

# PENNSYLVANIA BULLETIN

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**Agencies in this issue**

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The Courts

Department of Environmental Protection

Department of Health

Department of Revenue

Department of Transportation

Independent Regulatory Review Commission

Insurance Department

Pennsylvania Public Utility Commission

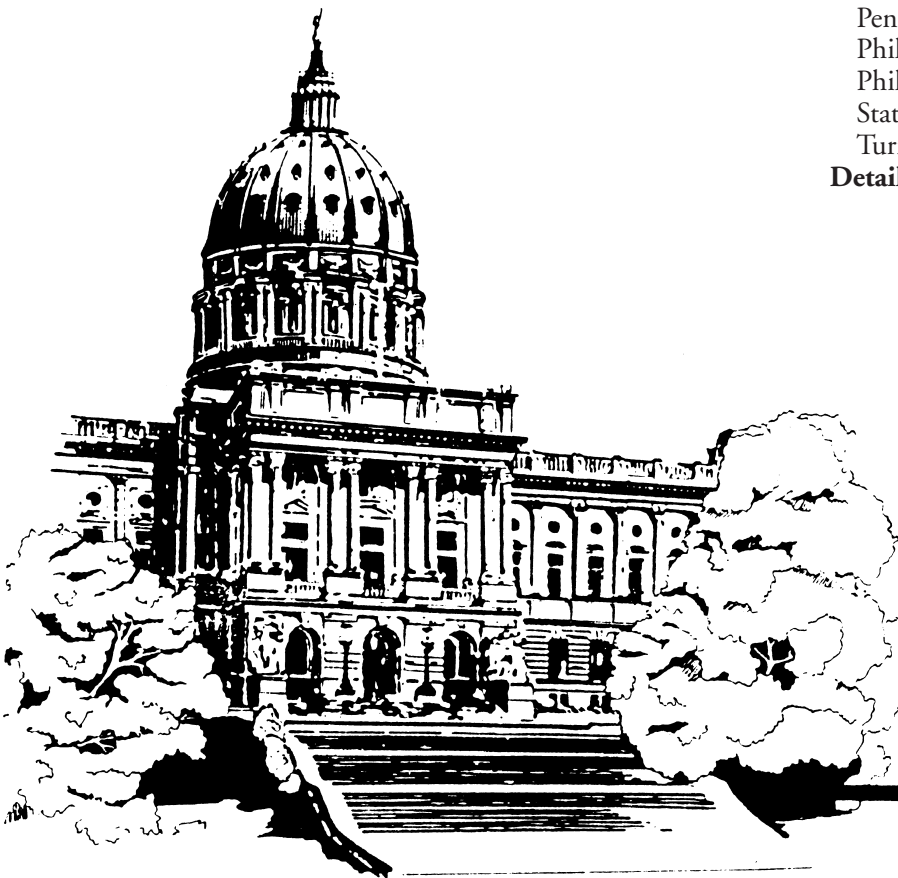
Philadelphia Parking Authority

Philadelphia Regional Port Authority

State Board of Barber Examiners

Turnpike Commission

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

**No. 451, June 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](http://www.pacode.com).

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

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

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

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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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# THE GOVERNOR

## Notice of Veto

May 18, 2012

To the Honorable Senate  
of the Commonwealth of Pennsylvania:

I am returning, without my approval, Senate Bill 342, Printer's No. 549. I regret having to do so. However, I feel compelled to do so because of certain language contained in the bill.

Although there are many positive aspects of the bill, it also contains a provision that increases the per diem allowance for members of the State Board of Occupational Therapy Education and Licensure. Such a per diem increase would be in addition to the reimbursement that members of the Board receive for reasonable expenses. Since I find this provision objectionable, I am returning Senate Bill 342, Printer's No. 549, with my noted objection.



*Governor*

[Pa.B. Doc. No. 12-1004. Filed for public inspection June 1, 2012, 9:00 a.m.]



# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART V. PROFESSIONAL ETHICS AND CONDUCT [ 204 PA. CODE CH. 81 ]

#### Amendment of Rules 1.6 and 1.19 of the Rules of Professional Conduct; No. 110 Disciplinary Rules Doc.

##### Order

##### Per Curiam

And Now, this 17th day of May, 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 the Comment to Rule 1.6 and Rule 1.19 of the Pennsylvania 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:

#### CLIENT-LAWYER RELATIONSHIP

#### Rule 1.6. Confidentiality of Information.

\* \* \* \* \*

#### Comment:

\* \* \* \* \*

##### Lobbyists

(26) A lawyer who acts as a lobbyist on behalf of a client may disclose information relating to the representation in order to comply with any legal obligation imposed on the lawyer-lobbyist by the [ legislature, the executive branch ] Legislature, the Executive Branch or an agency of the Commonwealth, or a local government unit which are consistent with the Rules of Professional Conduct. Such disclosure is explicitly authorized to carry out the representation. The Disciplinary Board of the Supreme Court shall retain jurisdiction over any violation of this Rule.

#### Rule 1.19. Lawyers Acting as Lobbyists.

(a) A lawyer acting as lobbyist, as defined in any statute, [ or in any regulation ] resolution passed or adopted by either house of the Legislature, [ or in any ]

regulation promulgated by the Executive Branch or any agency of the Commonwealth of Pennsylvania, or ordinance enacted by a local government unit, shall comply with all regulation, disclosure, or other requirements of such statute, resolution, [ or ] regulation or ordinance which are consistent with the Rules of Professional Conduct.

(b) Any disclosure of information relating to representation of a client made by the lawyer-lobbyist in order to comply with such [ a ] statute, resolution, [ or ] regulation or ordinance is a disclosure explicitly authorized to carry out the representation and does not violate [ RPC ] Rule 1.6.

#### Comment:

(1) A "local government unit" includes county and municipal or local authorities in the Commonwealth.

[Pa.B. Doc. No. 12-1005. Filed for public inspection June 1, 2012, 9:00 a.m.]

### PART V. PROFESSIONAL ETHICS AND CONDUCT [ 204 PA. CODE CH. 83 ]

#### Amendment of Rules 102, 203, 204, 205, 207, 208, 215 and 402 of the Rules of Disciplinary Enforcement; No. 111 Disciplinary Rules Doc.

##### Order

##### Per Curiam

And Now, this 17th day of May, 2012, upon the recommendation of the Disciplinary Board of the Supreme Court of Pennsylvania; the proposal having been published for public comment in the Pennsylvania Bulletin, 41 Pa.B. 4200 (August 6, 2011):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 102, 203, 204, 205, 207, 208, 215 and 402 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 A. PRELIMINARY PROVISIONS

#### Rule 102. Definitions.

(a) General rule. Subject to additional definitions contained in subsequent provisions of these rules which are applicable to specific provisions of these rules, the following words and phrases when used in these rules shall have, unless the context clearly indicates otherwise, the meanings given to them in this rule:

\* \* \* \* \*

*Prothonotary*—The Prothonotary of the Supreme Court of Pennsylvania.

**Public reprimand**—Public reprimand by the Board.

*Respondent-attorney*—Includes any person subject to these rules.

\* \* \* \* \*

**Subchapter B. MISCONDUCT**

**Rule 203. Grounds for discipline.**

\* \* \* \* \*

(b) The following shall also be grounds for discipline:

(1) Conviction of a crime.

(2) Wilful failure to appear before the Supreme Court, the Board or Disciplinary Counsel for censure, **public or private reprimand**, or informal admonition.

\* \* \* \* \*

**Rule 204. Types of discipline.**

(a) Misconduct shall be grounds for:

\* \* \* \* \*

(5) **Public reprimand by the Board with or without probation.**

(6) Private reprimand by the Board with or without probation.

[ (6) ] (7) Private informal admonition by Disciplinary Counsel.

(8) **Revocation of an attorney’s admission or license to practice law in the circumstances provided in Rule 203(b)(6) (relating to grounds for discipline).**

(b) Conditions may be attached to an informal admonition [ or ], private reprimand, **or public reprimand**. Failure to comply with such conditions shall be grounds for reconsideration of the matter and prosecution of formal charges against the respondent-attorney.

\* \* \* \* \*

**Rule 205. The Disciplinary Board of the Supreme Court of Pennsylvania.**

\* \* \* \* \*

(c) The Board shall have the power and duty:

\* \* \* \* \*

(7) To assign periodically, through its Secretary, senior or experienced hearing committee members within each disciplinary district to:

(i) review and approve or modify recommendations by Disciplinary Counsel for dismissals, informal admonitions, private reprimands, **public reprimands** and institution of formal charges[ . ];

(ii) hear and determine attacks on the validity of subpoenas issued pursuant to Enforcement Rule 213(a)(2) (relating to subpoena power, depositions and related matters), as provided in Enforcement Rule 213(d)(2); or

(iii) consider a petition for reinstatement to active status from retired or inactive status, or administrative suspension, under Enforcement Rule 218 (relating to reinstatement) of a formerly admitted attorney who has not been suspended or disbarred.

(8) To review, through a designated panel of three members, and approve or modify a determination by a

reviewing hearing committee member that a matter should be concluded by dismissal, private informal admonition, private reprimand, **public reprimand** or the institution of formal charges before a hearing committee.

(9) To review, through a designated panel of three members, and approve or reject a joint petition in support of discipline on consent filed with the Board pursuant to Enforcement Rule 215(d).

(10) To review, through a single member designated by the Board Chair, and approve or reject a certification filed by Disciplinary Counsel under Enforcement Rule 218(d)(2)(ii) indicating that Disciplinary Counsel has determined that there is no impediment to reinstatement of the petitioner, and to issue the report and recommendation required by subdivision (d) of Enforcement Rule 218.

(11) To administer, by the Board or through a designated panel of three members selected by the Board Chair, private reprimands **or public reprimands** to attorneys for misconduct.

\* \* \* \* \*

**Rule 207. Disciplinary [ counsel ] Counsel.**

\* \* \* \* \*

(b) Disciplinary Counsel shall have the power and duty:

(1) To investigate all matters involving alleged misconduct called to their attention whether by complaint or otherwise.

(2) To dispose of **any matter that is governed by Enforcement Rules 214 (Attorneys convicted of crimes), 215 (Discipline on Consent), and 216 (Reciprocal discipline) in accordance with the substantive and procedural provisions of those rules, and to dispose of all other matters [ (subject to review by a member of a hearing committee) ]** involving alleged misconduct by dismissal[ , ] **or (subject to review by a member of a hearing committee) by recommendation for** informal admonition, [ **recommendation for** ] private **or public** reprimand, or the prosecution of formal charges before a hearing committee or special master. Except in matters requiring dismissal because the complaint is frivolous or falls outside the jurisdiction of the Board, no disposition shall be recommended or undertaken by Disciplinary Counsel until the [ **accused attorney** ] **respondent-attorney** has been notified of the allegations and the time for response under Enforcement Rule 208(b) (relating to formal hearing), if applicable, has expired.

\* \* \* \* \*

(c) Disciplinary Counsel:

(1) Shall be a party to all proceedings and other matters before the Board or the Supreme Court under these rules.

(2) May urge in the Supreme Court a position inconsistent with any recommendation of the Board where in the judgment of Disciplinary Counsel a different disposition of the matter is warranted by the law or the facts.

(3) May within the time and in the manner prescribed by the Pennsylvania Rules of Appellate Procedure obtain in the Supreme Court judicial review of any final determination of the Board, except a determination to conclude a matter by dismissal, informal admonition [ or ], private reprimand, **or public reprimand**.

(4) **May within the time and in the manner prescribed by the Pennsylvania Rules of Appellate Procedure petition the Supreme Court for allowance of an appeal from any final determination of the Board to conclude a matter by dismissal, informal admonition, private reprimand, or public reprimand.**

**Rule 208. Procedure.**

(a) *Informal proceedings.*

(1) All investigations, whether upon complaint or otherwise, shall be initiated and conducted by Disciplinary Counsel.

(2) Upon the conclusion of an investigation, Disciplinary Counsel may dismiss the complaint as frivolous, as falling outside the jurisdiction of the Board, or on the basis of Board policy or prosecutorial discretion. Disciplinary Counsel may recommend:

(i) Dismissal of the complaint.

(ii) A conditional or unconditional informal admonition of the attorney concerned.

(iii) A conditional or unconditional private reprimand by the Board of the attorney concerned.

(iv) **A conditional or unconditional public reprimand by the Board of the attorney concerned.**

(v) The prosecution of formal charges before a hearing committee or special master.

(3) Except where Disciplinary Counsel dismisses the complaint as frivolous, as falling outside the jurisdiction of the Board, or on the basis of Board policy or prosecutorial discretion, the recommended disposition shall be reviewed by a member of a hearing committee in the appropriate disciplinary district who may approve or modify.

(4) Disciplinary Counsel may appeal the recommended disposition directed by a hearing committee member to a reviewing panel composed of three members of the Board which shall order that the matter be concluded by dismissal, conditional or unconditional informal admonition [ or ], conditional or unconditional private reprimand, **or conditional or unconditional public reprimand**, or direct that a formal proceeding be instituted before a hearing committee or special master in the appropriate disciplinary district.

(5) A recommendation by a reviewing hearing committee member for a conditional or unconditional private **or public reprimand** shall be reviewed by a panel composed of three members of the Board who may approve or modify.

(6) **[ A ] In cases where no formal proceeding has been conducted**, a respondent-attorney shall not be entitled to appeal an informal admonition, a private reprimand, **a public reprimand**, or any conditions attached thereto **[ in cases where no formal proceeding has been conducted ]**, but may demand as of right that a formal proceeding be instituted against such attorney in the appropriate disciplinary district. In the event of such demand, the respondent-attorney need not appear for the administration of the informal admonition [ or ], private reprimand, **or public reprimand**, and the matter shall be disposed of in the same manner as any other formal proceeding, but any expenses of the proceeding taxed against the respondent-attorney shall be paid as required by paragraph [ (q)(2) ] **(g)(2)** of this rule.

\* \* \* \* \*

(d) *Review and action by Board.*

(1) Proceedings before the Board shall be governed by Board rules, except that, unless waived in the manner provided by such rules, the respondent-attorney shall have the right to submit briefs and to present oral argument to a panel of at least three members of the Board. Members of the Board who have participated on a reviewing panel under paragraph (a)(4) or (5) of this rule shall not participate in further consideration of the same matter or decision thereof on the merits under this subdivision (d).

(2) The Board shall either affirm or change in writing the recommendation of the hearing committee or special master by taking the following action, as appropriate, within 60 days after the adjudication of the matter at a meeting of the Board;

(i) *Dismissal.* In the event that the Board determines that a proceeding should be dismissed, it shall so notify the respondent-attorney.

(ii) *Informal admonition [ or ], private reprimand, or public reprimand.* In the event that the Board determines that the proceeding should be concluded by informal admonition [ or ], private reprimand, **[ it ] or public reprimand**, the Board shall arrange to have the respondent-attorney appear before Disciplinary Counsel for the purpose of receiving informal admonition or before a designated panel of three members selected by the Board Chair pursuant to Pa.R.D.E. 205(c)(9), for the purpose of receiving private reprimand **or public reprimand**.

(iii) *Other discipline.* In the event that the Board shall determine that the matter should be concluded by probation, censure, suspension, disbarment, or by informal admonition [ or ], private reprimand, **or public reprimand** in cases where the respondent-attorney is unwilling to have the matter concluded by informal admonition [ or ], private reprimand, **[ it ] or public reprimand**, the Board shall file its findings and recommendations, together with the briefs, if any, before the Board and the entire record, with the Supreme Court. A respondent-attorney who is unwilling to have the matter concluded by an informal admonition [ or ], private reprimand, **or public reprimand** must file within thirty (30) days after notice of the determination of the Board, a notice of appeal. Review by the Supreme Court shall be de novo and the Court may impose a sanction greater or less than that recommended by the Board.

\* \* \* \* \*

(g) *Costs.*

(1) The Supreme Court in its discretion may direct that the necessary expenses incurred in the investigation and prosecution of a proceeding which results in the imposition of discipline shall be paid by the respondent-attorney. All expenses taxed under this paragraph shall be paid by the respondent-attorney within 30 days of entry of the order taxing the expenses against the respondent-attorney.

(2) In the event a proceeding is concluded by informal admonition [ or ], private reprimand **or public reprimand**, the Board in its discretion may direct that the necessary expenses incurred in the investigation and prosecution of the proceeding shall be paid by the respondent-attorney. All expenses taxed by the Board under this paragraph shall be paid by the respondent-attorney on or before the date fixed for the appearance of

the respondent-attorney before Disciplinary Counsel for **informal admonition** or the Board for [ **informal admonition or** ] private or **public** reprimand. The expenses which shall be taxable under this paragraph shall be prescribed by Board rules.

\* \* \* \* \*

**Rule 215. Discipline on consent.**

\* \* \* \* \*

(f) *Private discipline.*—If a panel approves a Petition consenting to an informal admonition or private reprimand, with or without probation, the Board shall enter an appropriate order, and [ **it** ] **the Board** shall arrange to have the attorney appear before Disciplinary Counsel for the purpose of receiving an informal admonition or before a designated panel of three members selected by the Board Chair for the purpose of receiving a private reprimand.

(g) *Public discipline.*—

**(1) If a panel approves a Petition consenting to a public reprimand, the Board shall enter an appropriate order, and the Board shall arrange to have the attorney appear before the Board or a designated panel of three members selected by the Board Chair for the purpose of receiving a public reprimand.**

**(2) If a panel approves a Petition consenting to public censure or suspension, the Board shall file the recommendation of the panel and the Petition with the Supreme Court. If the Court grants the Petition, the Court shall enter an appropriate order disciplining the attorney on consent.**

\* \* \* \* \*

**Subchapter D. MISCELLANEOUS PROVISIONS**

**Rule 402. Access to [ Disciplinary Information and Confidentiality ] disciplinary information and confidentiality.**

(a) Except as provided in subdivisions (b), (d) and (k), all proceedings under these rules shall be open to the public after:

- (1) the filing of an answer to a petition for discipline;
- (2) the time to file an answer to a petition for discipline has expired without an answer being filed; [ **or** ]
- (3) the filing and service of a petition for reinstatement[ . ] **or**;
- (4) **the Board has entered an Order determining a public reprimand.**

(b) Notwithstanding subdivision (a), an informal proceeding under these rules in which it is determined that private discipline should be imposed but that subsequently results in the filing of formal charges shall not be open to the public until or unless the Supreme Court enters its order for the imposition of public discipline.

\* \* \* \* \*

[Pa.B. Doc. No. 12-1006. Filed for public inspection June 1, 2012, 9:00 a.m.]

# Title 249—PHILADELPHIA RULES

## PHILADELPHIA COUNTY

### Amendment of Philadelphia Traffic Court Local Rule No. 1033; Administrative Order 01 of 2012

#### Order

*And Now*, this 18th day of May, 2012, *It Is Hereby Ordered* that Philadelphia Traffic Court Local Rule No. 1033, is amended as follows, effective immediately.

As required by Pa.R.Crim.P. No. 105 (D), the proposed amended rule has been submitted to the Supreme Court’s Criminal Procedural Rules Committee for review and written notification has been received from the Committee certifying that the proposed amended rule is not inconsistent with any general rule of the Supreme Court. The original Administrative Order and amended local rule shall be filed with the Prothonotary in a docket maintained for Administrative Orders issued by the Administrative Judge of the Philadelphia Traffic Court, and, as required by Pa.R.Crim.P. No. 105(E), two certified copies of this Administrative Order and amended local rule as well as a copy on a computer diskette shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. As required by Pa.R.Crim.P. No. 105 (F) one certified copy of this Administrative Order and amended local rule shall be filed with the Administrative Office of Pennsylvania Courts and the local rule will also be published on the Unified Judicial System’s web site at <http://ujportal.pacourts.us/localrules/ruleselection.aspx> and posted on the First Judicial District’s website at <http://courts.phila.gov>. Copies of this Administrative Order and amended local rule shall be published in *The Legal Intelligencer* and will be submitted to American Lawyer Media, Jenkins Memorial Law Library, and the Law Library for the First Judicial District.

*By the Court*

HONORABLE GARY S. GLAZER,  
*Administrative Judge,*  
*Philadelphia Traffic Court*

#### **Local Rule 1033. Procedures When Defendant Arrested With Warrant.**

(a) *Defendant Arrested During Traffic Court’s Hours of Operation.*

(1) A defendant arrested pursuant to a Traffic Court warrant shall be brought to the Traffic Court as soon as practicable after being processed provided the Traffic Court is open. **If a bench warrant hearing is not held within 72 hours of the arrest, or by the close of the next business day if the 72 hours expire on a non-business day, the bench warrant shall expire by operation of law and the defendant shall be released.**

(2) A warrant hearing shall be conducted promptly by a Traffic Court Judge or hearing officer appointed pursuant to Local Rule 1036 to determine the reasons for the issuance of the warrant, and to determine whether a summary trial or hearing on the matter which resulted in the issuance of the warrant can be held immediately. At the conclusion of the warrant hearing, all outstanding Traffic Court warrants against the Defendant shall be withdrawn.

(i) If it appears that the summary trial or hearing on the matter which resulted in the issuance of the warrant can be held immediately, the summary trial or hearing will be held immediately.

(ii) If it appears that the summary trial or hearing on the matter which resulted in the issuance of the warrant cannot be held immediately, **and the defendant does not have a history of failure to appear for Traffic Court hearings**, the Traffic Court Judge or hearing officer shall:

(A) Schedule the summary trial or hearing and determine whether collateral must be posted by the defendant to secure defendant's release pending the hearing or summary trial. The Scheduling Orders shall be substantially in the form which follows this Local Rule.

(B) The defendant shall be released **immediately at the conclusion of the warrant hearing** unless collateral has been ordered and is not posted.

(C) If the defendant is ordered to post collateral and the collateral is not posted, the defendant shall be brought to the county prison and held pending the summary trial or hearing. Provided, however, that the defendant shall be released at any time before the scheduled summary trial or hearing when the collateral is posted.

(iii) **If it appears that the summary trial or hearing on the matter which resulted in the issuance of the warrant cannot be held immediately, and the defendant does have a history of failure to appear for Traffic Court hearings, especially after personal service of a citation or scheduling hearing, the Traffic Court Judge or hearing officer shall schedule the summary trial or hearing without unnecessary delay, but in no event more than 72 hours from the date of the bench warrant hearing or, if the 72 hours expire on a non-business day, no later than the close of the next business day, and the defendant may be held in custody pending the rescheduled hearing. For purposes of this subsection, the term "history of failure to appear" shall mean that the defendant has failed to appear for at least two (2) Traffic Court hearings despite service of a date certain citation or notice personally on the defendant.**

(b) *Defendant Arrested While Traffic Court is Closed.* A defendant arrested pursuant to a Traffic Court warrant while the Traffic Court is closed shall be processed as provided in Philadelphia Municipal Court Rule 540. The Subpoena/Commitment form used by the Municipal Court Bail Commissioner shall be substantially as the form which follows this Local Rule.

