereas, under section 293.1 of the School Code, as amended, 24 P. S. § 2-293.1, the State Board is obligated, upon receipt of a court decree creating an independent district for transfer purposes, to place the item on its agenda and either to approve or disapprove the creation and transfer; and

Whereas, there are no statutory or regulatory procedures, other than the General Rules of Administrative Practice and Procedure (1 Pa. Code Part II), that govern the manner in or procedure by which the State Board is to carry out its duties under section 293.1 of the School Code; and

Whereas, on previous occasions when presented with applications of an independent school district for transfer, the State Board has designated a panel of its members to conduct proceedings and to prepare a report for consideration by the State Board, as approved by the Commonwealth Court of Pennsylvania in *Independent School District v. State Board of Education*, 53 Pa. Commw. 38, 417 A.2d 269 (1980); and

Whereas, the State Board, having discretion to supplement the General Rules of Administrative Practice and Procedure in carrying out its obligations under section 293.1 of the School Code finds it desirable and appropriate that a committee of the State Board be created for the purpose of conducting proceedings under 1 Pa. Code Part II, and preparing a report to the State Board;

Now, Therefore, It Is Hereby Resolved as follows:

1. The chairperson of the State Board will designate a committee of three (3) members to conduct such proceedings as might be appropriate under the General Rules of Administrative Practice and Procedure, to take any action (except final action) that may or must be taken under the rules by the agency or agency head, and to report to the State Board in accordance with this Resolution. All details of these matters, including the designation of a presiding officer, if appropriate, shall be left to the discretion of the committee.

2. Upon completion of all appropriate proceedings, the committee shall report promptly to the State Board, recommending the proper disposition of the application for transfer.

3. Upon receipt of the report of the committee, the matter shall be placed upon the agenda for action at the next available meeting of the State Board, and the participants shall be so notified.

Given under my hand and our seal
this 15th day of March, 2012

Larry Wittig,
Chairperson

Attest:

Karen Molchanow,
Acting Executive Director

[Pa.B. Doc. No. 12-602. Filed for public inspection March 30, 2012, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Low Flow Protection Policy

As part of its regular business meeting held on March 15, 2012, in Harrisburg, PA, the Susquehanna River Basin Commission (Commission) approved the release of a proposed Low Flow Protection Policy (Policy) for public review and comment. The Policy can be accessed on the Commission's web site at <http://www.srbcc.net/pubinfo/businessmeeting.htm> or by contacting the Commission to receive a copy by first-class mail. Persons interested in providing comments are directed to submit the same in writing on or before May 16, 2012, by contacting John Balay, Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391 or through the previously listed web address.

For further information contact John Balay, Manager of Planning and Operations, (717) 238-0423, fax (717) 238-2436.

Supplementary Information

On March 15, 2012, the Commission approved the release of a proposed Policy for public review and comment. The Policy was developed over the past year in coordination with the Commission's Water Resources Management Advisory Committee to improve low flow protection standards associated with approved water withdrawals. The improvements are largely based on scientific advances in ecosystem flow protection. The Commission will use the Policy and supporting technical guidance when reviewing withdrawal applications to establish limits and conditions on approvals consistent with the Commission's regulatory standards (18 CFR 806.23 (relating to standards for water withdrawals)).

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

Dated: March 15, 2012.

PAUL O. SWARTZ,
Executive Director

[Pa.B. Doc. No. 12-603. Filed for public inspection March 30, 2012, 9:00 a.m.]