*Comment:* Pa.R.Crim.P. 1033, Philadelphia Municipal Court Rule 540, and this Local Rule are intended to

provide a warrant hearing process which minimizes the time a defendant is held before a warrant hearing is conducted. However, the very nature of an arrest, the need to properly identify the defendant, and the internal protocol the arresting law enforcement officers need to follow incident to an arrest will, per force, take time. Nonetheless, it is expected that, to the extent possible, the time a defendant is held be minimized. The standard form of the Scheduling Orders is set forth below together with documents which will secure defendant's release when collateral has been ordered and is posted either at the Traffic Court of Bail Acceptance Unit at the Criminal Justice Center, which is open around the clock, every day, including holidays.

**The standard Scheduling Orders for Summary Trials and Default Hearing clearly inform the defendant that "Defendant's failure to appear on the above date will result in the issuance of a Bench Warrant. Upon arrest, the hearing will be rescheduled and Defendant will be held in custody until the rescheduled hearing date."**

Subsection (2)(iii) was added to clearly set forth the maximum amount of time a defendant who has a history of failure to appear for a traffic court hearing or trial despite personal service of the hearing date can be held pending the rescheduled hearing date in the event a hearing or trial cannot be held on the day the defendant is brought to the Traffic Court for a Warrant Hearing. The time period provided in the new subsection is the same as that provided in Pa.R.Crim.P. 150.

It is anticipated that most of the hearings or trials will be held on the same day the defendant is arrested on a warrant issued due to the defendant's failure to appear and brought to the Traffic Court. Some defendants may have such large number of outstanding traffic citations and citations which are in default of a payment which will require some time to compile the required records and testimony and to obtain the required certified record from the Pennsylvania Department of Transportation. Nonetheless, the Traffic Court can reasonably do so within the requisite 72 hour period or release the defendant pending a future scheduled date if it is unable to do so.

**The Scheduling Order/Commitment (FTA after Scheduling Order Issued—BW Issued) has been amended.**

Adopted December 21, 2005, published in the *Pennsylvania Bulletin* on December 31, 2005, and effective on February 1, 2006, amended on May 18, 2012, effective immediately.

THE COURTS

SCHEDULING ORDERS

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
PHILADELPHIA TRAFFIC COURT

Commonwealth of Pennsylvania vs.		Judge _____
Defendant A/K/A _____		Courtroom _____
		Citation Numbers _____
PP#	DOB	OLN#

SCHEDULING ORDER  
(Summary Trial)

AND NOW, this \_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_ , IT IS HEREBY ORDERED that a Summary Trial is scheduled in connection with the traffic citations listed above and Defendant is ORDERED to appear on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_ AM/PM., in Courtroom \_\_\_\_\_, Traffic Court, 800 Spring Garden Street, Philadelphia, PA.

- Defendant shall be released on his/her own recognizance pending the above scheduled summary trial.
- The Defendant shall be released prior to the above summary trial upon the posting the sum of \$ \_\_\_\_\_ as collateral for outstanding traffic citations.
- There is a likelihood that imprisonment may be imposed at the conclusion of the above scheduled summary trial. In the event Defendant is not represented, Defendant must report within ten (10) days to the First Judicial District's Pretrial Service Division, 5th Floor, 1401 Arch Street, Philadelphia, PA between the hours of 9:00 A.M. to 4:00 P.M. Monday through Friday for a financial interview to determine eligibility to court-appointed counsel. Defendant must bring supporting documentation such as Driver's License, DPW card, pay stubs etc. at the time of the interview.

Defendant's failure to appear on the above date will result in the issuance of a Bench Warrant. Upon arrest, the hearing will be rescheduled and Defendant will be held in custody until the rescheduled hearing date.

I ACKNOWLEDGE RECEIPT OF A  
COPY OF THIS ORDER:

BY THE COURT:

_____	_____	_____
Defendant	Date	TRAFFIC COURT JUDGE
_____	_____	
Attorney	Date	

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
PHILADELPHIA TRAFFIC COURT

Commonwealth of Pennsylvania vs.		Judge _____
Defendant A/K/A _____		Courtroom _____
		Citation Numbers _____
PP#	DOB	OLN#

SCHEDULING ORDER  
(Default Hearing)

AND NOW, this \_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_ , Defendant is ORDERED to appear on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_ AM/PM., in Courtroom \_\_\_\_\_, Traffic Court, 800 Spring Garden Street, Philadelphia, PA, to determine, pursuant to Pa.R.Crim.P. 456, defendant's ability to pay the outstanding fines and costs as previously ordered by the Traffic Court, and to enter any appropriate order, including imposition of any sanctions provided by law. Defendant must provide appropriate documentation of his/her financial status.

- Defendant shall be released on his/her own recognizance pending the above financial determination hearing.
- The Defendant shall be released prior to the above financial determination hearing upon paying the sum of \$ \_\_\_\_\_ towards the outstanding Traffic Court fines.
- There is a likelihood that imprisonment may be imposed at the conclusion of the above scheduled financial determination hearing. In the event Defendant is not represented, Defendant must report within ten (10) days to the First Judicial District's Pretrial Service Division, 5th Floor, 1401 Arch Street, Philadelphia, PA between the hours of 9:00 A.M. to 4:00 P.M. Monday through Friday for a financial interview to determine eligibility to court-appointed counsel. Defendant must bring supporting documentation such as Driver's License, DPW card, pay stubs etc. at the time of the interview.

Defendant's failure to appear on the above date will result in the issuance of a Bench Warrant. Upon arrest, the hearing will be rescheduled and Defendant will be held in custody until the rescheduled hearing date.

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS ORDER:

BY THE COURT:

Defendant	Date	TRAFFIC COURT JUDGE
Attorney	Date	

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
PHILADELPHIA TRAFFIC COURT

Commonwealth of Pennsylvania vs.	Judge _____
Defendant A/K/A _____	Courtroom _____
PP#	Citation Numbers _____
DOB	OLN#

**SCHEDULING ORDER/COMMITMENT  
(FTA after Scheduling Order Issued—BW Issued)**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_ 20\_\_ , due to Defendant's failure to appear for a hearing or trial despite personal service of a Scheduling Order, the Defendant will be held in custody in the Philadelphia Prisons System until the rescheduled hearing date which shall not exceed 72 hours from today, or no later than the close of the next business day if the 72 hours expire on a non-business day.

[ the ] The summary trial or default hearing initially scheduled for \_\_\_\_\_ is rescheduled for \_\_\_\_\_ , 20\_\_ , at \_\_ AM/PM., in Courtroom \_\_\_\_\_ , Traffic Court, 800 Spring Garden Street, Philadelphia, PA. **which the undersigned represents is the most expeditions date in light of the offenses at issue.**

[ Due to Defendant's failure to appear on the date noted above, despite personal service of the Scheduling Order, the Defendant will be held in custody in the Philadelphia Prisons System until the re-scheduled hearing date. ]

There is a likelihood that imprisonment may be imposed at the conclusion of the above scheduled hearing or trial. Counsel will be made available to Defendant on the re-scheduled hearing date if the defendant is without financial resources or is otherwise unable to employ counsel.

The Bench Warrant issued for Defendant's arrest due to Defendant's failure to appear for the previously scheduled summary trial or hearing is withdrawn.

TO ANY AUTHORIZED PERSON of the above-named County of this Commonwealth: you are hereby commanded to convey and deliver into the custody of the Keeper of the county prison the above-named defendant.

YOU, THE KEEPER, are required to receive the defendant into your custody to be safely kept by you and brought down for the above-scheduled hearing.

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS ORDER:

BY THE COURT:

\_\_\_\_\_  
Defendant Date

\_\_\_\_\_  
TRAFFIC COURT JUDGE

\_\_\_\_\_  
Attorney Date

[Pa.B. Doc. No. 12-1007. Filed for public inspection June 1, 2012, 9:00 a.m.]

# Title 255—LOCAL COURT RULES

## BEAVER COUNTY

### Court of Common Pleas of Residential Mortgage Foreclosure Conciliation Program; No. 10941 Misc. 2012

#### Administrative Order

And Now, this 15th day of May, 2012, recognizing that the number of residential Mortgage Foreclosure Actions filed in Beaver County has expanded, the Court of Common Pleas of Beaver County hereby establishes a Residential Mortgage Foreclosure Conciliation Program as follows:

1. Complaints in Mortgage Foreclosure presented for filing that seek foreclosure on a mortgage on a Beaver County owner-occupied residence shall be accompanied with an additional Urgent Notice, a copy of which follows as Exhibit "A."

Said Urgent Notice shall be affixed to the Complaint when presented for filing and shall also be affixed to the copy of the Complaint served upon the Defendant(s).

2. If the Defendant(s) call Housing Opportunities of Beaver County, and if the Defendant(s) attend a meeting with a Housing Opportunities Counselor, and if the Housing Opportunities Counselor makes a determination that the Defendant(s) is/are eligible to participate in this Beaver County Mortgage Foreclosure Conciliation Program, the Housing Opportunities Counselor will secure the signature(s) of the Defendant(s) on a "Certificate of Participation" and file the same with the Prothonotary of Beaver County, all within thirty (30) days following service of the Complaint and Urgent Notice upon the Defendant(s).

3. Upon receipt of a completed "Certificate of Participation" from Housing Opportunities of Beaver County to the Prothonotary of the Court of Common Pleas (a copy of which follows as Exhibit "B"), the case will proceed as follows:

The Court will issue the following Order in each case where the Certificate of Participation has been timely filed by Housing Opportunities of Beaver County on behalf of the Defendant(s):

#### Order

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2012, a Certificate of Participation in the Beaver County Residential Mortgage Conciliation Program having been timely filed by the Defendant(s) in the above-captioned matter, no further action shall be taken in this case for at least sixty (60) days from the date of this Order, except upon Order of this Court.

It is hereby Ordered and Directed that a Court-Supervised Conciliation Conference is scheduled to be held on the \_\_\_\_ day of \_\_\_\_\_, 2012 at \_\_\_\_ .m. in Courtroom No. \_\_\_\_ of the Beaver County Courthouse, Third Street, Beaver, PA 15009.

It is further Ordered and Directed that unless an agreement in this case has been reached prior to the scheduled Conciliation Conference, a representative of the Plaintiff/Lender/Investor who has actual authority to modify mortgages, enter into alternate payment agreements with the Defendant(s), or otherwise resolve the action, shall be present at the Conciliation Conference or shall be available telephonically. Failure of the Plaintiff, or of a representative of the Plaintiff with such authority to appear for the Conciliation Conference, may result in the rescheduling of the Conciliation Conference and further postponement of any action in this matter, including timely filing of an Answer, filing of Preliminary Objections, filing of Motions for Summary Judgment and/or Judgment on the Pleadings and taking of final Judgment in the action.

Failure of the Defendant(s) to attend the Conciliation Conference shall result in the lifting of any stay.

This Order is to be docketed by the Prothonotary of Beaver County and served upon the Defendant(s) at their address(es) as reflected on the Certificate of Participation, any attorney of record for any party at the address included on any pleading and/or Appearance, and upon Housing Opportunities of Beaver County at 282 East End Avenue, Beaver, PA 15009, all by First-Class Mail.

BY THE COURT,

\_\_\_\_\_  
J.

4. Limited Appearance and Withdrawal forms for Pro Bono Counsel/ Reduced-Fee Counsel follows as Exhibit "C" and Exhibit "D."

5. Failure of Defendant(s) to fully participate in conciliation or failure of the parties to reach an alternate settlement arrangement following conciliation shall result in entry of an Order, as follows as Exhibit "E."

6. The District Court Administrator is directed to:

(a) file one (1) certified copy of this Order with the Administrative Office of Pennsylvania Courts;

(b) submit two (2) certified copies of this Order and a copy on computer diskette to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

(c) submit one (1) certified copy of this Order to the Civil Procedural Rules Committee of the Pennsylvania Supreme Court.

(d) keep a copy continuously available for public inspection and copying in the Office of the Prothonotary and in the Beaver County Law Library.



7. This Administrative Order shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

By the Court

JOHN D. MCBRIDE,  
President Judge

**Exhibit "A"**  
**URGENT NOTICE**

A Complaint in Mortgage Foreclosure has been filed with the Court of Common Pleas of Beaver County that may cause you to lose your home.

You may be able to participate in a Court-Supervised Conciliation Conference in an effort to resolve this matter with the Lender.

However, you must act now.

To secure an opportunity to participate in a Court-Supervised Conciliation Conference, you must call Housing Opportunities of Beaver County at 724-728-7511 and attend a meeting with a Housing Opportunities Counselor. This must happen within the next thirty (30) days, or you will lose your eligibility to participate in the Beaver County Mortgage Foreclosure Conciliation Program. The Housing Opportunities Counselor will tell you what to do next and will schedule your Conference. Pro Bono Legal Assistance may be available to you at the Conciliation Conference.

Make This Call To Save Your Home!

This Program Is Free.

**Exhibit "B"**

IN THE COURT OF COMMON PLEAS OF  
BEAVER COUNTY, PENNSYLVANIA  
CIVIL DIVISION—LAW

Plaintiff :  
vs. : No.  
Defendant :

**CERTIFICATE OF PARTICIPATION**

I am the owner of the property listed below:

Premises Address: \_\_\_\_\_

\_\_\_\_\_, Beaver County, PA.

This property is my primary residence. It is the subject of foreclosure, and I would like to try to save my residence from foreclosure.

I have contacted the Housing Counselor at Housing Opportunities of Beaver County. I am cooperating with the Housing Counselor and have already submitted, or at least fifteen (15) days before the Conciliation/Case Management Conference, will submit, a complete, written proposal to the Plaintiff to avoid foreclosure.

I understand the assistance of the Housing Counselor is free of charge to me, and I understand any Pro Bono assistance that I may receive from an attorney assigned to my case by the Beaver County Bar Association's Lawyer Referral Service shall be for the limited purpose of advising me of my rights and representing my interests for this case only, and said representation will terminate at the conclusion of the Conciliation Conference.

Signature \_\_\_\_\_ Signature \_\_\_\_\_

Printed Name \_\_\_\_\_ Printed Name \_\_\_\_\_

Full Mailing Address \_\_\_\_\_ Full Mailing Address \_\_\_\_\_

Must be returned and filed with the Prothonotary of Beaver County within thirty (30) days following service of the Complaint and URGENT NOTICE upon Defendant(s).

**Exhibit "C"**

IN THE COURT OF COMMON PLEAS OF  
BEAVER COUNTY, PENNSYLVANIA  
CIVIL DIVISION—LAW

Plaintiff :  
vs. : No.  
Defendant :

**PRAECIPE FOR ENTRY OF LIMITED APPEARANCE**

To the Prothonotary:

Kindly enter my limited appearance for (Name of Defendant/Defendant(s), Defendant(s) in the above-captioned matter. This appearance is limited to providing representation and advice to the Defendant(s) at any Court-Supervised Conciliation Conference scheduled in this Mortgage Foreclosure proceeding, said limited appearance being authorized by Administrative Order No. \_\_\_\_\_ Misc. of 2012.

\_\_\_\_\_  
Name of Attorney  
Attorney for Defendant(s)  
Address  
Telephone Number  
Supreme Court ID #

**Exhibit "D"**

IN THE COURT OF COMMON PLEAS OF  
BEAVER COUNTY, PENNSYLVANIA  
CIVIL DIVISION—LAW

Plaintiff :  
vs. : No.  
Defendant :

**PRAECIPE FOR WITHDRAWAL OF LIMITED APPEARANCE**

To the Prothonotary:

Kindly withdraw my limited appearance for (Name of Defendant/Defendants), Defendant(s) in the above-captioned matter. Withdrawal of this limited appearance is permitted pursuant to Administrative Order No. \_\_\_\_\_ Misc. of 2012. All future notices should be sent directly to (Name of Defendant/Defendants), Defendant(s), at (set forth last-known address for this party).

\_\_\_\_\_  
Name of Attorney  
Attorney for Defendant(s)  
Address  
Telephone Number  
Supreme Court ID #

**Exhibit "E"**

IN THE COURT OF COMMON PLEAS OF  
BEAVER COUNTY, PENNSYLVANIA  
CIVIL DIVISION—LAW

Plaintiff :  
vs. : No.  
Defendant :

**ORDER OF COURT**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ , as the (date of Conciliation Conference) Court-Supervised Conciliation Conference in this matter has not resulted in an alternate payment arrangement acceptable to both Plaintiff and Defendant(s), it is hereby Ordered and Directed as follows:

1. That the stay issued in this matter by the (date of Order) Order is lifted.
2. That Defendant(s) is/are advised that within twenty (20) days of the date of this Order of Court (he/she/they) must act as set forth in the Notice to Defend that was attached to the Complaint in Mortgage Foreclosure that was served on (him/her/them) by Plaintiff. A copy of the Notice to Defend is attached to this Order, and Defendant's(s') attention is directed to said Notice.
3. That in the event Defendant(s) fail(s) to act as set forth in the attached Notice to Defend within twenty (20) days of the date of this Order of Court, Plaintiff shall provide the appropriate ten (10) day notice as required by Pa.R.C.P. 237.5.

BY THE COURT,

\_\_\_\_\_  
J.

[Pa.B. Doc. No. 12-1008. Filed for public inspection June 1, 2012, 9:00 a.m.]

**BUTLER COUNTY**

**Sheriff's Fees for Debt Collection and Mortgage Foreclosure Cases; MsD 12-40116**

**Order of Court**

And Now, this 16th day of May, 2012, upon it's own motion and pursuant to 42 PS § 211103 Civil and Criminal Actions, it is hereby ordered that effective thirty days after publication in the *Pennsylvania Bulletin*, the Sheriff of Butler County shall assess and collect from the Plaintiff in all Debt Collection and Mortgage Foreclosure cases the sum of \$9.00 for the first serving of notices in these matters and the sum of \$6.00 thereafter for each additional defendant or person served, copied or posted.

The Sheriff is directed to deposit such fees collected into a fund as designated by the Butler County Court Administrator's office. These fees shall be used for the exclusive purpose of defraying the costs of Credit Counseling Services which are provided as a part of the Court's credit intervention program.

*By the Court*

THOMAS J. DOERR,  
*President Judge*

[Pa.B. Doc. No. 12-1009. Filed for public inspection June 1, 2012, 9:00 a.m.]

**SUPREME COURT**

**WESTERN DISTRICT**

**Madame Justice Joan Orié Melvin of the Supreme Court of Pennsylvania; No. 383 Judicial Administration Doc.**

**Order**

*Per Curiam*

And Now, this 18th day of May, 2012, the Court Administrator of Pennsylvania or his designee, on behalf of the Administrative Office of Pennsylvania Courts as the Lessee and pursuant to Rule of Judicial Administration 504, is hereby ordered to take such steps as are necessary to secure the records, files and equipment which are the property of the Supreme Court of Pennsylvania and located at Suite 3500 Grant Building, Pittsburgh, Pennsylvania. The Court Administrator is further directed to take such steps as are necessary to ensure that the premises are vacated until further Order of this Court. Reasonable accommodations shall be made for the retrieval and return of personal effects and items located therein.

Madame Justice Orié Melvin did not participate in this matter.

[Pa.B. Doc. No. 12-1010. Filed for public inspection June 1, 2012, 9:00 a.m.]

**WESTERN DISTRICT**

**Madame Justice Joan Orié Melvin of the Supreme Court of Pennsylvania; No. 384 Judicial Administration Doc.**

**Order**

*Per Curiam*

And Now, this 18th day of May, 2012, notification has been received from the Office of the District Attorney of Allegheny County of the presentment of the Investigating Grand Jury and the institution of formal criminal proceedings against Madame Justice Joan Orié Melvin, a member of the Supreme Court of Pennsylvania. In view of the compelling and immediate need to protect and preserve the integrity of the Unified Judicial System and the administration of justice for the citizens of this Commonwealth, Madame Justice Orié Melvin is hereby relieved of any and all judicial and administrative responsibilities as a Justice and is not to take any further administrative or judicial action whatsoever in any case or proceeding now or hereinafter pending in this Court until further Order of this Court.

This Order is without prejudice to the rights of Madame Justice Orié Melvin to seek such relief in this Court for the purpose of vacating or modifying this Order.

Madame Justice Orié Melvin did not participate in this matter.

[Pa.B. Doc. No. 12-1011. Filed for public inspection June 1, 2012, 9:00 a.m.]

# NOTICES

## 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 &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0061115 (Sewage)	Cove Haven, Inc. d/b/a Paradise Stream Resort WWTP Route 940 Mount Pocono, PA 18344	Monroe County Paradise Township	Paradise Creek (01E)	Y

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0052850 (Sewage)	Stockertown Borough STP 109 Winona Street Stockertown, PA 18083	Northampton County Stockertown Borough	Little Bushkill Creek (1-F)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0085235 (Sew)	DeGrazia, LLC 604 Memorial Drive Fleetwood, PA 19522	Berks County Robeson Township	UNT Allegheny Creek / 3-C	Y
PA0087483 (IW)	Elizabethtown Area Water Authority 211 West Hummelstown Street Elizabethtown, PA 17022-2079	Lebanon County Cornwall Borough West Cornwall Township	UNT to Conewago Creek / 7-G	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0114057 (Sewage)	White Deer Run Inc. STP PO Box 97 Allenwood, PA 17810-0097	Union County	White Deer Hole Creek (10-C)	Y

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

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

**PAS222204**, Storm Water, SIC Code 2542, **Consolidated Storage Co. Inc. (dba Equipto)**, 225 Main Street, Tatamy, PA 18085-0429. Facility Name: Consolidated Storage Co. Inc. This proposed facility is located in Tatamy Borough, **Northampton County**.

Description of Proposed Activity: The application is for a new NPDES permit for a discharge of Storm Water from an existing facility, previously under a different permit.

The receiving stream(s), Bushkill Creek, is located in State Water Plan watershed 1-F and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

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

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

- Stormwater conditions and BMPs.

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

The EPA Waiver is in effect.

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

**PA0082015**, Sewage, SIC Code 6515, **Meadows Sewer Co.**, PO Box 604, Exton, PA 19341. Facility Name: Country Manor West MHP. This existing facility is located in Middlesex Township, **Cumberland County**.

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

The receiving stream(s), 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 proposed effluent limits for Outfall 001 are based on a design flow of 0.17 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Instant. Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4.0

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.

**PA0021717 A-1**, Sewage, SIC Code 4952, **Marietta Donegal Joint Authority**, PO Box 167, Marietta, PA 17547. Facility Name: Marietta Donegal Joint Authority WWTP. This existing facility is located in Marietta Borough, **Lancaster 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), Susquehanna River, is located in State Water Plan watershed 7-G 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.

This amendment revises the Chesapeake Bay 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*

**PA0218855**, Sewage, **Consol Pennsylvania Coal Company, LLC**, 1525 Pleasant Grove Road, PO Box J, Claysville, PA 15323. Facility Name: Enlow Fork Mine, 3 North #2 Portal Bathhouse STP. This existing facility is located in East Finley Township, **Washington 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), Rocky Run, is located in State Water Plan Watershed 20-E and is classified for Trout Stock Fishery, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.035 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly		
Flow (MGD)	0.035	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	0.2	XXX	0.5
CBOD <sub>5</sub>						
May 1 - Oct 31	XXX	XXX	XXX	20	XXX	40
Nov 1 - Apr 30	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000 Geo Mean	XXX	10000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	2.0	XXX	4.0
Nov 1 - Apr 30	XXX	XXX	XXX	6.0	XXX	12.0

The EPA Waiver is in effect.

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

**PA0023175**, Sewerage, SIC Code 4952, **Kane Borough McKean County**, 112 Bayard Street, Kane, PA 16735-1377. Facility Name: Kinzua Road STP Kane. This existing facility is located in Kane Borough, **McKean County**.

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

The receiving streams are Hubert Run (Outfall 001 & 002) and an Unnamed Tributary to Hubert Run (Outfall 003) are located in State Water Plan watershed 16-B and is classified for cold water fishes, aquatic life, water supply and recreation. The discharge(s) are not expected to affect public water supplies.

The amendment removes the whole effluent toxicity testing requirements and limitation from the permit. The balance of the permit contents will remain unchanged.

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

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

**WQM Permit No. 2896404 12-1**, Sewerage, **Borough of Chambersburg**, 100 South 2nd Street, Chambersburg, PA 17201.

This proposed facility is located in Chambersburg Borough, **Franklin County**.

Description of Proposed Action/Activity: Upgrade and expansion of WWTP to meet anticipated growth within the service area and to meet the Chesapeake Bay Tributary Strategy discharge requirements.

**WQM Permit No. 0600404 12-1**, Sewerage, **Maidencreek Township Authority**, 1 Quarry Lane, PO Box 289, Blandon, PA 19510.

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

Description of Proposed Action/Activity: Upgrade improvements to meet the Chesapeake Bay Tributary Strategy discharge requirements.

**WQM Permit No. 2212403**, Sewerage, **The Harrisburg Authority**, 212 Locust Street, Suite 302, Harrisburg, PA 17101.

This proposed facility is located in Swatara Township and Harrisburg City, **Dauphin County**.

Description of Proposed Action/Activity: Upgrade to plant facility to meet the Chesapeake Bay Tributary Strategy discharge requirements.

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

**WQM Permit No. 6506404-A1**, Sewerage, **Powdermill Nature Reserve**, 1847 Route 381, Rector, PA 15677-9605

This existing facility is located in Cook Township, **Westmoreland County**

Description of Proposed Action/Activity: Permit amendment application.

**WQM Permit No. WQG016191**, Sewerage, **Lifesteps, Inc.**, 383 New Castle Road, Butler, PA 16001

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

Description of Proposed Action/Activity: Application for the construction and operation of a small flow sewage treatment facility.

**WQM Permit No. WQG026134**, Sewerage, **Moon Township Municipal Authority**, 1700 Beaver Grade Road, Moon Township, PA 15108-3193

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

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

**WQM Permit No. 0412401**, Sewerage, **North Sewickley Township Sewer Authority**, 1160 Mercer Road, Beaver Falls, PA 15010

This proposed facility is located in North Sewickley Township and Eastvale Borough, **Beaver County**

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

**WQM Permit No.0287417-A1**, Sewerage, **Shaler Township**, 300 Wetzel Road, Glenshaw, PA 15116

This existing facility is located in Shaler Township, **Allegheny County**

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

**WQM Permit No. 6512401**, Sewerage, **East Vandergrift Borough**, 254 Kennedy Avenue, East Vandergrift, PA 15629

This proposed facility is located in East Vandergrift Borough, **Westmoreland County**

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

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1506012-R	Charlestown Township PO Box 507 4030 Whitehorse Road Devault, PA 19432	Chester	Charlestown Township	Pigeon Run (HQ-TSF)
PAI01 151112A-1	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010	Chester	West Brandywine Township	Indian Run Creek (HQ-CWF-MF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023912002	Ruhi Subzposh 345 Route 100 Allentown, PA 18106	Lehigh	Upper Macungie Twp.	Iron Run, HQ-CWF, MF

*Northampton County Conservation District: 14 Gracedale Avenue, Greystone Building, Nazareth, PA 18064.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024812006	John F. Weber Moravian Academy 7 East Market St. Bethlehem, PA 18018	Northampton	Bethlehem Twp.	Monocacy Creek, HQ-CWF, MF; Nancy Run, CWF, MF

*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*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI044112004	Stewart Dibble Black Bear Holdings LLC 2702 Wooley Rd Wall NJ 07719	Lycoming	Lewis Township	Dougherty Run HQ-CWF Lycoming Creek EV, MF

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


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PAG-12

CAFOs

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

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

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

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

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

**NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Samuel Stalter 48 Rehrersburg Road Richland, PA 17087	Berks	13.1	446	Layers, Sheep	NA	Renewal
Anthony Oberholtzer 1500 Pine Grove Rd Bethel, PA 19507	Berks	73.8	381.6	Broilers, Sheep	NA	Renewal
Irvin Weaver 6 Witman Road Womelsdorf, PA 19567	Berks	0	614.4	Layers	NA	Renewal
Randy Weaver 8 Witman Road Womelsdorf, PA 19567	Berks	0	541.8	Layers	NA	New
Bryan Byers 81 Four Pines Road Quarryville, PA 17566	Lancaster	210.4	0.62	Ducks	HQ	Renewal
Douglas E. Rohrer 1728 Bridge Road Lancaster, PA 17602	Lancaster	716.1	0.82	Layers	NA	Renewal

**PUBLIC WATER SUPPLY (PWS)  
PERMITS**

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

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the

name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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



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

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

### SAFE DRINKING WATER

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

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

##### Permit No. 4212501, Public Water Supply

Applicant	<b>Bradford City Water Authority</b>
[Township or Borough]	Bradford Township
[County]	<b>McKean</b>
Responsible Official	Kim R. Benjamin
Type of Facility	Public Water Supply
Consulting Engineer	Randy L. Krause Bankson Engineers, Inc. 267 Blue Run Road P. O. Box 200 Indianola, PA 15051
Application Received Date	May 8, 2012
Description of Action	Installation of air backwash and a new clarifier sludge removal system on eight existing filters and clarifiers.

### MINOR AMENDMENT

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

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

##### Application No. 4012504MA

Applicant	<b>Hazleton City Authority</b>
[Township or Borough]	Sugarloaf Township <b>Luzerne County</b>
Responsible Official	Randy J. Cahalan, Manager Hazleton City Authority 400 East Arthur Gardner Highway Hazleton, PA 18201-7359
Type of Facility	Community Water System
Consulting Engineer	William Schumacher, Jr. PE Schumacher Engineering, Inc. 55 North Conahan Drive Hazleton, PA 18201
Application Received Date	April 25, 2012

Description of Action	Application to replace conveyance line at the Tomhicken CWS in order to provide additional contact time to meet 4-log inactivation of viruses.
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## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

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

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

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

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

**New Milford Senior Housing (Southern Tier Plastics Property)**, 115 Church Street (aka 682 Church Street), New Milford Borough, **Susquehanna County**. Martin Gilgallon, Pennsylvania Tectonics, Inc., 723 Main Street, Archbald, PA 18403 has submitted a Notice of Intent to Remediate on behalf of his client, Susquehanna County Housing Development Corp., 33 Public Avenue, Montrose, PA 18801, concerning the remediation of soil and groundwater found to have been impacted by metals, SVOCs, and PCBs as a result of historical operations at this leather tannery, silk mill and plastic manufacturer plant. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard and the Site-Specific Standard for soil and groundwater. The future use of the property is for residential purposes. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

## AIR QUALITY

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

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

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

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

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

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

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

### PLAN APPROVALS

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

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

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

**30-00170A: Laurel Mountain Midstream Operating LLC** (Westpointe Corporate Center Three, 1605 Coraopolis Heights Road, Moon Township, PA 15108) for two (2) new natural gas-fired compressor engines and other equipment typically found at a natural gas production facility.

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

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

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

**46-0276: Quad County Crematory LLC** (222 Washington Street, East Greenville, PA 18401) for installation and operation of a human crematorium at their facility in East Greenville Borough, **Montgomery County**. The facility is a non-Title V facility.

Based on an anticipated operating schedule of approximately 3,750 hours per year, the expected emission rates of carbon monoxide (CO), nitrogen oxides (NO<sub>x</sub>), particulate matter (PM), sulfur oxides (SO<sub>x</sub>), and volatile organic compounds (VOCs) are each less than 1.5 tons per year.

The plan approval will include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**04-00227B: IPSCO—Koppel Tubulars LLC** (PO Box 410, Ambridge, PA 15003) to modify existing burners to accommodate oxy/fuel firing and add additional oxy/fuel

burner capacity to the existing Rotary Hearth Furnace at their Ambridge Plant in Harmony Township, **Beaver County**

In accordance with 25 Pa. Code §§ 127.44–127.46 the Department of Environmental Protection intends to issue Air Quality Plan Approval PA-04-00227B to modify existing burners to accommodate oxy/fuel firing and add additional oxy/fuel burner capacity to the existing Rotary Hearth Furnace at the Ambridge Plant located in Harmony Township, Beaver County. A total of 116 MMBtu/hr of heat input will be replaced and an additional 40 MMBtu/hr will be added to the Rotary Hearth Furnace.

Potential to emit for sources affected by this project include 135 tons of nitrogen oxides (NO<sub>x</sub>), 7.6 tons of carbon monoxide (CO), 0.76 tons of volatile organic compounds (VOC), 4.74 tons of particulate matter less than 2.5 microns in diameter (PM<sub>2.5</sub>), and 59,086 tons of carbon dioxide equivalents (CO<sub>2</sub>e) per year. Potential NO<sub>x</sub> emissions as a result of this project will decrease by 13.4 tons per year. The authorization is subject to State regulations including 25 Pa. Code §§ 123.31 and 123.41. Potential NO<sub>x</sub> emissions from the Rotary Hearth Furnace will be limited to 135 tons per year. The reporting of greenhouse gas emissions in the form of CO<sub>2</sub>e and on a mass basis has also been included in this Plan Approval. Plan Approval has been conditioned to ensure compliance with all applicable regulations. This includes testing, work practice, monitoring, recordkeeping, and reporting conditions. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently submit a Title V Only Operating Permit in accordance with 25 Pa. Code Subchapter G.

Interested persons may submit written comments, suggestions, or objections concerning the proposed Plan Approval to Alex Sandy, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments submitted to the Department shall include the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-04-00227B) and a concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

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

For additional information you may contact Alex Sandy at 412-442-4028.

### 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*

**46-00061: SCI Graterford—PA Department of Corrections** (1920 Technology Parkway, Mechanicsburg, PA 17050; Attn: Ms. Carol Piontkowski), for the renewal of the Title V Operating Permit. The facility is located in Skippack Township, **Montgomery County**. The initial permit was issued on December 19, 2001. SCI Graterford is a state prison. The facility is a major source for nitrogen oxides (NO<sub>x</sub>) and sulfur oxides (SO<sub>x</sub>). NO<sub>x</sub> is limited to 249.77 tons per year. SO<sub>x</sub> is limited to 453.11 tons per year. All other pollutants will remain under

major source thresholds, including hazardous air pollutants. Potential emissions from the facility have not increased as a result of this permit renewal. Under this permit renewal, Source ID 102 (Parts Washer) is being removed from Section D of the permit and being listed under Section G as an insignificant source. Individual limits apply to the various sources at the facility. The facility is not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64. The operating permit contains requirements to keep the facility operating within all applicable air quality requirements for this source.

**15-00019: Exelon Generation Company, LLC** (300 Exelon Way, Suite 330, Kennett Square, PA 19348; Attn: Mr. John Tissue), for the renewal of the Title V Operating Permit. The facility is located in East Pikeland Township, **Chester County**. The initial permit was issued on July 2, 2000, for their electric utility power station located at 100 Cromby Road, Phoenixville, PA. The facility is a major source for all criteria pollutants. The following are site-wide emission limits for this facility, determined on a 12-month rolling period: NO<sub>x</sub>—5,341.1 TPY; SO<sub>x</sub>—17,781.9 TPY; PM—2,125.1 TPY; CO—679.8 TPY; VOC—32.74 TPY; HAP—137.5 TPY; and GHG—3,149,609 TPY (reported as CO<sub>2</sub>e). Allowable emissions from the facility have not increased as a result of this permit renewal. Individual limits apply to the various sources at the facility. The operating permit contains requirements to keep the facility operating within all applicable air quality requirements for this source.

**09-00030: Brightsmith LLC.** (120 Enterprise Ave, Morrisville, PA 19067-3703), located in Falls Township, **Bucks County**. This action is a renewal of the Title V Operating Permit. The facility is primarily involved in metal (steel, aluminum, and galvanized steel) coil coating. The coated metal is rewound and wrapped for shipment to end producers. Brightsmith operates space heaters, paint bake ovens, prime oven oxidizers, coil coating cleanup and a laminator/embosser. No changes have taken place at this facility that were not previously permitted. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting. The sources at this facility are not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64.

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

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

**35-00004: Cascades Tissue Group PA, Inc.** (901 Sathers Drive, Pittston, PA 18640-9589) a renewal Title V Operating Permit for their Paper Mill Plant in Ransom Township, **Lackawanna County**. Sources at the facility include: two (2) boilers, two (2) PM Hoods, two (2) PM Felt Washing processes, two (2) PM Wire Wash processes, one (1) Paper Mill Defoamer process. The sources have the potential to emit major quantities of Volatile Organic Compounds above Title V emission thresholds. Reported emissions from the facility include VOC—86.84 tpy, SO<sub>x</sub>—0.21 tpy, PM<sub>10</sub>—1.71 tpy, NO<sub>x</sub>—22.42 tpy, and CO—18.56 tpy. The proposed Title V 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.

*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: 717-949-705-4863

**36-05082: Clark Filter** (3649 Hempland Road, Lancaster, PA 17601) for their locomotive filter manufacturing plant in West Hempfield Township, **Lancaster 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. This is a renewal of the facility's Title V operating permit issued in 2007.

The subject facility has the potential-to-emit 30.71 tpy of VOC, 30.35 tpy of total HAP, 10.95 tpy of NO<sub>x</sub>, and 9.19 tpy of CO. 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 63, Subpart JJJJ—Paper and other web coating.

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.

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.

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

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

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

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

**38-03029: Elk Corp. of Texas** (401 Weavertown Road, PO Box 228, Myerstown, PA 17067) for operation of their asphalt shingle manufacturing facility at their Myerstown Facility in Jackson Township, **Lebanon County**.

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

The subject facility has the potential to emit 31.9 tpy PM<sub>10</sub>, 9.8 tpy of CO, 5.8 tpy NO<sub>x</sub>, 0.1 tpy SO<sub>x</sub>, & 1.7 tpy VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60 Subpart UU—Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture & 40 CFR 63, Subpart AAAAAAA—National Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing

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.

**06-05149: Fleetwood Industries, Inc.** (225 Peach Street, Leesport, PA 19533) for their facility producing store shelving and display fixtures in Ontelaunee Township, **Berks County**. This action is for renewal of the existing permit.

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

The subject facility has actual emissions of 15 tpy of VOC and 5 tpy of HAP. 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 63 Subpart ZZZZ, National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines and 25 Pa. Code § 129.77, "control of emissions from the use or application of adhesives, sealants, primers and solvents."

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.

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.

**67-05110: Wire Company Holdings, Inc.** (500 East Middle Street, Hanover, PA 17331) for their weaving 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 a renewal of an Air Quality Operating Permit for the abovementioned facility.

The subject facility had the following actual emissions in 2011: 0.9 ton NO<sub>x</sub>; 0.7 ton CO; 0.2 ton VOC; 0.1 ton PM<sub>10</sub>; 1,032 tons CO<sub>2</sub>; and 1,032 tons CO<sub>2e</sub>. The Operating Permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

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

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

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

Daniel C. Husted, P.E., 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.

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

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

**42-00178: Glenn O. Hawbaker—Turtlepoint Plant 7** (711 East College Avenue, Bellefonte, PA 16823-6854) to issue the renewal of the State Only Operating Permit for their asphalt paving facility in Anning Township, **McKean County**. The facility is a Synthetic Minor. The

primary sources at the facility include drum mix asphalt plant (400 TPH), rail car unloading, portable crushers, conveyors, screening, material stockpiles, and three engines to power the equipment. The facility is subject to 40 CFR 63, Subpart ZZZZ pertaining to the RICE engines, 40 CFR 63, Subpart I—pertaining to the hot mix asphalt plant, and 40 CFR 60, Subpart OOO—pertaining to nonmetallic mineral processing. The asphalt plant is controlled by a primary and secondary baghouse. Water spray is used to minimize fugitive emissions from the mineral processing. The potential emissions based on the restriction of 460,000 tons of asphalt and 500 hours of operation per year for the mineral processing is as follows: 29.5 TPY NO<sub>x</sub>; 20.76 TPY SO<sub>x</sub>; 73.2 TPY PM<sub>10</sub>; and, 92.5 TPY CO. 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.

**43-00252: Grove City College** (100 Campus Drive, Grove City PA 16127-2104) for a renewal operating permit in Grove City, **Mercer County**. The significant sources are two tri-fuel boilers and a gas/oil fired boiler as well as miscellaneous natural gas combustion and a degreaser. The conditions of the previous plan approvals and operating permit were incorporated into the renewal permit. The facility has taken an elective restriction of 5,850 tons of coal on a consecutive 12-month basis and a sulfur limit of 1.0% on a consecutive 12-month basis. The quantity of #2 fuel oil is limited to 210,000 gallons per year based on a consecutive 12-month basis. The natural gas usage is limited to 650 mmcf/yr based on a consecutive 12-month period. The facility is required to keep records of the fuel usages and sulfur content. With the given restrictions, the status of the facility operating permit is a Synthetic Minor. The boilers are subject to 40 CFR 63, Subpart JJJJJJ pertaining to NESHAPs for ICI boilers at area sources. The potential emissions from the facility with the given restrictions are as follows: 20.8 TPY PM<sub>10</sub>; 63.8 TPY NO<sub>x</sub>; 89.4 TPY SO<sub>2</sub>; 61.2 TPY CO; and 5.7 TPY VOC.

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

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

**S12-003: Ashland Performance Materials—Philadelphia Composite Polymers Plant** (2801 Christopher Columbus Boulevard, Philadelphia, PA 19148-5103) for operation of producing and distributing polyester resin in the City of Philadelphia, **Philadelphia County**. The facility's significant air emission sources include fugitive emissions, tank wagon, rail car, drum filling stations, two (2) particulate sources; both are controlled by a filter cartridge dust collector, fourteen (14) product storage tanks, eleven (11) raw material storage tanks, a spill control tank, five (5) reactors with overhead condensers, four (4) thinning tanks, ten (10) blending tanks, a mix tank, a holding tank, an esterified water tank; all are controlled by a 14 MMBTU/hr natural gas or #2 oil-fired fume afterburner, two (2) less than 9 MMBTU/hr natural gas or #2 oil-fired steam boilers, a air-compressor, a 12 MMBTU/hr natural gas or #2 oil-fired hot oil heater, and two (2) emergency generators. Additional facility air emission control devices include four (4) sets of carbon drums as back-up equipment to the Fume Afterburner.

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.

## 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*

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

**05060101 and NPDES No. PA0262226. Forcey Coal, Inc.**, 475 Banion Road, Madera, PA 16661, transfer of an existing bituminous surface mine from Ferlitch Construction Company, Inc., 62 Woodland Terrace, Duncansville, PA 16635, located in Broadtop Township, **Bedford County**, affecting 95.0 acres. Receiving stream(s): Six Mile Run classified for the following use(s): warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received March 9, 2012.

**05070101 and NPDES No. PA0262544. J & J Svonavec Excavating, Inc.**, 618 Samuels Road, Somerset, PA 15501, transfer of an existing bituminous surface mine from Heritage Coal & Natural Resources, LLC, 208 West Mud Pike Road, Rockwood, PA 15557, located in Broadtop Township, **Bedford County**, affecting 110.0 acres. Receiving stream(s): Brewster Hollow Run and East Fork Brewster Hollow Run (topographic) drainage only classified for the following use(s): warm water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received April 24, 2012.

**56010104 and NPDES No. PA0249041. Wilson Creek Energy, LLC**, 140 West Union Street, Somerset, PA 15501, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Jenner and Lincoln Townships, **Somerset County**, affecting 135.8 acres. Receiving stream(s): UTS to/and Quemahoning Creek classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria-Somerset Authority Quemahoning SWI. Application received May 16, 2012.

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

**17010106 and NPDES No. PA0243086. AMFIRE Mining Co, LLC** (One Energy Place, Latrobe, PA 15650). Renewal of an existing bituminous surface mine located in Woodward Township, **Clearfield County** affecting 299.0 acres. Receiving stream: unnamed tributary to Upper Morgan Run classified for cold water fishery. There are no potable supply intakes within 10 miles downstream. Application received: May 7, 2012.

### *Noncoal Applications Received*

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

**4975SM3 and NPDES Permit No. PA0612235. Glen-Gery Corporation**, P. O. Box 7001, Wyomissing, PA 19610, renewal of NPDES Permit, Hamilton Township, **Adams County**. Receiving stream(s): Muncy Run classified for the following use(s): warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: May 7, 2012.

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

**03950401 and NPDES Permit No. PA0096661. Bradys Bend Corp.** (209 Cove Run Road, East Brady, PA 16028). NPDES renewal application for continued mining to an existing underground noncoal surface mine, located in Bradys Bend Township, **Armstrong County**, affecting 17.7 acres. Receiving streams: Cove Run, classified for the following use: WWF. The potable water supply

intake within 10 miles downstream from the point of discharge: Bradys Bend Water & Sewage Authority and PA American Water. Renewal application received: May 11, 2012.

**26920401 and NPDES Permit No. PA0203441. Coolspring Mining, Inc.** (P. O. Box 1328, Uniontown, PA 15401). NPDES renewal application for continued mining to an existing large noncoal surface mine, located in North Union Township, **Fayette County**, affecting 60.6 acres. Receiving streams: unnamed tributary to Coolspring Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: May 16, 2012.

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

**Con-Stone, Inc.**, P. O. Box 23, Bellefonte, PA 16823, **14920301 and NPDES No. PA0207039** consisting of 97.7 acres in Haines Township, **Centre County** and **14040302 and NPDES No. PA0256111** consisting of 91.0 acres in Haines Township, **Centre County**.

A major permit revision to include the conducting of surface mining activities within 100-feet of Broad Road and Bartges Road. Major permit revision includes operational plan to temporarily abandon and reconfigure the township road system during surface mining, mining through abandoned roadways, and replacing the road system during the course of surface mining operations. Permit revision also includes a revision to add 4.1 acres

to the above referenced surface mining permit #14040302 to facilitate the major permit revision. Discharge to groundwater infiltration in Elk Creek Watershed and Pine Creek Watershed both classified EV. Applications received: May 2, 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*			
pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

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

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

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

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

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

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

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

#### *Noncoal NPDES Draft Permits*

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

**NPDES No. PA0595381 on Surface Mining Permit No. 8275SM5. New Enterprise Stone & Lime Co.**

**d/b/a Martin Limestone, Inc.** (PO Box 550, Blue Ball, PA 17506) renewal of NPDES Permit for a Limestone Quarry operation in East Cocalico Township, **Lancaster County**, affecting 149.5 acres. Receiving stream: Stony Run, classified for the following use: warm water fishes (No TMDL). Application received: April 30, 2012.

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

The outfall(s) listed below discharge to Stony Run.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	O.D. (Pit Water)

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

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

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

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

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

### **WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E41-629. West Branch Regional Authority**, 35 South Main Street, Montgomery, PA 17752-1120. Wastewater treatment plant and collection system project in Clinton and Muncy Creek Townships and Montgomery Borough,



**Lycoming County**, ACOE Baltimore District (Muncy, PA Quadrangle Latitude: 41° 10' 59.23"; Longitude: 76° 50' 16.47").

West Branch Regional Authority proposes to construct, operate and maintain 27,670-feet of force main pipeline

and one outfall pipe associated with the proposed wastewater treatment plant requiring encroachment of the following of three (3) wetlands and eight (8) stream crossings:

<i>Permit ID</i>	<i>Activity</i>	<i>Resource</i>	<i>Water Quality</i>	<i>Latitude</i>	<i>Longitude</i>
Crossing #1	Pipeline Crossing	Wetland to Black Hole Creek	TSF	41° 10' 01"	76° 52' 37"
Crossing #2	Pipeline Crossing	Black Hole Creek	TSF	41° 10' 05"	76° 52' 32"
Crossing #3	Pipeline Crossing	Wetland to Unnamed Tributary to West Branch Susquehanna River	WWF	41° 10' 36"	76° 51' 33"
Crossing #4	Pipeline Crossing	Unnamed Tributary to West Branch Susquehanna River	WWF	41° 10' 36"	76° 51' 31"
Crossing #5	Pipeline Crossing	Unnamed Tributary to West Branch Susquehanna River	WWF	41° 11' 03"	76° 50' 13"
Crossing #6	Pipeline Crossing	Turkey Run	WWF	41° 11' 41"	76° 49' 29"
Crossing #7	Pipeline Crossing	Unnamed Tributary to West Branch Susquehanna River	WWF	41° 12' 07"	76° 48' 48"
Crossing #8	Pipeline Crossing	Wetland to Unnamed Tributary to West Branch Susquehanna River	WWF	41° 12' 08"	76° 48' 46"
Crossing #9	Pipeline Crossing	Unnamed Tributary to West Branch Susquehanna River	WWF	41° 12' 08"	76° 48' 45"
Crossing #10	Pipeline Crossing	West Branch Susquehanna River	WWF	41° 12' 18"	76° 48' 09"
Crossing #11	Outfall	West Branch Susquehanna River	WWF	41° 12' 18"	76° 48' 09"

Construction of the force mains and outfall shall be accomplished via open cut crossing methods. The project will result in 1,300.5 linear feet of temporary stream impacts, 0.05 acre of temporary wetland impacts and 0.10 acre of permanent wetland impacts. Mitigation at a 3:1 ratio is proposed for the permanent wetland impacts. The project is located along the southern right-of-way of SR 405 between the Boroughs of Muncy and Montgomery.

**E47-095. PPL Generation, LLC.**, PPL Montour SES, 2 North Ninth Street, Allentown, PA 18101-1139. PPL

Gypsum Conveyor permanent access road project in Derry Township, **Montour County**, ACOE Baltimore District (Washingtonville, PA Quadrangle Latitude: 41° 03' 56"; Longitude: 76° 39' 45").

PPL Generation, LLC proposes to construct, operate and maintain:

1) A permanent road crossing 210 feet long using clean fill and aggregate, impacting 13,166 square feet of a palustrine emergent wetland (PEM) (Latitude: 41° 03' 56.34"; Longitude: 76° 39' 44.73").

2) A permanent road crossing 135 feet long using clean fill and aggregate, impacting 9,393 square feet of a palustrine emergent wetland (PEM) (Latitude: 41° 03' 55.88"; Longitude: 76° 39' 44.04").

The project will result in a total of 22,558 square feet (0.52 acre) of permanent wetland impacts all for the purpose of installing a permanent access to the PPL Gypsum Conveyor. Wetland creation of a minimum of 0.52 acre is proposed to compensate for wetland impacts.

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

**E43-355, Tennessee Gas Pipeline Company, LLC.**, 1001 Louisiana Street, 740B, Houston, TX 77002 Stations 546+62 and 543+49 Gas Pipeline Anomaly Repairs, in Worth Township, **Mercer County**, ACOE Pittsburgh District (Sandy Lake, PA Quadrangle N: 41°, 16', 52.4"; W: -80°, 4', 33.9").

The Applicant proposes to perform repairs on a natural gas pipeline located within an existing, previously disturbed right-of-way. The project involves crossing Wolf Creek (CWF), an unnamed tributary to Wolf Creek (CWF), and four separate wetland areas with temporary impacts to the wetlands totaling approximately 0.21 acre. The site will be returned to original contours and restored once the repairs are complete.

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

**E4129-012: NFG Midstream Trout Run, LLC**, 1100 State Street, PO Box 2081, Erie, PA 16512, McIntyre Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

(1) one 12 inch gas pipeline and a temporary single-lane, single-span, steel beam bridge impacting 60 linear feet Long Run (HQ-CWF, MF) (Trout Run Quadrangle 41°27'53" N 77°01'14"W);

(2) one 12 inch gas pipeline impacting 63 linear feet of an unnamed tributary to Long Run (HQ-CWF, MF) (Trout Run Quadrangle 41°27'54"N 77°01'13"W);

(3) one 12 inch gas pipeline and a temporary single-lane, single-span, steel beam bridge impacting 66 linear feet of Grays Run (HQ-CWF, MF) (Trout Run Quadrangle 41°27'51" 77°00'59"W).

The project will result in 189 linear feet of temporary stream impacts all for the purpose of installing natural gas pipeline and associated roadways for Marcellus Shale well development.

#### ENVIRONMENTAL ASSESSMENTS

*Cambria District: Environmental Program Manager, 286 Industrial Pk Rd, Ebensburg, PA 15931-4119.*

**E46509-001. Pennsylvania Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Division of Mine Hazards**, P. O. Box 8476, Harrisburg, PA 17105. Abandoned Mine Land Reclamation Project, in Donegal Township, **Westmoreland County**, Pittsburgh ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes 1,000 linear feet of dangerous highwall. The project will include backfilling 0.3 acre of hazardous open water, POW, and 0.08 acre of PEM wetland which have developed within the surface mine pits. Proposed mitigation includes construction of 0.08 acre of wetland. Impacts to the wetland and water body are unavoidable in order to address the public safety hazards at this site. (Mammoth, PA Quadrangle, N 4.1 inches, W 2.7 inches).

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## ACTIONS

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### 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.*

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0060861 (Sewage)	Wayne Highland School District 474 Grove Street Honesdale, PA 18431	Wayne County Preston Township	Unnamed Tributary of Equinunk Creek (1-A)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0080730 (Sew)	West Perry School District 2606 Shermans Valley Road Elliottsburg, PA 17024-9132	Perry County Blain Borough	UNT to Sherman Creek / 7-A	Y
PA0084034 (Sew)	West Perry School District 2606 Shermans Valley Road Elliottsburg, PA 17024-9132	Perry County Carroll Township	UNT to Sherman Creek / 7-A	Y
PA0081353 (Sew)	Crowe Transportation 2388 North Market Street Elizabethtown, PA 17022-1141	Lancaster County West Donegal Township	UNT to Conewago Creek and Conewago Creek / 7-G	Y
PA0081051 (Sew)	Round Top Campground LLC 1285 High Street Auburn CA 95603	Adams County Cumberland Township	UNT to Plum Run	Y
PA0083836 (Sew)	ARM2-LLC Pine Run MHP 1880 Pine Run Road Abbottstown, PA 17301-9723	Adams County Hamilton Township	UNT to Conewago Creek / 7-F	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0209473 (sewage)	North Centre Township Municipal Building SFTP North Centre Twp Sftf Berwick, PA 18603	Columbia County North Centre Township	Unnamed Tributary to West Branch Briar Creek (5-D)	Y
PA0209392 (Sewage)	Mann Creek STP Mann Creek Heights Road Mansfield, PA 16933	Tioga County Richmond Township	Tioga River (4-A)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N
PA0253367 Sewage	Teen Quest Ranch STP 293 Rich Road Somerset, PA 15501	Somerset County Milford/ Somerset Townships	UNT to Middle Creek	Y

\*\*\*\*Renewal individuals

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0221449 (Sewage)	Buffalo Township Municipal Authority STP, Winfield Junction, Sarver, PA 16055	Butler County Buffalo Township	Buffalo Creek (18-F)	Y
PA0100986 (Sewage)	PHB Machining Division, 8150 West Ridge Road, Fairview, PA 16415	Erie County Fairview Township	Trout Run (15)	Y
PA0222160 (Sewage)	Hemlock MHP Hemlock Road, Grove City, PA 16127	Mercer County Wolf Creek Township	East Branch Wolf Creek (20-C)	Y

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

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

**NPDES Permit No. PA0056570**, IW, **Coastal Treated Products Company**, PO Box 829, 1772 Trueblood Road, Weldon, NC 27890.

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

Description of Proposed Action/Activity: Approval for the renewal for existing discharges of storm water runoff from a facility known as Coastal Treated Products Oxford Facility to Unnamed Tributary to Little Elk Creek in Watershed 7-K.

**NPDES Permit No. PA0056880**, IW, **Lower Bucks County Joint Municipal Authority**, 7811 New Falls Road, P. O. Box 460, Levittown, PA 19058-0460.

This proposed facility is located in Tullytown Borough, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge 0.7 MGD of treated clarified/settled/supernatant water from a facility known as LBCJMA Water Treatment Plant to the Delaware River (Zone 2) in Watershed 2E.

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

**NPDES Permit No. PA0028266 A-1**, Sewage, SIC Code 4952, **Troy Borough** Bradford County, 49 Elmira Street, Troy, PA 16947-1230.

This existing facility is located in Troy Borough, **Bradford County**.

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

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

**PA0027120**, Sewage, SIC Code 4952, **City of Warren**, 318 West 3rd Avenue, Warren, PA 16365-2388. Facility Name: Warren City WWTP.

This existing facility is located in Warren City, **Warren County**.

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

The receiving stream(s), Allegheny River and Unnamed Tributary to Allegheny River, is located in State Water Plan watershed 16-B and is classified for Cold Water Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

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

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

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

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

The EPA Waiver is not in effect.

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

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

**WQM Permit No. 6411401**, Sewerage, SIC Code 4941, **South Wayne County Water & Sewer Authority**, P. O. Box 6, Lake Ariel, PA 18436-0006.

This proposed facility is located in Lake and Salem Townships, **Wayne County**.

Description of Proposed Action/Activity: Installation of Low Pressure Sewer System (Stage 1 areas).

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

**WQM Permit No. 2882419 Amendment 12-1**, Sewerage, **Saint Thomas Township Municipal Authority**, 175 Saint Thomas Edenville Road, St. Thomas, PA 17252.

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

Description of Proposed Action/Activity: Amendment approval for the construction of sewage facilities consisting of a chemical feed system for phosphorus removal. The feed system will consist of a relocated storage building which will house two 250 gallon storage totes, two chemical feed pumps and miscellaneous valves and piping.

**WQM Permit No. WQG02221201**, Sewerage, **East Hanover Township**, 8848 Jonestown Road, Grantville, PA 17028.

This proposed facility is located in East Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Approval for installation of public sanitary sewer consisting of a gravity sanitary sewer system for Partridge Hills.

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

**WQM Permit No. 4911401**, Sewage, SIC Code 4952, **Zerbe Township**, Northumberland County, 800 Mahanoy Street, Trevorton, PA 17881.

This proposed facility is located in Zerbe Township, **Northumberland County**.

Description of Proposed Action/Activity: Zerbe Township is proposing to replace the existing wastewater treatment plant with a new ICEAS sequencing batch reactor (manufacture by Sanitaire / ABJ) plant with a mechanical microscreen, two variable speed suction lift pumps, ultra-violet disinfection, the existing clarifier and aerobic digester will be converted into aerobic digesters with two new blowers to provide aeration, a new control building, emergency power generator, process control equipment, chemical feed equipment, and a laboratory.

**WQM Permit No. 1712401**, Sewerage [4952], **Curwensville Municipal Authority**, 900 Susquehanna Avenue, Curwensville, PA 16833.

This proposed facility is located in Curwensville Borough, **Clearfield County**.

Description of Proposed Action/Activity: The activity approved the upgrade of existing headworks at the WWTP and upgrades to the existing Park Avenue Pump Station.

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

**WQM Permit No. 6308202**, Industrial Waste, **PA Transformer Technology, Inc.**, 30 Curry Avenue, Canonsburg, PA 15317-0440

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

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

**WQM Permit No. 6390201-A3**, Industrial Waste, **PA Transformer Technology, Inc.**, 30 Curry Avenue, Canonsburg, PA 15317-0440

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

Description of Proposed Action/Activity: Permit amendment issuance.

**WQM Permit No. 1110408**, Sewerage, **Johnstown Redevelopment Authority**, 4th Floor, Public Safety Building, 401 Washington Street, Johnstown, PA 15901

This proposed facility is located in the City of Johnstown, **Cambria County**

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

**WQM Permit No. 1112403**, Sewerage, **City of Johnstown**, 401 Main Street, Johnstown, PA 15901

This proposed facility is located in the City of Johnstown, **Cambria County**

Description of Proposed Action/Activity: Permit issuance for the construction and operation of replacement sewers.

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

**WQM Permit No. 1096406**, Sewerage **Amendment No. 1**, **Municipal Authority of Buffalo Township**, 707 South Pike Road, Sarver, PA 16055

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

Description of Proposed Action/Activity: An amendment of an existing Water Quality Management Individual Part II Permit for the expansion of the existing wastewater treatment plant, and upgrade to an existing pump station.

**WQM Permit No. WQG028333**, Sewerage, **Kirby Campbell d/b/a Real Estate Trust**, 1 Armstrong Place, Butler, PA 16001.

This proposed facility is located in East Brady Borough and Brady Township, **Clarion County**.

Description of Proposed Action/Activity: Permit to authorize the extension of pressure sewer lines to connect 36 lots to the East Brady Borough WWTP.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1508024	Villa Building Company 37209 Skip View Lane Collegeville, PA 19462	Chester	South Coventry Township	Pigeon Creek (HQ-TSF)
PAI01 231105	Castleway Properties, LLC 10 Industrial Highway Mail Stop 1, E Bldg, Ste 101 Lester, PA 19113	Delaware	Tinicum Township	Tributary Delaware River (WWF-MF)
PAI01 461201	Upper Merion Transportation Authority 175 West Valley Forge Road King of Prussia, PA 19406-1802	Montgomery	Upper Merion Township	Unnamed Tributaries Schuylkill River (WWF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10Q125-2R-2	Edward Wigfield 7555 Alburdis Road Macungie, PA 18062	Lehigh	Lower Macungie Twp.	Swabia Creek, HQ-CWF, MF

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


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

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


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PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges From the Application of Pesticides

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

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
West Rockhill Township Bucks County	PAG0200 0911023	Perkasie Regional Authority PO Box 159 Perkasie, PA 18944	East Branch Perkiomen Creek (TSF-MFO)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Milford Township & Trumbauresville Borough Bucks County	PAG0200 090523-R	Stream Crossing Associates, LP 1574 Eastown Road, Suite 100 Warrington, PA 18976	Morgan Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Makefield Township Bucks County	PAG0200 0912014	Mack & Roedel Construction 5910 Stovers Mill Road Doylestown, PA 18902	Jericho Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warrington Township Bucks County	PAG0200 0911075	Sunrise Court Associates, LP 2655 Philmont Avenue, Ste 100 Huntingdon Valley, PA	Tributary Little Neshaminy Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warminster Township Bucks County	PAG0200 0910004	Beneficial Savings Bank 530 Walnut Street Philadelphia, PA 19106	Little Neshaminy and Pennypack Creeks (WWF-MF-TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Limerick Township Montgomery County	PAG0200 4608136-R	Dave Focht 456 West Ridge Pike Royersford, PA 19468	Mine Run (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Limerick Township Montgomery County	PAG0200 4611051	Ted Tillman 3660 Cedarcrest Road Acworth, GA 30101	Mingo Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Providence Township Montgomery County	PAG0200 4607159-R	Fred Oskanian 3481 Germantown Pike Collegetown, PA 19426	Unnamed Tributary Skippack Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Concord Township Delaware County	PAG0200 2307005-R	Brandywine Suites Associates 2880 Bergey Road, Suite D Hatfield, PA 19440	Chester Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Haverford Township Delaware County	PAG0200 2312008	Radnor Haverford Marple Sewer Authority 600 Glendale Road Havertown, PA 19083	Darby Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Westfall Twp., Pike County	PAG2025205002R	Paddlers Point 520 West Nyack Rd West Nyack, NY 10994	Delaware River, WWF, MF	Pike Co. Cons. Dist. 570-226-8220
City of Bethlehem, Northampton County	PAG02004812002	David M. Roth Moravian Village of Bethlehem 561 East Market St. Ste. 1 Bethlehem, PA 18018	UNT to Lehigh River, CWF, MF	Northampton Co. Cons. Dist. 610-746-1971
Northampton Bor., Northampton County	PAG02004812003	Joseph Posh Posh Properties 2216 Willow Park Rd. Bethlehem, PA 18017	Lehigh River, TSF, MF	Northampton Co. Cons. Dist. 610-746-1971
Williams Twp., Northampton County	PAG02004810014(1)	Neil Van Cleef The Club at Morgan Hill Golf Course 339 Amwell Rd. PO Box 5877 Hillsborough, NJ 08044	Delaware River, WWF, MF	Northampton Co. Cons. Dist. 610-746-1971
Courtdale Borough, Luzerne County	PAG02004011018	Stanley Wateski 789 Wyoming Ave., Kingston, PA 18704	Unnamed Tributary to Toby Creek, WWF, MF	Luzerne Co. Cons. Dist. 570-674-7991
South Whitehall Twp., Lehigh County	PAG02003912002	David Rothrock Rothrock Motor Sales, Inc. 15th Street & Route 22 Allentown, PA 18104	Jordan Creek, TSF, MF	Lehigh Co. Cons. Dist. 610-391-9583

*Northcentral Region: Waterways & Wetlands Program Manager, 208 W Third Street, Williamsport, Pa 17701  
570.327.3636*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Walker Township Centre County	PAG02001412007	Robert McDaniel DBW Partnership 1042 E Springfield Dr Bellefonte PA 16823	Nittany Creek CWF	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.*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Pittsburgh Allegheny County	PAG02000210007	Urban Redevelopment Authority of Pittsburgh 200 Ross Street Pittsburgh, PA 15219	Monongahela River (WWF-N)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Elizabeth Township Allegheny County	PAG02000205033R	Jack Cargnoni Cap-McP, Inc. PO Box 221 Bridgeville, PA 15017	UNT to Wylie Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Collier Township Allegheny County	PAG02000205087R	Jack Cargnoni Cap-McP, Inc. PO Box 221 Bridgeville, PA 15017	UNT to Chartiers Creek (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Stowe Township McKees Rocks Borough Allegheny County	PAG02000212028	Keith Brinker CSX Transportation Inc. 500 Water St J-275 Jacksonville, FL 32202	Chartiers Creek (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Jefferson Hills Borough Allegheny County	PAG02000212026	Jeff Costa Costa Homebuilders 600 Hayden Blvd. Elizabeth, PA 15037	UNT to Calamity Hollow Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Elizabeth Township Allegheny County	PAG02000211081	Edward Ermine Washington Financial Bank 77 South Main Street Washington, PA 15301	UNT to Rock Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Forward Township Allegheny County	PAG02000212003	Giant Eagle, Inc. 261 Kappa Drive Pittsburgh, PA 15238	Fallen Timber Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Franklin Park Borough Allegheny County	PAG02000207020R	Bradley Kress Kress Properties 4930 Pioneer Road Gibsonia, PA 15055	UNT to Fish Run (CWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Hampton Township Allegheny County	PAG02000205032R	Jack Donaldson The Meadows at Hampton 600 Lawrence Avenue Ellwood, PA 16117	UNT to Gourdhead Run (TSF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Marshall Township Allegheny County	PAG02000212010	C.H. Estates, LLC 6021 Wallace Rd Ext Wexford, PA 15090	UNT to Brush Creek (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Marshall Township Allegheny County	PAG02000211011	Francois Bitz 1640 Pleasant Hills Road Baden, PA 15005	UNT to Big Sewickley Creek (TSF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Barr Township Cambria County	PAG02001112008	D.J. Wisor & Sons 135 Caleb Road West Decatur, PA 16878	West Branch of the Susquehanna River (CWF)	Cambria County CD 401 Candlelight Drive, Suite 221 Ebensburg, PA 15931 (814) 472-2120
Chartiers Township Washington County	PAG02006305015R	Maronda Homes 1383 State Route 30 Clinton, PA 15026	UNT to Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098

*General Permit Type—PAG-03*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant's Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
470 South State Street Newtown, PA 18940 Newtown Township Bucks County	PAR800144	First Student, Inc. c/o Strata Environmental 110 Perimeter Park, Ste E Knoxville, TN 37922	Newtown Creek—2E	DEP Southeast Region Clean Water Program 484.250.5970
Wrightstown Township Bucks County	PAR800145	First Student, Inc. 470 South State Street Newtown, PA 18940	Neshaminy Creek—2F	DEP Southeast Region Clean Water Program 484.250.5970
Muncy Borough Lycoming County	PAR314818	Allied Oil & Gas Service LLC P O Box 93999 Southlake, TX 76092	Muncy Creek—10-D	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Clairton Borough Allegheny County	PAR806287	C & C Marine Maintenance Company Foxpoint Centre Building One 201 South Johnson Road Suite 303 Houston, PA 15342-1351	Monongahela River	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant's Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Industry Borough Beaver County	PAR806182	Kinder Morgan Arrow Terminals 2701 Route 68 Industry, PA 15052-1709	Ohio River	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Industry Borough Beaver County	PAR806183	Kinder Morgan Arrow Terminals 2701 Route 68 Industry, PA 15052-1709	Sixmile Run	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Union Township Washington County	PAR606162	C T Auto Recyclers 3751 Finleyville-Elrama Road Finleyville, PA 15332	Peters Creek	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Grove City Borough Mercer County	PAR808306	General Electric Company Transportation Systems, 1503 West Main Street Extension, Grove City, PA 16127-2513	Unnamed Tributary to Wolf Creek (20-C)	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Saint Marys City Elk County	PAR118343	E Carbon America, LLC 806 Theresia Street Saint Marys, PA 15857	Unnamed Tributary to Elk Creek (17-A)	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type-PAG-4*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lower Frederick Township Montgomery County	PAG040181	Abby & Scott Pawling 210 Schwenk Road Perkiomenville, PA 18074-9781	Goshenhoppen Creek— 3-E	Southeast Region Clean Water Program 484-250-5970

*General Permit Type—PAG-10*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Wharton Township Fayette County	PAG106152	Texas Eastern Transmission, LP 5400 Westheimer Court Houston, TX 77056	Redstone Creek and Pinkham Run	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-15*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Indian Lake Borough Somerset County	PAG156101	Indian Lake Borough 1301 Causeway Drive Central City, PA 15926	Stoney Creek	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAG153503	Reading Area Water Authority 1801 Kutztown Road Reading, PA 19604	Berks County	Ontelaunee Township	Maiden Creek / WWF	Y

**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**

*Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448*

**Permit No. Minor Amendment (1709504)**—Operation Public Water Supply.

Applicant	<b>Quehanna Motivational Boot Camp</b>
[Township or Borough]	Karthaus Township
County	<b>Clearfield</b>
Responsible Official	Mr. Craig Bamat Facility Maintenance Manager Quehanna Motivational Boot Camp 4395 Quehanna Highway Karthaus, PA 16845
Type of Facility	Public Water Supply
Consulting Engineer	Wilson Fisher, P.E. Hess & Fisher Engineers, Inc. 36 North Second Street Clearfield, PA 16830
Permit Issued	May 16, 2012
Description of Action	Addition of corrosion control and sequestration for Well TW2.

**Permit No. MA (1989501-T3)**—Operation Public Water Supply.

Applicant	<b>Pleasant View Estates</b>
[Township or Borough]	South Centre Township
County	<b>Columbia</b>
Responsible Official	Mr. Jeffrey V. Yorick, P.E. Vice President—Engineering UMH of PA, Inc. 1275 Forman Drive Morgantown, WV 26508
Type of Facility	Public Water Supply
Consulting Engineer	N/A
Permit Issued	May 18, 2012
Description of Action	Operation of three new chlorine contact pipes that precede three new entry points/monitoring points (EP101, EP102, and EP103) in the three groundwater systems.

**Permit No. MA (1989503-T3)**—Operation Public Water Supply.

Applicant	<b>Brookside Village MHC</b>
[Township or Borough]	North Centre Township
County	<b>Columbia</b>
Responsible Official	Mr. Jeffrey V. Yorick, P.E. Vice President—Engineering UMH of PA, Inc. 1275 Forman Drive Morgantown, WV 26508
Type of Facility	Public Water Supply
Consulting Engineer	N/A
Permit Issued	May 18, 2012
Description of Action	Operation of one new chlorine contact pipe that precedes new entry point/monitoring point EP101 in one of the two well-water systems; and new entry point/monitoring point/sampling location EP103 in the other groundwater system.

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

**Cancellation of Permit** issued to **Rock Lake North Association, Inc., PWSID No. 5100130**, Jackson Township, **Butler County** on May 15, 2012. This action represents the cancellation of Permit Number 1090501 issued October 7, 1991, Permit No. 1090501-MA1 issued March 21, 1991, Permit No. 1090501-MA2 issued April 18, 1994, Permit No. 1094507 issued October 18, 1995 and Permit Number 1009503 issued March 10, 2011. This action is a result of Rock Lake no longer being a Public Water Supply.

**Permit No. 2084503-MA3** Public Water Supply

Applicant	<b>Springboro Area Water Authority</b>
Township or Borough	Springboro Township
County	<b>Crawford</b>
Type of Facility	Public Water Supply
Consulting Engineer	Robert L. Rabell R. L. Rabell Surveying and Engineering 10560 Walnut Street Albion, PA 16401
Permit to Construct Issued	May 17, 2012

**Operation Permit** issued to **Roxbury Realty Company, Inc. d/b/a Holly Acres Estates**, PWSID #6250085, Summit Township, **Erie County**. Permit Number 2505502-MA1, issued May 17, 2012 for the operation of 4-Log treatment of viruses for Entry Point 100. This action is taken under the requirements of the Groundwater Rule.

#### STORMWATER MANAGEMENT

**Action on plans submitted under the Stormwater Management Act (32 P. S. § 680.9)**

*Bureau of Point and Non-Point Source Management, P. O. Box 8774, Harrisburg, Pennsylvania 17105-8774*

**The Act 167 Stormwater Management Plans** for the Schuylkill River, Maiden Creek, and Sacony Creek in

**Berks County**, prepared and submitted by Berks County, was approved on May 18, 2012. These plans apply to all areas within these three watersheds within Berks County.

#### SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

*Plan Location:* at 4587 Chambersburg Road in Franklin Twp, Adams Co.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Franklin Township	55 Scott School Road, PO Box 309 Cashtown, PA 17310	Adams County

*Plan Description:* The approved plan provides for the installation of a small flow treatment facility to replace an existing malfunction at a commercial facility. Wastewater flows are estimated at less than one equivalent dwelling unit and the facility is currently using a private well. The small flow treatment facility is planned to discharge into an un-named tributary of Marsh Creek. The name of the project is Scooter's Tavern and the DEP code # is A3-01914-393-3s. 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, authority or owner as appropriate.

#### LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

#### PREAMBLE 2

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

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

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

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

The Department has received the following plans and reports:

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

**Bethlehem Commerce Center—Saucon Tract-Lots 3, 4, and 5**, 1805 East 4th Street, Bethlehem City, **Northampton County**. Kenneth G. Robbins, HDR Engineering, Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015-2165 has submitted a Cleanup Plan (on behalf of her client, Lehigh Valley Industrial Park, Inc., 1720 Spillman Drive, Suite 150, Bethlehem, PA 18015-2164), concerning the remediation of soils found to have been impacted by inorganics, VOCs and SVOCs as a result of historical manufacturing operations at the site. The report was submitted in partial fulfillment for demonstrating attainment of the Site-Specific Standard for soils. A public notice regarding the submission of the Cleanup Plan was to have been published in *The Morning Call* on April 27, 2012.

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

**Westinghouse Forest Hills**, Chalfant and Forest Hills Boroughs, **Allegheny County**. Cummings/Riter Consultants Inc.; 300 Penn Center Blvd., Suite 800, Pittsburgh, PA 15235 on behalf of CBS Corporation, 20 Stanwix Street, Pittsburgh, PA 15222 has submitted a Human Health Risk Assessment concerning the potential effects related to exposure to constituents associated with soil, groundwater, and seep water at Avenue A and West Street, Chalfant and Forest Hills Boroughs.

**Babich # 3 Gas Well Site**, South Huntingdon Township, **Westmoreland County**. Environmental Coordination Services and Recycling, 3237 Highway 19, Cochranon, PA 16314 on behalf of Atlas Resources, LLC, Park Place Corporate Center One, 1000 Commerce Drive, Pittsburgh, PA 15275-1011 has submitted a Final Report concerning the remediation of site soil contaminated with spilled diesel fuel on Bells Mill Road.

## 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*

**Paaring Training Center**, City of Philadelphia, **Philadelphia County**. David Swetland, P.G., Converse Consultants, 2738 West College Avenue, State College, PA 16801 on behalf of Dave Miles, PA DMVA, Bldg. 0-11 Fort Indiantown Gap, Annville, PA 17003 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report did not demonstrate attainment of the Statewide Health Standard and was withdrawn by the Department on April 27, 2012.

**Willow Grove Home Depot**, Upper Moreland Township **Montgomery County**. Craig Herr, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Neil Doornheim, Willow Grove,

York LP, 1401 Broad Street, Clifton, NJ 07013 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with other organics. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 20, 2012.

**Reynolds Packaging**, Borough of Downingtown **Chester County**. Michael Welsh, PE, Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19355, David Watson, Reynolds Packaging, LLC, 6641 West Broad Street, Richmond, VA 23230, Jeffery K. Walsh, Penn E&R, Inc. 2755 Bergey Road, Hatfield, PA 19440 on behalf of Bryan Cullen, Westrum Park Place LP, 370 Commerce Drive Suite 100, Fort Washington, PA 19034 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with Chlorinated solvents. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 4, 2012.

**Columbia Lighting**, Bristol Borough **Bucks County**. Steven Tanen, AMEC Earth & Environmental, 502 West Germantown Pike, Suite 850, Plymouth Meeting, PA 19462, Bonnie Barnett, Esq, JUSI Holding; USI Canada, Inc. and Jacuzzi Brands Corporation, c/o Drinker Biddle & Reath, LLP, One Logan Square, Suite 200, Philadelphia, PA 19103-6996 on behalf of Michael Scott Feeley, Esp. Hubbell Lighting, Inc. c/o Latham & Watkins, LLP 2555 South Grand Avenue, Los Angeles, CA 91007-1560 has submitted a Remedial Investigation/Final Report concerning the remediation of site soil and groundwater contaminated with pcb. The Final report demonstrated attainment of the Site Specific Standard and was approved by the Department on April 27, 2012.

**Dillon Residence**, Bristol Township **Bucks County**. Richard D. Trimpi, Richard Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Clark Miller, State Farm, PO Box 8061, Ballston Spa, NY 12020-8061 on behalf of Buddy Dillon, 115 Violet Wood Drive, Levittown, PA 19057 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 29, 2012.

**Bristol Steel Treat Company**, Bristol Borough **Bucks County**. Richard S. Werner, ECI, Inc. 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406, Samuel J. Kucia, Environmental Consulting, Inc. 500 East Washington Street, Suite 375, Norristown, PA 19401, Andrew Hubely, Environmental Consulting, Inc. 500 East Washington, 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 the remediation of site soil and groundwater contaminated with chlorinated solvents. The Baseline Environmental Report was approved by the Department on April 30, 2012.

**Atkinson Residence**, Morrisville Borough **Bucks County**. Thomas M. Hippensteal, PG. Envirosearch Consultants, Inc., PO Box 940, Springhouse, PA 19477 on behalf of Christian Atkinson, 679 Hillcrest Avenue, Morrisville, PA 19067 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with petroleum. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 3, 2010.

**Darcy Residence**, Towamencin Township **Montgomery County**. Richard D. Trimpi, Trimpi Associates Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Christine, Dimming, State Farm Insurance Company, PO Box 8061, Ballston Spa, NY 12020-8061 on behalf of Joseph Darcy, 3415 Fry Road, Harleysville, PA 19438 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 October 19, 2011.

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

**A. Hunsinger 1H/3H Well Site**, 243 Lathrop Road, State Route 3001, Dimock Township, **Susquehanna County**. James Pinta and David Testa, URS Corporation, 501 Holiday Drive, Foster Plaza 4, Suite 300, Pittsburgh, PA 15220 submitted a Final Report on behalf of their client, Cabot Oil & Gas Corporation, Five Penn Center West, Suite 401, Pittsburgh, PA 15276, concerning the remediation of soil found to have been impacted by drilling mud as a result of a release from a reserve pit and mudshelf. The report documented attainment of the Residential Statewide Health Standard and the Background Standard for soil and was approved on May 14, 2012.

**Russo 2H/3H Well Site**, Springville Township, **Susquehanna County**. James Pinta and David Testa, URS Corporation, 501 Holiday Drive, Foster Plaza 4, Suite 300, Pittsburgh, PA 15220 submitted a Final Report on behalf of their client, Cabot Oil & Gas Corporation, Five Penn Center West, Suite 401, Pittsburgh, PA 15276, concerning the remediation of soil found to have been impacted by gas well drilling fluids as a result of a leaking reserve pit liner. The report documented attainment of the Residential Statewide Health Standard and Background Standard for soil and was approved on May 18, 2012.

**C. LaRue 4H/5H Well Site**, State Route 3010, Dimock Township, **Susquehanna County**. James Pinta and David Testa, URS Corporation, 501 Holiday Drive, Foster Plaza 4, Suite 300, Pittsburgh, PA 15220 submitted a Final Report on behalf of their client, Cabot Oil & Gas Corporation, Five Penn Center West, Suite 401, Pittsburgh, PA 15276, concerning the remediation of soil found to have been impacted by drilling mud and pit contents as a result of a release which occurred when the drilling mud and pit contents escaped from the confines of the reserve pit liner. The report documented attainment of the Residential Statewide Health Standard and Background Standard for soil and was approved on May 16, 2012.

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

**Fulmer Property**, 4 Paradise Lane, Paradise, PA 17562, Paradise Township, **Lancaster County**. GemChem, Inc., 53 North Cedar Street, Lititz, PA 17543, on behalf of Helena and Lee Fulmer, 4 Paradise Lane, Paradise, PA 17562, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel oil and transmission fluid. The Final Report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department on May 16, 2012.

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

**2827 Brookville Street**, Red Bank Township, **Clarion County**. Crawford Environmental Services, LLC., 195 Proudfoot Drive, Birdboro, PA 19508 has submitted a Final Report concerning the remediation of site soil contaminated with Benzene, Toluene, Ethyl Benzene, MTBE, Cumene, Naphthalene, 1,2,4-Trimethylbenzene, and 1,3,5-Trimethylbenzene. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 10, 2012

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

**CamTran Bus Facility**, City of Johnstown, **Cambria County**. Gannett Fleming, PO Box 67100, Harrisburg, PA 17106 on behalf of Cambria County Transit Authority, 726 Central Avenue, Johnstown, PA 15902 has submitted a Remedial Investigation, Risk Assessment and Cleanup Plan at the former Bethlehem Steel/FreightCar America facility concerning the remediation of site soil and groundwater contaminated with heavy metals and SVOC's. The RI, RA and CP was approved by the Department on May 15, 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*

**GP3-46-0102: Limestone Properties, LLC.** (1020 Broad Run Road, Landenberg, PA 19350) on May 15, 2012, to operate a portable nonmetallic mineral processing plant in Whitpain Township, **Montgomery County**.

**GP9-46-0057: Limestone Properties, LLC.** (1020 Broad Run Road, Landenberg, PA 19350) on May 15, 2012, to operate two (2) diesel/#2 fuel-fired internal combustion engines in Whitpain Township, **Montgomery County**.

**GP9-15-0013: Coatesville Veterans Affairs Medical Center** (1400 Blackhorse Road, Coatesville, PA 19320) on May 17, 2012, to operate two (2) diesel/#2 fuel-fired internal combustion engines in Caln Township, **Chester 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*

**GP9-67-05041A: Defense Distribution Center—Susquehanna** (3rd & S Avenue, Building 750, New Cumberland, PA 17070-5002) on May 15, 2012, to install and operate a 175 kW emergency generator under GP9, at the Defense Distribution Center, Susquehanna, in Fairview Township, **Cumberland County**.

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

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

**GP5-32-00399B: Laurel Mountain Midstream, LLC** (1550 Coraopolis Heights Road, Suite 140, Moon Township, PA 15108) on May 15, 2012, to install and operate two new natural gas-fired compressor engines rated at 1,380 bhp each and controlled by oxidation catalysts, one new dehydrator (including reboiler) rated for 30 mmscf/day of natural gas, and one existing produced water tank with a 200 bbl capacity at the Clyde Compressor Station in West Wheatfield Township, **Indiana County**. A total of two compressor engines are authorized for operation at this site.

**GP5-26-00584D: Laurel Mountain Midstream Operating, LLC.** (Westpointe Corporate Center Three, 1605 Coraopolis Heights Road, Moon Township, PA 15108) on May 16, 2012, to install and operate two (2) existing CAT G3516-LE diesel engines, rated 1,340 bhp, One (1) modified Hanover 30 MMscfd TEG dehydrator, One (1) existing 0.50 MMBtu/hr Reboiler, Six (6) existing produced water storage tanks, with an overall capacity of 650 bbl, and other existing Ancillary equipment with de minimis emissions at their Dunbar Compressor Station in Dunbar Township, **Fayette County**, PA.

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

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

**GP5-24-176A: Hunt Marcellus Operating Company LLC—Central Facility** (Long Level Road & Water Street Extension, St. Marys, PA 15857) on May 11, 2012, for operation of a 670 bhp compressor engine (Caterpillar, Model No. G3508 LE, SN WPN01641), 0.750 MMBtu Dehydrator and two (2) 16,800 gallon storage tanks (BAQ-GPA/GP-5) in Ridgway Township, **Elk 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*

**09-0218: Green Resource Energy, LLC.** (One Ben Fairless Drive, Fairless Hills, PA 19030) on May 17, 2012, to install a dust collector to control particulate matter emissions generated from the processing of non-recyclable waste materials in Falls Township, **Bucks County**. The facility would be categorized as a Natural Minor source since the proposed operation will not cause the facility to exceed any major thresholds. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

*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

**06-03117G: Custom Processing Services, Inc.** (2 Birchmont Drive, Reading, PA 17606-3266) on May 14, 2012, for construction and temporary operation of a micronizing mill controlled by a fabric collector and final filter, at the custom milling facility in Exeter Township, **Berks County**.

**29-05001B: JLG Industries, Inc.** (1 JLG Drive, McConnellsburg, PA 17233-9502) on May 15, 2012, to install a zeolite wheel concentrator and a regenerative thermal oxidizer to replace an existing zeolite wheel concentrator and a recuperative thermal oxidizer, to control the volatile organic compound (VOC) emissions generated from the operation of the Boom Line Spray Paint Booths (Sources 114 and 115) at the McConnellsburg Lift Truck Plant located in Ayr Township, **Fulton County**.

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

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

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

**09-0009F: Webcraft, LLC.** (2901 Black Bridge Road, York, PA 17406) on May 15, 2012, to operate a commercial lithographic printing operation in New Britain Township, **Bucks County**.

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

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

**10-2810: II-VI, Inc.** (375 Saxonburg Boulevard, Saxonburg, PA 16056) on May 31, 2012, to construct an additional Hydrogen Selenide production process and associated scrubber in the existing DH building in Clinton Township, **Butler County**. This is a State Only facility.

**42-028A: Saint-Gobain Containers, Inc.** (1 Railroad Ave., Port Allegany, PA 16743) on May 31, 2012, to increase the maximum pull rate and allowable emission limits for Furnace No. 3 at their container glass manufacturing facility in Port Allegany Borough, **McKean County**. This is Title V facility, Permit No. 42-00028.

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

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

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

**46-00010: Covanta Plymouth Meeting, LP** (1155 Conshohocken Road, Conshohocken, PA, 19428-1028) on May 15, 2012, for a permit renewal to Title V Operating Permit 46-00010 in Plymouth Township, **Montgomery County**. The facilities major sources of air emissions are

two (2) municipal waste combustors, which emit major levels of Nitrogen Oxides (NO<sub>x</sub>) and carbon monoxide (CO). No changes have taken place at the facility since the previous permit was last amended on March 19, 2009 and no sources are subject to CAM. No Greenhouse Gases (GHG) requirements are applicable at this time. The facility is subject to the revisions found in 40 CFR 60, Subpart Cb and Eb, which have been incorporated into this renewal. The Title V permit renewal will contain monitoring, recordkeeping, reporting and work practice standards to keep the facility operating within all applicable air quality requirements.

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

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*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

**01-03016: Dal Tile Corp.** (2938 York Road, Gettysburg, PA 17325-8229) on May 9, 2012, for the ceramic tile manufacturing facility in Straban Township, **Adams County**. The State-only permit was renewed.

**01-03010: Dal Tile Corp.** (211 N. 4th Street, Gettysburg, PA 17325-1604) on May 9, 2012, for the ceramic tile manufacturing facility in Gettysburg Borough, **Adams County**. The State-only permit was renewed.

**36-03121: Cenveo Publisher Services** (3575 Hempland Road, Lancaster, PA 17601-6912) on May 15, 2012 for the commercial printing facility in West Hempfield Township, **Lancaster County**. The State-only permit was renewed.

**36-05065: Skyline Corp.** (99 Horseshoe Road, Leola, PA 17540-1763) on May 16, 2012, for the mobile home manufacturing facility in Upper Leacock Township, **Lancaster County**. The State-only permit was renewed.

**28-03013: Grove Bowersox Funeral Home, Inc.** (50 South Broad Street, Waynesboro, PA 17268-1611) on May 17, 2012, for a human crematory facility in Waynesboro Borough, **Franklin County**. The State-only permit was renewed.

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

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

**N12-005: Kingsbury, Inc.** (10385 Drummond Road, Philadelphia, PA 19154) for the operation of a bearing manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission source is an 1100 hp gas turbine that burns kerosene.

**S11-017: Kraft Foods Global, Inc.** (at 12000 East Roosevelt Blvd. Philadelphia, PA 19116) for the operation of a baking facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes one 38.0 MMBTU/hr and one 9.4 MMBTU/hr boilers, six non-yeast baking ovens, two yeast-baking ovens controlled by a catalytic oxidizer, a fumigation process and material handling with a central vacuuming system, particulate controls, and baghouse.

**S11-024: Perfectseal** (9800 Bustleton Avenue, Philadelphia, PA 19116) on May 18, 2012, to operate 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.

**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.**

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

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

**S11-010A: Jeanes Hospital.** (7600 Central Avenue, Philadelphia, PA 19111) on May 18, 2012, for the operation of a hospital facility in the City of Philadelphia, **Philadelphia County**, the modification includes the following changes in the operating permit:

Increase tuning and testing times for each emergency generator located at the facility to the following as required by the Joint Commission:

(a) Testing of each emergency generator at the facility is limited to six hours per month.

(b) Engine tuning of each emergency generator at the may be performed one time per year and is limited to six hours per generator.

(c) Preventive maintenance and equipment malfunctions required by the Joint Commission are allowed to be conducted on each emergency generator at the facility and is limited to 12 hours per year per generator:

The Synthetic Minor Operating Permit was originally issued on July 26, 2011

**S10-007A: Albert Einstein.** (5501 Old York Road, Philadelphia, PA 19141) on May 18, 2012, to operate a hospital facility in the City of Philadelphia, **Philadelphia County**. The modification includes the following changes in the operating permit:

Increase tuning and testing times for each emergency generator located at the facility to the following as required by the Joint Commission:

(a) Testing of each emergency generator at the facility is limited to six hours per month.

(b) Engine tuning of each emergency generator at the may be performed one time per year and is limited to six hours per generator.

(c) Preventive maintenance and equipment malfunctions required by the Joint Commission are allowed to be conducted on each emergency generator at the facility and is limited to 12 hours per year per generator:

The Synthetic Minor Operating Permit was originally issued on August 8, 2010.

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

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

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

**56-00298: Garrett Limestone Co., Inc.** (451 Stoystown Road, Suite 104, Stoystown, PA 15501) on January 18, 2012, provided notice of de minimis emissions increases pursuant to 25 Pa. Code § 127.449 of 0.008 tons per year (tpy) of PM-10, 0.07 tpy CO, 0.59 tpy NO<sub>x</sub>, and 0.05 tpy VOC resulting from installation of a 96-bhp diesel engine to power a portable non-metallic mineral processing plant at its Romesburg Quarry. The list of de minimis increases at this facility includes the above referenced engine and the previously approved installation of a tertiary crusher and associated conveyors on March 27, 2008. The Romesburg Quarry (SMP #56970301) is located in Black Township, **Somerset County**.

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

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

**62-00150: Superior Tire & Rubber Co.** (1818 Penn. Avenue West, PO Box 308, Warren, PA 16365) for its facility located in Warren City, **Warren County**. The De minimis emission increase is for construction of Steelman Industries Burn-off oven. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 PA Code 127.449(i). This list includes the De minimis emission increases since the Title V Operating Permit issuance on June 4, 2009.

<i>Date</i>	<i>Source</i>	<i>PM<sub>10</sub> (tons)</i>	<i>SO<sub>x</sub> (tons)</i>	<i>NO<sub>x</sub> (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
5-17-12	Burn-Off Oven	0.114	0.057	0.57	0.115	0.057
Total Reported		0.114	0.057	0.57	0.115	0.057
Increases						
Allowable		0.6 ton/source	1.6 tons/source	1 ton/source	1 ton/source	4 tons/source
		3 tons/facility	8 tons/facility	5 tons/facility	5 tons/facility	20 tons/facility

**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.**

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

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

**46-00266: Hanson Pipe and Pre-cast, LLC** (201 South Keim Street, Pottstown, PA 19348) on May 15, 2012, for revocation of the State Only Operating Permit due to a permanent shutdown of a concrete surface coating plant in Pottstown Borough, **Montgomery County**.

## 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 Applications Returned*

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

**54860102R5 and NPDES Permit No. PA0593168. Gale Coal Co., Inc.**, (1441 Oak Road, Pottsville, PA 17901), renewal of an existing anthracite surface mine operation in Blythe Township, **Schuylkill County** affecting 122.0 acres, receiving stream: unnamed tributary to Schuylkill River. Application received: February 25, 2011. Application returned: May 8, 2012.

### *Coal Permits Actions*

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

**32971303 and NPDES No. PA0215066, Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201), to transfer the permit and related NPDES permit for the Penn View Mine in West Wheatfield and Burrell Townships, **Indiana County** to Rosebud Mining Company from Penn View Mining, Inc. No additional discharges. The application was considered administratively complete on March 12, 2012. Application received: February 6, 2012. Permit issued: May 8, 2012.

**30743711 and NPDES No. PA0033511, Cumberland Coal Resources, LP**, (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370), to renew the permit for the Cumberland Mine Coal Refuse Disposal Facility in Whiteley Township, **Greene County** and related NPDES permit. No additional discharges. The application was considered administratively complete on July 28, 2010. Application received: June 9, 2010. Permit issued: May 9, 2012.

**32021301 and NPDES No. PA0235458, Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201), to transfer the permit and related NPDES permit for the Rossmoyne No. 1 Deep Mine in South Mahoning Township, **Indiana County** to Rosebud Mining Company from TJS Mining, Inc. No additional discharges. The application was considered administratively complete on March 8, 2012. Application received: February 2, 2012. Permit issued: May 9, 2012.

**17851501 and NPDES No. PA0215694, RES Coal, LLC**, (224 Grange Road, P. O. Box 228, Armagh, PA 15650), to renew the permit for Clearfield Siding in Boggs Township, **Clearfield County** and related NPDES permit. No additional discharges. The application was considered administratively complete on October 15, 2010. Application received: August 12, 2010. Permit issued: May 10, 2012.

**17851501 and NPDES No. PA0215694, RES Coal, LLC**, (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920), to revise the permit for Clearfield Siding in Boggs Township, **Clearfield County** and related NPDES permit to add a coal preparation plant with support facilities and relocate NPDES Outfall 001 and add NPDES Outfalls 005 and 006. Surface Acres Proposed 39.55. Receiving streams: Clearfield Creek and Long Run, both classified for the following use(s): WWF. The application was considered administratively complete on June 23, 2011. Application received: January 26, 2011. Permit issued: May 10, 2012

**32051301 and NPDES No. PA0235857, AMFIRE Mining Company, LLC**, (One Energy Place, Latrobe, PA 15650), to revise the permit for the Barrett Deep Mine in Buffington and Brush Valley Townships, **Indiana County** to add underground permit and subsidence control plan area acres. Underground Acres Proposed 524.0, Subsidence Control Plan Acres Proposed 524.0. No discharges. The application was considered administratively complete on October 7, 2010. Application received: July 28, 2010. Permit issued: May 15, 2012

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

**56060108 and NPDES No. PA0249921. Rosebud Mining Company**, 1117 Shaw Mines Road, Meyersdale, PA 15552, permit renewal for the continued operation and restoration of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 98.3 acres. Receiving stream(s): UTS to/and Millers Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: November 17, 2011. Permit issued: May 11, 2012.

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

**26060104. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Renewal permit for reclamation only issued to an existing bituminous surface mine, located in Luzerne and German Townships, **Fayette County**, affecting 90 acres. Receiving streams: Antram Run and the Monongahela River. Application received: December 2, 2011. Permit issued: May 15, 2012.

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

**54970101C2 and NPDES Permit No. PA0223832. Premium Fine Coal, Inc.**, (P. O. Box 2043, Hazleton, PA 18201), correction of an existing anthracite surface mine, coal refuse processing and refuse disposal operation for the inclusion of Tuscarora Mines & Minerals Corp., SMP No. 54900105 into this SMP in Schuylkill Township, **Schuylkill County**, affecting 727.0 acres, receiving stream: Schuylkill River. Application received: August 12, 2009. Correction issued: May 18, 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*

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

**36124124. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Home Towne Square in Clay Township, **Lancaster County** with an expiration date of June 30, 2013. Permit issued: May 16, 2012.

**52124103. Explosive Services, Inc.**, (7 Pine Street, Bethany, PA 18431), construction blasting for a single dwelling in Palmyra Township, **Pike County** with an expiration date of May 9, 2013. Permit issued: May 16, 2012.

**40124112. Explosive Services, Inc.**, (7 Pine Street, Bethany, PA 18431), construction blasting at the Wilkes-Barre Scranton International Airport in Pittston Township, **Luzerne County** with an expiration date of May 14, 2013. Permit issued: May 17, 2012.

**39124102. American Rock Mechanics, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Parkland Field in Upper Macungie Township, **Lehigh County** with an expiration date of May 7, 2013. Permit issued: May 18, 2012.

**48124101. Brubacher Excavating, Inc.**, (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Majestic Industrial Park in the City of Bethlehem, **Northampton County** with an expiration date of May 31, 2013. Permit issued: May 18, 2012.

### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E41-620. Black Bear Waters, LLC**, 71 Yoder Road, Cogan Station, PA 17728-7815. Small Projects Water Obstruction and Encroachment Joint Permit, in Lewis Township, **Lycoming County**, ACOE Susquehanna River Basin District (Cogan Station, PA Quadrangle N: 41° 21' 23"; W: -77° 4' 48").

To construct and maintain a 2-foot by 4-foot submerged intake connected to a 12-inch water line within Lycoming Creek. There are no proposed wetland impacts. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E5729-023: Appalachia Midstream, LLC**, 100 IST Center, Horseheads, NY 14845, Fox Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 16 inch natural gas line and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 786 square feet (Grover, PA Quadrangle, Latitude: 41°34'58", Longitude: -76°47'02"),

2. a 16 inch natural gas line and a timber mat bridge across a Palustrine Forested Wetland. Impacted Area: 1255 square feet (Grover, PA Quadrangle, Latitude: 41°34'57", Longitude: -76°46'58"),

3. a 16 inch diameter natural gas line and a timber mat bridge impacting 140 linear feet of an unnamed tributary to Schrader Creek (EV, MF) and adjacent Palustrine Forested Wetland (EV) impacting 2,032 square feet (Grover, PA Quadrangle, Latitude: 41°34'58", Longitude: -76°46'57"),

4. a 16 inch natural gas line and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area:

1,003 square feet (Grover, PA Quadrangle, Latitude: 41°34'58", Longitude: -76°46'48"),

5. a 16 inch natural gas line and a timber mat bridge across a Palustrine Scrub-Shrub Wetland. Impacted Area: 1,222 square feet (Grover, PA Quadrangle, Latitude: 41°34'58", Longitude: -76°46'42"),

6. a 16 inch diameter natural gas line impacting 28 linear feet of Schrader Creek (EV, MF) (Grover, PA Quadrangle, Latitude: 41°35'00", Longitude: -76°46'12"),

The project will result in 168 linear feet or 1,951 square feet of temporary stream impacts, 5,043 square feet (0.12 acre) of PEM/PSS temporary wetland impacts and 1,255 square feet (0.03 acre) of PFO permanent wetland impacts all for the purpose of installing a natural gas line with associated access roadways.

**E1729-003. EQT Gathering, LLC**, 625 Liberty Avenue, Suite 1700, Pittsburgh, PA, 15222. Hurd Pipeline, in Ferguson and Jordan Townships, **Clearfield County**, ACOE Baltimore District.

To construct, operate, and maintain a 6-inch welded steel natural gas pipeline and temporary construction access, with impacts to the following:

(1) 30 linear feet of a UNT to Barrett Run (CWF, MF) via open cut trenching and temporary timber matting, (Westover, PA Quadrangle, Latitude: N40°50'40.0", Longitude: W78°38'20.0");

(2) 65 linear feet of a UNT to Barrett Run (CWF, MF) via open cut trenching and temporary timber matting, (Westover, PA Quadrangle, Latitude: N40°50'54.0", Longitude: W78°37'58.8");

(3) 48 linear feet of Barrett Run (CWF, MF), and 560 square feet of adjacent EV wetland (PFO) via open cut trenching and temporary timber matting, (Westover, PA Quadrangle, Latitude: N40°50'50.6", Longitude: W78°37'51.5");

(4) 60 linear feet of three UNTs to Stony Run (HQ-CWF), and 495 square feet of adjacent wetland (PFO) via horizontal directional drilling and temporary timber matting, (Irvona, PA Quadrangle, Latitude: N40°50'15.2", Longitude: W78°36'53.9");

The project will result in 203 linear feet of temporary channel impacts and 1055 square feet (0.02 acre) of permanent wetland conversion impacts, all for the purpose of installing a natural gas pipeline and temporary construction access.

**E0829-034: Appalachia Midstream, LLC**, 100 IST Center, Horseheads, NY 14845, Canton and Leroy Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 16 inch diameter natural gas line and a timber mat bridge impacting 80 linear feet of an unnamed tributary to Towanda Creek (CWF, MF) (Canton, PA Quadrangle, Latitude: 41°38'29", Longitude: -76°46'12"),

2. a 16 inch natural gas line and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 6,448 square feet (Colley, PA Quadrangle, Latitude: 41°38'28", Longitude: -76°46'16"),

3. a 16 inch diameter natural gas line and a timber mat bridge impacting 80 linear feet of an unnamed tributary to Towanda Creek (CWF, MF) (Canton, PA Quadrangle, Latitude: 41°38'30", Longitude: -76°46'16"),

4. a 16 inch diameter natural gas line and a timber mat bridge impacting 80 linear feet of an unnamed

tributary to Towanda Creek (CWF, MF) (Canton, PA Quadrangle, Latitude: 41°38'33", Longitude: -76°46'32"),

5. a 16 inch diameter natural gas line and a timber mat bridge impacting 150 linear feet of an unnamed tributary to Towanda Creek (CWF, MF) (Canton, PA Quadrangle, Latitude: 41°38'29", Longitude: -76°46'56"),

6. a 16 inch diameter natural gas line and a timber mat bridge impacting 150 linear feet of an unnamed tributary to Towanda Creek (CWF, MF) and adjacent Palustrine Emergent Wetland impacting 5,693 square feet (Canton, PA Quadrangle, Latitude: 41°38'27", Longitude: -76°46'59"),

7. a 16 inch diameter natural gas line and a timber mat bridge impacting 38 linear feet of an unnamed tributary to Towanda Creek (CWF, MF) (Canton, PA Quadrangle, Latitude: 41°38'11", Longitude: -76°47'32"),

8. a 16 inch natural gas line and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 4,835 square feet (Canton, PA Quadrangle, Latitude: 41°38'10", Longitude: -76°47'34"),

9. a 16 inch natural gas line and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 3,865 square feet (Canton, PA Quadrangle, Latitude: 41°38'01", Longitude: -76°47'51"),

10. a 16 inch diameter natural gas line and a timber mat bridge impacting 80 linear feet of Williams Hollow Creek (CWF, MF) (Canton, PA Quadrangle, Latitude: 41°37'58", Longitude: -76°47'57"),

11. a 16 inch diameter natural gas line impacting 12 linear feet of Lye Run (EV MF) and adjacent Palustrine Forested Wetland (EV) impacting 306 square feet (Grover, PA Quadrangle, Latitude: 41°36'28", Longitude: -76°47'12"),

12. a 16 inch diameter natural gas line impacting 61 linear feet of Lye Run (EV MF) (Grover, PA Quadrangle, Latitude: 41°36'28", Longitude: -76°47'12"),

13. a 16 inch natural gas line across a Palustrine Emergent Wetland. Impacted Area: 10 square feet (Grover, PA Quadrangle, Latitude: 41°36'20", Longitude: -76°46'55"),

14. a 16 inch natural gas line and a timber mat bridge across a Palustrine Emergent Wetland. Impacted Area: 564 square feet (Grover, PA Quadrangle, Latitude: 41°36'18", Longitude: -76°46'52"),

15. a 16 inch diameter natural gas line impacting 17 linear feet of Lye Run (EV MF) and adjacent Palustrine Scrub-Shrub Wetland (EV) impacting 487 square feet (Grover, PA Quadrangle, Latitude: 41°35'50", Longitude: -76°46'32"),

16. a 16 inch natural gas line and a timber mat bridge across a Palustrine Emergent and Palustrine Scrub-Shrub Wetland (EV). Impacted Area: 7,224 square feet (Grover, PA Quadrangle, Latitude: 41°35'45", Longitude: -76°46'40"),

17. a 16 inch diameter natural gas line impacting 34 linear feet of unnamed tributary to Schrader Creek (EV MF) and adjacent Palustrine Emergent Wetland (EV) impacting 2,933 square feet (Grover, PA Quadrangle, Latitude: 41°35'41", Longitude: -76°46'48"),

18. a 16 inch diameter natural gas line and a timber mat bridge impacting 47 linear feet of unnamed tributary to Schrader Creek (EV, MF) (Grover, PA Quadrangle, Latitude: 41°35'38", Longitude: -76°46'52"),

19. a 16 inch diameter natural gas line and a timber mat bridge impacting 80 linear feet of unnamed tributary to Schrader Creek (EV, MF) (Grover, PA Quadrangle, Latitude: 41°35'31", Longitude: -76°47'02"),

20. a 16 inch natural gas line across a Palustrine Forested Wetland. Impacted Area: 13 square feet (Grover, PA Quadrangle, Latitude: 41°35'15", Longitude: -76°47'12"),

The project will result in 888 linear feet or 9,124 square feet of temporary stream impacts, 27,354 square feet (0.63 acre) of PEM, PFO and PSS temporary wetland impacts and 13 square feet (0.01 acre) of PFO permanent wetland impacts all for the purpose of installing a natural gas line with associated access roadways.

**E0829-024: Appalachia Midstream, LLC**, 100 IST Center, Horseheads, NY 14845, Asylum Township, Bradford County, ACOE Baltimore District. To construct, operate and maintain:

1. a 16 inch diameter natural gas line and a timber mat bridge across an unnamed tributary to Susquehanna River (WWF-MF) impacting 150 linear feet of stream (Monroeton, PA Quadrangle, Latitude: 41°44'24", Longitude: -76°23'11");

2. a 16 inch diameter natural gas line and a timber mat bridge across an unnamed tributary to Susquehanna River (WWF-MF) impacting 87 linear feet of stream (Monroeton, PA Quadrangle, Latitude: 41°44'35", Longitude: -76°23'10");

3. a permanent access road crossing a Palustrine Emergent Wetland (PEM) impacting 356 square feet (Monroeton, PA Quadrangle, Latitude: 41°44'38", Longitude: -76°23'14");

4. a permanent access road crossing a Palustrine Emergent Wetland (PEM) impacting 638 square feet (Monroeton, PA Quadrangle, Latitude: 41°44'37", Longitude: -76°23'11");

5. a 16 inch diameter natural gas line and a 12 foot wide equipment mat impacting 5 linear feet of an unnamed tributary to Susquehanna River (WWF, MF) and adjacent Palustrine Emergent Wetland (PEM), and Palustrine Scrub-Shrub Wetland (PSS) impacting 41,733 square feet (Towanda, PA, Latitude: 41°45'59", Longitude: -76°22'52");

6. a 16 inch diameter natural gas line across a Palustrine Emergent Wetland impacting 234 square feet (Towanda, PA Quadrangle, Latitude: 41°45'09", Longitude: -76°22'53");

7. a 16 inch diameter natural gas line and a temporary timber mat bridge across a Palustrine Emergent Wetland impacting 3,106 square feet (Towanda, PA Quadrangle, Latitude: 41°45'29", Longitude: -76°23'04");

The project will result in 242 linear feet and 4,034 square feet of temporary stream impacts, 45,073 square feet (1.03 acre) of PEM/PSS temporary wetland impacts and 994 square feet (0.02 acre) of PEM permanent wetland impacts all for the purpose of installing a natural gas line with associated access roadways.

**E5729-024: Appalachia Midstream Services, LLC**, 100 IST Center, Horseheads, NY 14845, Cherry Township, Sullivan County, ACOE Baltimore District.

To construct, operate, and maintain a 16 inch diameter gathering line impacting 12 linear feet of an unnamed tributary to Little Loyalsock Creek (EV) and 150 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Colley, PA Quadrangle 41°31'35"N, 76°21'06"W).

The project will result in 12 linear feet of temporary stream impacts and 150 square feet of temporary wetland impacts for the purpose of installing a gathering line for Marcellus well development in Cherry Township, Sullivan County.

**E4129-032: Anadarko Marcellus Midstream, LLC**, 633 West Third St., Suite 200, Williamsport, PA 17701, Watson Township, Lycoming County, ACOE Baltimore District.

To construct, operate, and maintain:

1) three six inch natural gas pipelines, two 12 inch waterlines, and one electric/fiber optic line impacting 48 linear feet of Lower Pine Bottom Run (HQ-CWF, MF) and 2150 square feet of adjacent palustrine emergent (PEM) and palustrine scrub-shrub (PSS) wetlands (Jersey Mills PA Quadrangle 41°16'39"N 77°24'51"W),

2) three six inch natural gas pipelines, two 12 inch waterlines, and one electric/fiber optic line impacting 1726 square feet of palustrine emergent (PEM) wetland (Jersey Mills PA Quadrangle 41°16'39"N 77°24'49"W).

The project will result in 48 linear feet of temporary stream impacts and 0.09 acre of temporary wetland impacts all for the purpose of installing water and natural gas pipelines for Marcellus well development.

#### 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.

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-1 # ESX12-035-0010  
Applicant Name Anadarko E&P Company, LP  
Contact Person Rane Wilson  
Address 33 W. Third Street, Suite 200  
City, State, Zip Williamsport, PA 17701  
County Clinton County  
Township(s) Beech Creek Township

Receiving Stream(s) and Classification(s) East Branch Big Run, Big Run, UNT to Big Run, Monument Run (HQ-CWF)

ESCGP-1 # ESX12-069-0001

Applicant Name Southwestern Energy Production Company

Contact Person Dave Sweeley  
Address 917 State Route 92 North  
City, State, Zip Tunkhannock, PA 18657  
County Lackawanna County

Township(s) Benton Township  
Receiving Stream(s) and Classification(s) East Branch Tunkhannock Creek (CWF);  
Secondary: Tunkhannock Creek (TSF)

ESCGP-1 # ESX12-115-0019 (01)

Applicant Name Williams Field Services Company, LLC  
Contact Person Kristy Flavin  
Address 1605 Coraopolis Heights Road  
City, State, Zip Coraopolis, PA 15108-4310  
County Susquehanna County  
Township(s) Springville Township  
Receiving Stream(s) and Classification(s) Thomas Creek/Upper Susquehanna—Tunkhannock Watershed

ESCGP-1 # ESX12-033-0018

Applicant Name EQT Gathering, LLC  
Contact Person Todd Klaner  
Address 455 Racetrack Road, Suite 101  
City, State, Zip Washington, PA 15301  
County Clearfield County

Township(s) Huston Township  
Receiving Stream(s) and Classification(s) UNT's to Bennett Branch Sinnemahoning Creek (CWF, MF);  
Secondary: Bennett Branch Sinnemahoning Creek

ESCGP-1 # ESX12-131-0010

Applicant Name Chesapeake Appalachia, LLC  
Contact Person Eric Haskins  
Address 101 North Main Street  
City, State, Zip Athens, PA 18810  
County Wyoming County

Township(s) Windham Township  
Receiving Stream(s) and Classification(s) Farr Hollow & Mehoopany Creek;  
Secondary: Susquehanna River

ESCGP-1 # ESX12-115-0059

Applicant Name Angelina Gathering Company, LLC  
Contact Person Danny Spaulding  
Address 230 N. Sam Houston Pkwy E., Suite 125  
City, State, Zip Houston, TX 77032  
County Susquehanna County

Township(s) Lenox Township  
Receiving Stream(s) and Classification(s) UNT to East Branch Tunkhannock Creek (CWF, MF)—East Branch Tunkhannock Creek is listed as Wild Trout Water by PFBC

ESCGP-1 # ESX12-081-0061

Applicant Name Anadarko E&P Company, LP  
Contact Person Rane Wilson  
Address 33 W. Third Street, Suite 200  
City, State, Zip Williamsport, PA 17701  
County Lycoming County

Township(s) Cogan House Township  
Receiving Stream(s) and Classification(s) UNT to Second Fork Larry's Creek/Second Fork Larry's Creek (EV)

ESCGP-1 # ESX12-081-0065

Applicant Name Anadarko E&P Company, LP  
Contact Person Rane Wilson  
Address 33 W. Third Street, Suite 200

City, State, Zip Williamsport, PA 17701

County Lycoming County  
Township(s) Cummings Township  
Receiving Stream(s) and Classification(s) First Fork Larry's Creek (EV/MF)

ESCGP-1 # ESX11-117-0109 (01)

Applicant Name SWEPI LP  
Contact Person H. James Sewell  
Address 190 Thorn Hill Road  
City, State, Zip Warrendale, PA 15086  
County Tioga County

Township(s) Middlebury and Charleston Townships  
Receiving Stream(s) and Classification(s) Crooked Creek (WWF, MF), Norris Brook, Catlin Hollow (Both TSF/MF)

ESCGP-1 # ESX12-033-0016

Applicant Name Carrizo Marcellus, LLC  
Contact Person Gary Byron  
Address 251 Drainlick Road, P. O. Box 231  
City, State, Zip Drifting, PA 16834  
County Clearfield County

Township(s) Karthaus and Covington Townships  
Receiving Stream(s) and Classification(s) Mosquito Creek (HQ);  
Secondary: West Branch Susquehanna River

ESCGP-1 # ESX11-033-0037 (01)

Applicant Name EQT Gathering, LLC  
Contact Person Brian Clauto  
Address 455 Racetrack Road, Suite 101  
City, State, Zip Washington, PA 15301  
County Clearfield County

Township(s) Jordan and Ferguson Townships  
Receiving Stream(s) and Classification(s) Stony Run (HQ-CWF), Snyder Run (CWF), Tuckers Run (CWF), Woods Run (CWF), Barrett Run (CWF), Wilson Run (CWF) and North Witmer Run (CWF);  
Secondary: Chest Creek, Gassam Run & Clearfield Creek

ESCGP-1 # ESX11-081-0065 (01)

Applicant Name Anadarko E&P Company, LP  
Contact Person Rane Wilson  
Address 33 W. Third Street, Suite 200  
City, State, Zip Williamsport, PA 17701  
County Lycoming County

Township(s) Cummings Township  
Receiving Stream(s) and Classification(s) Carson Run (EV), Dam Run (EV), First Fork Larry's Creek (EV)

ESCGP-1 # ESX12-015-0110

Applicant Name Chesapeake Appalachia, LLC  
Contact Person Eric Haskins  
Address 101 North Main Street  
City, State, Zip Athens, PA 18810  
County Bradford County

Township(s) Windham Township  
Receiving Stream(s) and Classification(s) Wappasening Creek;  
Secondary: Susquehanna River

ESCGP-1 # ESX12-115-0063

Applicant Name Williams Field Services Company, LLC  
Contact Person Kristy Flavin  
Address 1605 Coraopolis Heights Road  
City, State, Zip Coraopolis, PA 15108-4310  
County Susquehanna County

Township(s) Forest Lake Township  
Receiving Stream(s) and Classification(s) UNT to Forest Lake Creek (CWF)/Susquehanna River Watershed

ESCGP-1 # ESX12-015-0114

Applicant Name Talisman Energy USA, Inc.

Contact Person Tracy Gregory  
 Address 337 Daniel Zenker Drive  
 City, State, Zip Horseheads, NY 14845  
 County Bradford County  
 Township(s) Warren Township  
 Receiving Stream(s) and Classification(s) Pendleton Creek  
 (CWF, MF)

ESCGP-1 # ESX12-081-0064  
 Applicant Name Seneca Resources Corporation  
 Contact Person Michael Clinger  
 Address 51 Zents Boulevard  
 City, State, Zip Brookville, PA 15825  
 County Lycoming County  
 Township(s) Lewis Township  
 Receiving Stream(s) and Classification(s) Hagerman Run,  
 Trout Run, Sugarcamp Hollow (HQ);  
 Secondary; Lycoming Creek (EV, MF)

ESCGP-1 # ESX12-015-0086  
 Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Patrick Myers, Jr.  
 Address 100 Ist Center  
 City, State, Zip Horseheads, NY 14845  
 County Wyoming County  
 Township(s) North Branch Township  
 Receiving Stream(s) and Classification(s) Sugar Run  
 Creek (CWF/MF), UNT to Sugar Creek (CWF/MF)

ESCGP-1 # ESX12-015-0085  
 Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Patrick Myers, Jr.  
 Address 100 Ist Center  
 City, State, Zip Horseheads, NY 14845  
 County Bradford and Sullivan Counties  
 Township(s) Wilmot and Colley Townships  
 Receiving Stream(s) and Classification(s) Drains to:  
 Sciota Brook (CWF), UNT to Sugar Run Creek (CWF),  
 Wysox—Wyalusing Creeks Watershed and  
 Mehoopany—Bowman Creeks Watershed;  
 Secondary: Sugar Run Creek (CWF)

[Pa.B. Doc. No. 12-1012. Filed for public inspection June 1, 2012, 9:00 a.m.]

### *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: 273-4130-003. Title: Guidance for Application of Regional Civil Assessment Procedure. Description: The Department has revised its Guidance for Application of Regional Civil Assessment Procedure, Technical Guidance Document Number 273-4130-003, which was developed in 1992 and revised in 2002 to establish uniform criteria for assessing monetary penalties for violations of requirements of the Federal Clean Air Act, Pennsylvania Air Pollution Control Act (APCA) and rules and regulations adopted under the acts. The technical guidance document provides a methodology for determining appropriate civil penalties to resolve violations in accordance with section 9.1 of the APCA. The final revisions include provisions for violations of applicable requirements including permit or plan approval conditions, source testing, emission limits, 12-month rolling emission limits, air pollutant releases, visible emissions, fugitive emissions, malodor, open burning and small source NO<sub>x</sub> violations. In addition, specific steps of the penalty calculation methodology that considers factors of a violation more than once have been corrected. In addition to clarifying revisions, the changes to the document include an inflation adjustment procedure, changes to the penalty adjustment factors and additional provisions to address the financial benefit to a person in consequence of a violation, as required under section 9.1 of the APCA.

*Effective Date:* The proposed guidance document will be effective upon publication as final in the *Pennsylvania Bulletin*.

*Contact:* Questions regarding the final technical guidance document should be directed to Scott Kepner, (717) 772-2330 or skepner@pa.gov.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-1013. Filed for public inspection June 1, 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.

### **Bid Opportunity**

**BOGM 11-8R, 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 June 1, 2012, and bids will be opened on July 12, 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 June 7, 2012, at 10 a.m. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@pa.gov for more information on this bid.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-1014. Filed for public inspection June 1, 2012, 9:00 a.m.]



## Bid Opportunity

**BOGM 12-1, Cleaning Out and Plugging Two Orphan Gas Wells (Douglas C. McCullough and Sarah J. Heppenstall Properties), Madison Township, Armstrong County.** The principal items of work and approximate quantities are to clean out and plug two orphan gas 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 June 1, 2012, and bids will be opened on July 12, 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 June 12, 2012, at 10 a.m. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@pa.gov for more information on this bid.

MICHAEL L. KRANCER,  
Secretary

[Pa.B. Doc. No. 12-1015. Filed for public inspection June 1, 2012, 9:00 a.m.]

## Final Technical Guidance Document; Substantive Revision

DEP ID: 273-4130-003. Title: Guidance for Application of Regional Civil Assessment Procedure. Description: The Department of Environmental Protection has revised its Guidance for Application of Regional Civil Assessment Procedure, Technical Guidance Document Number 273-4130-003, which was developed in 1992 and revised in 2002 to establish uniform criteria for assessing monetary penalties for violations of requirements of the Federal Clean Air Act, Pennsylvania Air Pollution Control Act (APCA) and rules and regulations adopted under the acts. The technical guidance document provides a methodology for determining appropriate civil penalties to resolve violations in accordance with section 9.1 of the APCA. The final revisions include provisions for violations of applicable requirements including permit or plan approval conditions, source testing, emission limits, 12-month rolling emission limits, air pollutant releases, visible emissions, fugitive emissions, malodor, open burning and small source NO<sub>x</sub> violations. In addition, specific steps of the penalty calculation methodology that considers factors of a violation more than once have been corrected. In addition to clarifying revisions, the changes to the document include an inflation adjustment procedure, changes to the penalty adjustment factors and additional provisions to address the financial benefit to a person in consequence of a violation, as required under section 9.1 of the APCA.

*Effective Date:* The proposed guidance document will be effective upon publication as final in the *Pennsylvania Bulletin*.

*Contact:* Questions regarding the final technical guidance document should be directed to Scott Kepner, (717) 772-2330 or skepner@pa.gov.

MICHAEL L. KRANCER,  
Secretary

[Pa.B. Doc. No. 12-1016. Filed for public inspection June 1, 2012, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.3 (relating to definitions):

The Sarah A. Reed Retirement Center  
227 West 22nd Street  
Erie, PA 16502  
FAC ID 710402

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.20(a)(d) and (f) (relating to resident bedrooms):

St. Paul Homes  
339 East Jamestown Road  
Greenville, PA 16125  
FAC ID 971602

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.66(g) (relating to special ventilation requirements for new construction):

St. Monica Manor  
2509 South 4th Street  
Philadelphia, PA 19148  
FAC ID 232602

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(k) (relating to electric requirements for existing and new construction):

Baldwin Health Center  
1717 Skyline Drive  
Pittsburgh, PA 15227

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

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

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

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

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

[Pa.B. Doc. No. 12-1017. Filed for public inspection June 1, 2012, 9:00 a.m.]

# DEPARTMENT OF REVENUE

## Pennsylvania Harley-Davidson® '12 Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Harley-Davidson® '12.

2. *Price:* The price of a Pennsylvania Harley-Davidson® '12 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Harley-Davidson® '12 instant lottery game ticket will contain one play area featuring 12 play symbols and their captions. The play symbols and their captions, located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), Cash (CASH) symbol and a Motorcycle (MTCYCLE) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$100,000 (ONEHUNTHO) and HARLEY (HARLEY).

5. *Prizes:* The prizes that can be won in this game are: \$1, \$2, \$5, \$10, \$20, \$40, \$50, \$100, \$200, \$400, \$1,000, \$10,000, \$100,000 and a 2012 Harley-Davidson® Softail® Deluxe motorcycle prize package. The player can win up to 10 times on the ticket.

6. *Second-Chance Drawings:* The Pennsylvania Lottery will conduct three Harley-Davidson® 2012 second-chance drawings for which non-winning Pennsylvania Harley-Davidson® '12 instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 8,640,000 tickets will be printed for the Pennsylvania Harley-Davidson® '12 instant lottery game.

### 8. *Determination of Prize Winners:*

(a) Holders of tickets with a Cash (CASH) symbol in the play area, and a prize symbol of \$100,000 (ONEHUNTHO) appears in the "prize" area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets with a Motorcycle (MTCYCLE) symbol in the play area, and a prize symbol of HARLEY (HARLEY) appears in the "prize" area under that Motorcycle (MTCYCLE) symbol, on a single ticket, shall be entitled to a prize of a 2012 Harley-Davidson® Softail® Deluxe motorcycle prize package.

(c) Holders of tickets with a Cash (CASH) symbol in the play area, and a prize symbol of \$10,000 (TEN THO) appears in the "prize" area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets with a Cash (CASH) symbol in the play area, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets with a Cash (CASH) symbol in the play area, and a prize symbol of \$400 (FOR HUN) appears in the "prize" area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$400.

(f) Holders of tickets with a Cash (CASH) symbol in the play area, and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$200.

(g) Holders of tickets with a Cash (CASH) symbol in the play area, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets with a Cash (CASH) symbol in the play area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "prize" area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets with a Cash (CASH) symbol in the play area, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the "prize" area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$40.

(j) Holders of tickets with a Cash (CASH) symbol in the play area, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "prize" area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets with a Cash (CASH) symbol in the play area, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "prize" area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets with a Cash (CASH) symbol in the play area, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "prize" area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets with a Cash (CASH) symbol in the play area, and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the "prize" area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$2.

(n) Holders of tickets with a Cash (CASH) symbol in the play area, and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in the "prize" area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$1.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

Reveal A "CASH" (CASH)  
Symbol, Win Prize Shown  
Under It Automatically. Win  
With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 8,640,000 Tickets
\$1 × 5	\$5	15	576,000
\$5	\$5	20	432,000
\$1 × 10	\$10	120	72,000
\$2 × 5	\$10	120	72,000
\$5 × 2	\$10	40	216,000
\$10	\$10	120	72,000
\$5 × 4	\$20	120	72,000
\$10 × 2	\$20	120	72,000
\$20	\$20	60	144,000
\$5 × 8	\$40	600	14,400
\$10 × 4	\$40	600	14,400
\$20 × 2	\$40	600	14,400
(\$10 × 2) + \$20	\$40	600	14,400
\$40	\$40	600	14,400
\$5 × 10	\$50	600	14,400
\$10 × 5	\$50	600	14,400
(\$20 × 2) + \$10	\$50	300	28,800
\$50	\$50	600	14,400
\$10 × 10	\$100	1,000	8,640
\$50 × 2	\$100	1,000	8,640
(\$40 × 2) + \$20	\$100	1,000	8,640
\$100	\$100	1,000	8,640
\$20 × 10	\$200	24,000	360
\$50 × 4	\$200	24,000	360
\$100 × 2	\$200	24,000	360
\$200	\$200	24,000	360
\$40 × 10	\$400	40,000	216
\$50 × 8	\$400	40,000	216
\$100 × 4	\$400	40,000	216
\$400	\$400	60,000	144
\$100 × 10	\$1,000	24,000	360
(\$400 × 2) + (\$100 × 2)	\$1,000	24,000	360
\$1,000	\$1,000	24,000	360
\$1,000 × 10	\$10,000	240,000	36
\$10,000	\$10,000	240,000	36
2012 Harley-Davidson® Softail® Deluxe w/MOTORCYCLE	\$40,000	720,000	12
\$100,000	\$100,000	720,000	12

Reveal a "MOTORCYCLE" (MTCYCLE) symbol, win a 2012 Harley-Davidson® Softail® Deluxe motorcycle.

The 2012 Harley-Davidson® Softail® Deluxe motorcycle prize package will have a value of \$40,000 and will consist of a Harley-Davidson® Softail® Deluxe motorcycle; \$10,000 winner selected custom build options, helmet, safety gear, lessons, dealer fees and costs, registration, title, sales tax and \$10,000 federal withholding tax.

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Pennsylvania Lottery's Harley-Davidson® Second-Chance Drawings Requirements:*

(a) To be eligible for the Pennsylvania Lottery's Harley-Davidson® second-chance drawings, players must enter one non-winning PA-0937 Harley-Davidson® '12 (\$5) instant lottery ticket via the Lottery's website (palottery.com). To enter non-winning tickets players must visit the Lottery's website, click on the Harley-Davidson® second-chance drawings promotional link, follow the instructions to establish an entry account and enter the identifying information from one PA-0937 Harley-Davidson® '12 (\$5) instant lottery ticket.

(1) Players must be members of the Pennsylvania Lottery VIP Players Club to submit entries.

(2) The contents of the entry account must be accurate and complete. Incomplete entry accounts cannot be submitted.

(3) Only one claimant per entry allowed.

(4) Claimant must be 18 years of age or older.

(5) Entries must be submitted from a computer within Pennsylvania.

(6) The only entry method for a Pennsylvania Lottery's Harley-Davidson® second-chance drawing is via the Pennsylvania Lottery's website. Entries mailed to the Pennsylvania Lottery will be disqualified.

(b) Entering a non-winning PA-0937 Harley-Davidson® '12 (\$5) instant ticket will entitle the player to one entry into the next available of three Pennsylvania Lottery's Harley-Davidson® second-chance drawings. Players may submit unlimited entries for the Pennsylvania Lottery's Harley-Davidson® second-chance drawings.

11. *Pennsylvania Lottery's Harley-Davidson® Second-Chance Drawings:*

(a) The Lottery will conduct three second-chance drawings as part of the Pennsylvania Lottery's Harley-Davidson® promotion. All time references in this section are Eastern Standard Time.

(1) All Pennsylvania Lottery's Harley-Davidson® second-chance drawing entries received on or before 11:59:59 p.m. August 9, 2012, will be entered in the Pennsylvania Lottery's Harley-Davidson® second-chance drawing, which will be held the week of August 13, 2012.

(2) All Pennsylvania Lottery's Harley-Davidson® 2012 second-chance drawing entries received after 11:59:59 p.m. August 9, 2012, through 11:59:59 p.m. September 13, 2012, will be entered in the Pennsylvania Lottery's Harley-Davidson® second-chance drawing, which will be held the week of September 17, 2012.

(3) All Pennsylvania Lottery's Harley-Davidson® 2012 second-chance drawing entries received after 11:59:59 p.m. September 13, 2012, through 11:59:59 p.m. October 25, 2012, will be entered in the Pennsylvania Lottery's Harley-Davidson® second-chance drawing, which will be held the week of October 29, 2012.

(4) The odds of an entry being selected in a Pennsylvania Lottery's Harley-Davidson® second-chance drawing depend upon the number of entries received for that drawing.

(b) To be eligible to participate in the Pennsylvania Lottery's Harley-Davidson® second-chance drawing, entries must have complied with the requirements of section 10.

(c) The Lottery assumes no responsibility for late, lost or misdirected entries not entered into the Pennsylvania Lottery's Harley-Davidson® second-chance drawings.

(d) If a Pennsylvania Lottery's Harley-Davidson® second-chance drawing entry is rejected during or following a Pennsylvania Lottery's Harley-Davidson® second-chance drawing, the sole remedy is to select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(e) A computer-generated randomizer will be used to select the winners.

(f) A player may only win the prize for which they are first selected in each of the Pennsylvania Lottery's Harley-Davidson® second-chance drawing. Subsequent entries, from the same individual, selected in the same Pennsylvania Lottery's Harley-Davidson® second-chance drawing will be disqualified and a replacement entry will be selected.

(g) If any discrepancy exists between the Pennsylvania Lottery's Harley-Davidson® second-chance drawing rules and any material describing the Pennsylvania Lottery's Harley-Davidson® second-chance drawing, the Pennsylvania Lottery's Harley-Davidson® second-chance drawing rules shall govern.

(h) Employees and its agents, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Pennsylvania Lottery's Harley-Davidson® second-chance drawings. Offer void where prohibited or restricted.

(i) If, for any reason, the Pennsylvania Lottery's Harley-Davidson® second-chance drawing is not capable of running as planned due to, without limitation, errors in these rules or advertising, tampering, unauthorized intervention, fraud, technical failures, human error or any other cause beyond the control of the Pennsylvania

Lottery that, in the sole judgment of the Pennsylvania Lottery, could corrupt or affect the administration, security, fairness, integrity or proper conduct of the drawings, the Pennsylvania Lottery reserves the right, at its sole discretion, to cancel, terminate, modify or suspend the Pennsylvania Lottery's Harley-Davidson® second-chance drawing.

(j) All entries shall be subject to verification by the Pennsylvania Lottery.

(k) The Pennsylvania Lottery's Harley-Davidson® second-chance drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(l) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won.

(m) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(n) The payment of a prize awarded in the Pennsylvania Lottery's Harley-Davidson® second-chance drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

*12. Description of Pennsylvania Lottery's Harley-Davidson® second-chance drawing prizes:*

(a) The first winner selected in each of the three Pennsylvania Lottery's Harley-Davidson® second-chance drawings shall be entitled to a motorcycle prize package valued at \$40,000. Each motorcycle prize package shall consist of a 2012 Harley-Davidson® Softail® Deluxe motorcycle, \$10,000 in winner selected custom build options, helmet, safety gear, lessons, dealer's fees, dealer preparation, set up fees, freight charges, delivery charges, sales tax, registration fees, title fees, and \$10,000 federal withholding tax. A motorcycle prize package winner opting for the cash value of the motorcycle prize package will receive \$30,000 in cash and a \$10,000 federal withholding credit.

(b) The second through the thirteenth winners selected in each of the three Pennsylvania Lottery's Harley-Davidson® second-chance drawings shall be entitled to a prize consisting of a Harley-Davidson® gift card valued at \$500.

(c) In the event a prize described in this section is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

(d) Prizes are transferrable one time. Original winner will be responsible for all applicable taxes.

(e) Other restrictions may apply.

*13. Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Harley-Davidson® '12 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

*14. Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Harley-Davidson® '12, prize money from winning Pennsylvania Harley-Davidson® '12 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Harley-Davidson® '12 instant lottery game, the right of a ticket holder to

claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

15. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

16. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Harley-Davidson® '12 or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 12-1018. Filed for public inspection June 1, 2012, 9:00 a.m.]

### Pennsylvania Kings of Cash '12 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Kings of Cash '12.

2. *Price:* The price of a Pennsylvania Kings of Cash '12 instant lottery game ticket is \$20.

3. *Play Symbols:* Each Pennsylvania Kings of Cash '12 instant game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Crown (CROWN) symbol and a King (KNG) playing card symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$100,000 (ONEHUNTHO) and \$1,000,000 (ONE MIL).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$30, \$40, \$50, \$100, \$250, \$500, \$1,000, \$10,000, \$100,000 and \$1,000,000. A player can win up to 20 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 4,800,000 tickets will be printed for the Pennsylvania Kings of Cash '12 instant game.

#### 7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000,000 (ONE MIL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000,000. This prize shall be paid as a lump-sum cash payment.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Crown (CROWN) symbol and a prize symbol of \$500 (FIV HUN) appears in all 20 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a King (KING) playing card symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Crown (CROWN) symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in all 20 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Crown (CROWN) symbol and a prize symbol of \$25.<sup>00</sup> (TWY FIV) appears in all 20 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$250 (TWOHUNFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Crown (CROWN) symbol and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in 15 of the "prize" areas and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in five of the "prize" areas, on a single ticket, shall be entitled to a prize of \$250.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40.<sup>00</sup> (FORTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$30.<sup>00</sup> (THIRTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25.<sup>00</sup> (TWY FIV) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

*When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:*

<i>Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
\$5 × 4	\$20	30	160,000
\$10 × 2	\$20	30	160,000
(\$5 × 2) + \$10	\$20	30	160,000
\$20	\$20	30	160,000
\$5 × 5	\$25	30	160,000
\$25	\$25	30	160,000
\$10 × 3	\$30	50	96,000
\$30	\$30	75	64,000
\$10 × 4	\$40	150	32,000
\$20 × 2	\$40	300	16,000
(\$10 × 2) + \$20	\$40	300	16,000
\$40	\$40	300	16,000
\$10 × 5	\$50	150	32,000
\$25 × 2	\$50	150	32,000
(\$20 × 2) + \$10	\$50	150	32,000
\$40 + \$10	\$50	150	32,000
\$50	\$50	150	32,000
\$10 × 10	\$100	300	16,000
\$20 × 5	\$100	300	16,000
\$25 × 4	\$100	300	16,000
\$50 × 2	\$100	300	16,000
\$100	\$100	300	16,000
CROWN w/(\$10 × 15) + (\$20 × 5)	\$250	600	8,000
\$25 × 10	\$250	1,000	4,800
\$50 × 5	\$250	1,000	4,800
(\$50 × 3) + \$100	\$250	1,000	4,800

*When Any Of Your Numbers Match  
Any Winning Number, Win Prize  
Shown Under The Matching  
Number. Win With:*

	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
(\$100 × 2) + \$50	\$250	1,000	4,800
\$250	\$250	1,000	4,800
CROWN w/(\$25 × 20)	\$500	1,200	4,000
\$50 × 10	\$500	2,400	2,000
\$100 × 5	\$500	2,400	2,000
\$250 × 2	\$500	2,400	2,000
(\$50 × 5) + (\$25 × 10)	\$500	2,400	2,000
(\$100 × 2) + \$250 + \$50	\$500	2,400	2,000
\$500	\$500	2,400	2,000
CROWN w/(\$50 × 20)	\$1,000	6,000	800
\$250 × 4	\$1,000	12,000	400
\$500 × 2	\$1,000	12,000	400
(\$100 × 5) + (\$50 × 10)	\$1,000	12,000	400
(\$100 × 2) + \$500 + \$250 + \$50	\$1,000	12,000	400
\$1,000 w/KING	\$1,000	2,400	2,000
\$1,000	\$1,000	12,000	400
CROWN w/(\$500 × 20)	\$10,000	400,000	12
(\$1,000 w/KING) × 10	\$10,000	200,000	24
\$10,000	\$10,000	400,000	12
\$100,000	\$100,000	600,000	8
\$1,000,000	\$1,000,000	1,200,000	4

Reveal a "KING" (KNG) symbol, win \$1,000 instantly.  
Reveal a "CROWN" (CROWN) symbol, win all 20 prizes shown.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Kings of Cash '12 instant game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Kings of Cash '12 instant game, prize money from Pennsylvania Kings of Cash '12 instant game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Kings of Cash '12 instant game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Kings of Cash '12 instant game or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 12-1019. Filed for public inspection June 1, 2012, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under section 2003(e)(7) of The Administrative Code of 1929 (71 P.S. § 513(e)(7)), intends to sell certain land owned by the Department.

The following is available for sale by the Department:

Lamar Township, Clinton County. The parcel contains 0.458 acre (19,984.03 square feet) of improved land situated at 553 Long Run Road, Mill Hall, PA. Estimated fair market value is \$13,200.

Interested public entities are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to Department of Transportation, Engineering District 2-0, Attn: Right-of-Way, 1924 Daisy Street Extension, Clearfield, PA 16830.

BARRY J. SCHOCH, P.E.,  
Secretary

[Pa.B. Doc. No. 12-1020. Filed for public inspection June 1, 2012, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, May 17, 2012, and announced the following:

### Action Taken—Regulations Approved:

Milk Marketing Board #47-15: Electronic Methods for Testing Milk for Fat Content (amends 7 Pa. Code Chapter 144)

Pennsylvania Gaming Control Board #125-152: Table Game Rules for Four Card Poker, Let It Ride Poker, Three Card Poker and Ultimate Texas Hold 'Em Poker (deletes temporary 58 Pa. Code Chapters 557, 559, 565 and 569 and adds permanent Chapters 641a, 643a, 649a and 653a)

Pennsylvania Gaming Control Board #125-154: Table Game Rules for Caribbean Stud Poker and Texas Hold 'Em Bonus Poker (deletes temporary 58 Pa. Code Chapters 555 and 563 and adds permanent Chapters 639a and 647a)

Department of Public Welfare #14-524: Participation Review Process for Medical Assistance Nursing Facilities (amends 55 Pa. Code Chapters 1187 and 1189)

Pennsylvania Public Utility Commission #57-278: Call Recording for Telephone Companies (amends 52 Pa. Code Section 63.137)

Pennsylvania Public Utility Commission #57-273: Default Service Regulations (amends 52 Pa. Code Chapter 54)

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## Approval Order

Public Meeting Held  
May 17, 2012

*Commissioners Voting:* Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Lawrence J. Tabas, Esq.

*Milk Marketing Board—  
Electronic Methods for Testing Milk for Fat Content;  
Regulation No. 47-15 (#2891)*

On March 24, 2011, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Milk Marketing Board (Board). This rulemaking amends 7 Pa. Code Chapter 144. The proposed regulation was published in the April 23, 2011 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on March 26, 2012. On April 13, 2012, the Board simultaneously withdrew and resubmitted the final regulation to make technical corrections.

This regulation updates the electronic methods for testing the components of milk. The Board is deleting the majority of existing Chapter 144 and replacing it with industry standards, equipment standards and testing requirements.

We have determined this regulation is consistent with the statutory authority of the Board (31 P. S. § 700j-307) and the intention of the General Assembly. Having con-

sidered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

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## Approval Order

Public Meeting Held  
May 17, 2012

*Commissioners Voting:* Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq., abstained; Lawrence J. Tabas, Esq.

*Pennsylvania Gaming Control Board—  
Table Game Rules for Four Card Poker, Let It Ride Poker,  
Three Card Poker and Ultimate Texas Hold 'Em Poker;  
Regulation No. 125-152 (#2898)*

On June 14, 2011, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Gaming Control Board (Board). This rulemaking deletes temporary 58 Pa. Code Chapters 557, 559, 565 and 569 and adds permanent Chapters 641a, 643a, 649a and 653a. The proposed regulation was published in the July 16, 2011 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on March 26, 2012.

This rulemaking rescinds four chapters of the Board's temporary table game regulations pertaining to the games of Four Card Poker, Let It Ride Poker, Three Card Poker and Ultimate Texas Hold 'Em Poker and replaces them with four new chapters of permanent regulations.

We have determined this regulation is consistent with the statutory authority of the Board (4 Pa.C.S. §§ 1202(b) and 13A02(1)—(4)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

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## Approval Order

Public Meeting Held  
May 17, 2012

*Commissioners Voting:* Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq., abstained; Lawrence J. Tabas, Esq.

*Pennsylvania Gaming Control Board—  
Table Game Rules for Caribbean Stud Poker  
and Texas Hold 'Em Bonus Poker;  
Regulation No. 125-154 (#2899)*

On July 7, 2011, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Gaming Control Board (Board). This rulemaking deletes temporary 58 Pa. Code Chapters 555 and 563 and adds permanent Chapters 639a and 647a. The proposed regulation was published in the July 23, 2011 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on March 26, 2012.

This rulemaking rescinds two chapters of the Board's temporary table game regulations pertaining to the



games of Caribbean Stud Poker and Texas Hold 'Em Bonus Poker and replaces them with two new chapters or permanent regulations.

We have determined this regulation is consistent with the statutory authority of the Board (4 Pa.C.S. §§ 1202(b) and 13A02(1)—(4)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

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**Approval Order**

Public Meeting Held  
May 17, 2012

*Commissioners Voting:* Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Lawrence J. Tabas, Esq.

*Department of Public Welfare—  
Participation Review Process for Medical  
Assistance Nursing Facilities;  
Regulation No. 14-524 (#2880)*

On October 22, 2010, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Public Welfare (Department). This rulemaking amends 55 Pa. Code Chapters 1187 and 1189. The proposed regulation was published in the November 6, 2010 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on April 16, 2012.

This final-form rulemaking implements Act 16 of 2007, which requires the Department to promulgate regulations to establish a process and criteria for reviewing and responding to requests by nursing facilities to enroll in the Medical Assistance (MA) Program or increase certified MA bed complements in a manner that is consistent with applicable Federal and State laws.

We have determined this regulation is consistent with the statutory authority of the Department (62 P.S. § 443.1(8)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

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**Approval Order**

Public Meeting Held  
May 17, 2012

*Commissioners Voting:* Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Lawrence J. Tabas, Esq.

*Pennsylvania Public Utility Commission—  
Call Recording for Telephone Companies;  
Regulation No. 57-278 (#2877)*

On September 28, 2010, the Independent Regulatory Review Commission (Commission) received this proposed

regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Section 63.137. The proposed regulation was published in the October 9, 2010 *Pennsylvania Bulletin* with a 45-day public comment period. The final-form regulation was submitted to the Commission on April 3, 2012.

This final-form rulemaking deletes the prohibition against call recording by jurisdictional telephone companies for training and quality service purposes.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. §§ 501 and 504) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

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**Approval Order**

Public Meeting Held  
May 17, 2012

*Commissioners Voting:* Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq., dissenting; Lawrence J. Tabas, Esq.

*Pennsylvania Public Utility Commission—  
Default Service Regulations;  
Regulation No. 57-273 (#2837)*

On April 15, 2010, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Chapter 54. The proposed regulation was published in the May 1, 2010 *Pennsylvania Bulletin* with a 45-day public comment period. At its March 15, 2012 public meeting, the Commission voted to disapprove the final-form regulation. On May 1, 2012, the PUC submitted its report and the final-form regulation, without changes, to the Commission.

This final-form rulemaking aligns the PUC's existing default service regulations with Act 129 of 2008.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. §§ 501 and 2807) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

SILVAN B. LUTKEWITTE, III,  
Chairperson

[Pa.B. Doc. No. 12-1021. Filed for public inspection June 1, 2012, 9:00 a.m.]

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained from [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Final-Form</i> Reg. No.	<i>Agency/Title</i>	<i>Received</i>	<i>Public</i> <i>Meeting</i>
7-460	Environmental Quality Board Noncoal Mining Fees	5/21/12	6/21/12
<i>Final-Omit</i> Reg. No.	<i>Agency/Title</i>	<i>Received</i>	<i>Public</i> <i>Meeting</i>
54-71	Pennsylvania Liquor Control Board Limited Winery Container Size Restrictions	5/16/12	6/21/12
6-325	State Board of Education Safe Schools	5/21/12	6/21/12
7-471	Environmental Quality Board Employer Trip Reduction; Repeal	5/21/12	6/21/12
7-472	Environmental Quality Board Portable Fuel Containers; Repeal	5/21/12	6/21/12
7-473	Environmental Quality Board St. Joe Resources Company; Repeal	5/21/12	6/21/12

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 12-1022. Filed for public inspection June 1, 2012, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Liberty Insurance Corporation; LM Insurance Corporation; Homeowners; Rate Revision

On May 18, 2012, the Insurance Department (Department) received from Liberty Insurance Corporation and LM Insurance Corporation a filing for a rate level change for homeowners insurance.

The companies request an overall 4.4% increase amounting to \$1,665,986 to be effective on September 9, 2012, for new business and October 14, 2012, for renewal business. This overall figure represents an average; the effect of this filing on the rates for individual consumers may vary.

Unless formal administrative action is taken prior to June 17, 2012, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on "PA Bulletin."

Interested parties are invited to submit written comments, suggestions or objections to Bojan Zorkic, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [bzorkic@pa.gov](mailto:bzorkic@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 12-1023. Filed for public inspection June 1, 2012, 9:00 a.m.]

### Liberty Mutual Fire Insurance Company; The First Liberty Insurance Corporation; Homeowners; Rate Revision

On May 18, 2012, the Insurance Department (Department) received from Liberty Mutual Fire Insurance Company and The First Liberty Insurance Corporation a filing for a rate level change for homeowners insurance.

The companies request an overall 8.5% increase amounting to \$8,633,877 to be effective on October 14, 2012, for renewal business only. This overall figure represents an average; the effect of this filing on the rates for individual consumers may vary.

Unless formal administrative action is taken prior to June 17, 2012, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on "PA Bulletin."

Interested parties are invited to submit written comments, suggestions or objections to Bojan Zorkic, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [bzorkic@pa.gov](mailto:bzorkic@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 12-1024. Filed for public inspection June 1, 2012, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Right-of-Way and Easement

**A-2012-2304653. PPL Electric Utilities Corporation.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) (relating to additional powers of certain public utility corporations) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a right-of-way and easement over and across the lands of the Estate of Charles L. Vassallo in Pocono Township, Monroe County for the proposed Blooming Grove-Jackson and Peckville-Jackson 138/69 kV transmission line is necessary or proper for the service, accommodation, convenience or safety of the public.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before July 5, 2012. The documents filed in support of the application 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 applicant's business address.

*Applicant:* PPL Electric Utilities Corporation

*Through and By Counsel:* John H. Isom, Jessica R. Rogers, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601

David B. MacGregor, Post & Schell, PC, Four Penn Center, 1600 John F Kennedy Boulevard, Philadelphia, PA 19103-2808

Paul E. Russell, Associate General Counsel, PPL Services Corporation, Office of General Counsel, Two North Ninth Street, Allentown, PA 18106

### Notice

An initial prehearing conference on the previously-captioned case will be held as follows:

*Date:* Thursday, July 12, 2012

*Time:* 10 a.m.

*Location:* Hearing Room 3  
Plaza Level  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

*Presiding:* Administrative Law Judge Joel H. Cheskis  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
(717) 787-1399  
Fax: (717) 787-0481

Persons with a disability who wish to attend the hearing should contact the Pennsylvania Public Utility Commission (Commission) to make arrangements for their special needs. Call the scheduling office at the Commission at least 5 business days prior to the hearing to submit a request.

For persons who require an interpreter to participate in the hearings, the Commission will make every reasonable effort to have an interpreter present. Call the scheduling

office at the Commission at least 10 business days prior to the hearing to submit a request.

• Scheduling Office: (717) 787-1399

• Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-1025. Filed for public inspection June 1, 2012, 9:00 a.m.]

## Right-of-Way and Easement

**A-2012-2304649. PPL Electric Utilities Corporation.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) (relating to additional powers of certain public utility corporations) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a right-of-way and easement over and across the lands of Iroquois Ridge Partners, LLP in Pocono Township, Monroe County for the proposed Blooming Grove-Jackson and Peckville-Jackson 138/69 kV transmission line is necessary or proper for the service, accommodation, convenience or safety of the public.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before July 5, 2012. The documents filed in support of the application 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 applicant's business address.

*Applicant:* PPL Electric Utilities Corporation

*Through and By Counsel:* John H. Isom, Jessica R. Rogers, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601

David B. MacGregor, Post & Schell, PC, Four Penn Center, 1600 John F Kennedy Boulevard, Philadelphia, PA 19103-2808

Paul E. Russell, Associate General Counsel, PPL Services Corporation, Office of General Counsel, Two North Ninth Street, Allentown, PA 18106

### Notice

An initial prehearing conference on the previously-captioned case will be held as follows:

*Date:* Thursday, July 12, 2012

*Time:* 10 a.m.

*Location:* Hearing Room 3  
Plaza Level  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

*Presiding:* Administrative Law Judge Joel H. Cheskis  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
(717) 787-1399  
Fax: (717) 787-0481

Persons with a disability who wish to attend the hearing should contact the Pennsylvania Public Utility

Commission (Commission) to make arrangements for their special needs. Call the scheduling office at the Commission at least 5 business days prior to the hearing to submit a request.

For persons who require an interpreter to participate in the hearings, the Commission will make every reasonable effort to have an interpreter present. Call the scheduling office at the Commission at least 10 business days prior to the hearing to submit a request.

- Scheduling Office: (717) 787-1399
- Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-1026. Filed for public inspection June 1, 2012, 9:00 a.m.]

### Right-of-Way and Easement

**A-2012-2304648. PPL Electric Utilities Corporation.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) (relating to additional powers of certain public utility corporations) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a right-of-way and easement over and across the lands of Pocono Manor Investors, LLP, in Pocono Township, Monroe County for the proposed Blooming Grove-Jackson and Peckville-Jackson 138/69 kV transmission line is necessary or proper for the service, accommodation, convenience or safety of the public.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before July 5, 2012. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* PPL Electric Utilities Corporation

*Through and By Counsel:* John H. Isom, Jessica R. Rogers, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601

David B. MacGregor, Post & Schell, PC, Four Penn Center, 1600 John F Kennedy Boulevard, Philadelphia, PA 19103-2808

Paul E. Russell, Associate General Counsel, PPL Services Corporation, Office of General Counsel, Two North Ninth Street, Allentown, PA 18106

### Notice

An initial prehearing conference on the previously-captioned case will be held as follows:

*Date:* 10 a.m.  
*Location:* Hearing Room 3  
Plaza Level  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

*Presiding:* Administrative Law Judge Joel H. Cheskis  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
(717) 787-1399  
Fax: (717) 787-0481

Persons with a disability who wish to attend the hearing should contact the Pennsylvania Public Utility Commission (Commission) to make arrangements for their special needs. Call the scheduling office at the Commission at least 5 business days prior to the hearing to submit a request.

For persons who require an interpreter to participate in the hearings, the Commission will make every reasonable effort to have an interpreter present. Call the scheduling office at the Commission at least 10 business days prior to the hearing to submit a request.

- Scheduling Office: (717) 787-1399
- Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-1027. Filed for public inspection June 1, 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 June 18, 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-2012-2292244. Christine Ellen Johnson, t/a Steel Street Tours, LLC** (2912 Middletown Road, Bethlehem, Northampton County, PA 18020)—persons, in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in the City of Bethlehem, located in Northampton and Lehigh Counties.

**A-2012-2293269.—Corrected—Violet Phillips** (108 Lilly Road, Honey Brook, PA 19344), for the right to begin to transport as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County to points in Pennsylvania, and return.

**A-2012-2295507. World VIP, Inc., t/a World VIP Transport** (7819 Bay Parkway, Brooklyn, NY 11214)—persons in limousine service, between points in Pennsylvania; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.**

**A-2012-2291955. Yehosuah Shai Avramovich** (5837 Bartlett Street, Pittsburgh, Allegheny County, PA 15217)—household goods in use, from points in the Counties of Washington, Westmoreland, Greene, Beaver, Lawrence, Mercer, Crawford, Erie, Warren, Venango, Butler, Clarion, Armstrong and Indiana, to points in Pennsylvania, and vice versa.

**Application of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public conveyance as described under the application.**

**A-2012-2304461. Baldev Kapoor, t/a Shippensburg Limousine Service** (27 West King Street, Shippensburg, Cumberland County, PA 17257)—discontinuance of service and cancellation of its certificate—persons in limousine service, from points in Cumberland and Franklin Counties to points in Pennsylvania and return, excluding service under the jurisdiction of the Philadelphia Parking Authority.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-1028. Filed for public inspection June 1, 2012, 9:00 a.m.]

### Siting and Construction of Transmission Line

**A-2012-2304631. PPL Electric Utilities Corporation.** Application of PPL Electric Utilities Corporation filed under 52 Pa. Code Chapter 57, Subchapter G (relating to Commission review of siting and construction of electric transmission lines) for approval of the siting and construction of the Blooming Grove-Jackson and Peckville-Jackson 138/69 kV transmission line in Monroe County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before July 5, 2012. The documents filed in support of the application 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 applicant's business address.

*Applicant:* PPL Electric Utilities Corporation

*Through and By Counsel:* John H. Isom, Jessica R. Rogers, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601

David B. MacGregor, Post & Schell, PC, Four Penn Center, 1600 John F Kennedy Boulevard, Philadelphia, PA 19103-2808

Paul E. Russell, Associate General Counsel, PPL Services Corporation, Office of General Counsel, Two North Ninth Street, Allentown, PA 18106

### Notice

An initial prehearing conference on the previously-captioned case will be held as follows:

*Date:* Thursday, July 12, 2012

*Time:* 10 a.m.

*Location:* Hearing Room 3  
Plaza Level  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

*Presiding:* Administrative Law Judge Joel H. Cheskis  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
(717) 787-1399  
Fax: (717) 787-0481

Persons with a disability who wish to attend the hearing should contact the Pennsylvania Public Utility Commission (Commission) to make arrangements for their special needs. Call the scheduling office at the Commission at least 5 business days prior to the hearing to submit a request.

For persons who require an interpreter to participate in the hearings, the Commission will make every reasonable effort to have an interpreter present. Call the scheduling office at the Commission at least 10 business days prior to the hearing to submit a request.

- Scheduling Office: (717) 787-1399

- Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-1029. Filed for public inspection June 1, 2012, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

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. The company has applied to transfer the rights held by Bijan, Inc. (CPC No. 1000157-01, Medallion P-0001 and P-0347) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**A-12-05-04. Black Point Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Commonwealth on February 24, 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 June 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 to 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. 12-1030. Filed for public inspection June 1, 2012, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

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. The company has applied to transfer the rights held by E.I.H. Cab Co., Inc. (CPC No. 1000062-01, Medallion P-1317) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**A-12-05-01. Pooni Cab Co.**, 2301 Church Street, Philadelphia, PA 19124 registered with the Commonwealth on July 18, 1994.

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 June 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 to 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. 12-1031. Filed for public inspection June 1, 2012, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

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. The company has applied to transfer the rights held by Jay Sukhmani, Inc. (CPC No. 1025615-01, Medallion P-0768) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**A-12-05-02. Gary Taxi, Inc.**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Commonwealth on April 2, 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 June 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 to 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. 12-1032. Filed for public inspection June 1, 2012, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

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. The company has applied to transfer the rights held by Manjit Trans., Inc. (CPC No. 1025027-01, Medallion P-0924) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**A-12-05-03. Kuljit Trans, Inc.**, 2301 Church Street, Philadelphia, PA 19124 registered with the Commonwealth on March 30, 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 June 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 to 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. 12-1033. Filed for public inspection June 1, 2012, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 11-088.P, Perimeter Lighting Design, until 2 p.m. on Thursday, June 28, 2012. Information (including mandatory prebid information) concerning this project can be obtained from the PRPA web site [www.philaport.com](http://www.philaport.com) under Procurement, or call the Engineering Department at (215) 426-2600.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 12-1034. Filed for public inspection June 1, 2012, 9:00 a.m.]

**Request for Bids**

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 12-040.1, Packer Avenue Traffic Signal at Columbus Boulevard, until 2 p.m. on Thursday, June 28, 2012. Information (including mandatory prebid information) concerning this project can be obtained from the PRPA web site [www.philaport.com](http://www.philaport.com) under Procurement, or call the Engineering Department at (215) 426-2600.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 12-1035. Filed for public inspection June 1, 2012, 9:00 a.m.]

## STATE BOARD OF BARBER EXAMINERS

### Bureau of Professional and Occupational Affairs v. Jon T. Russakoff; Doc. No. 0648-42-2012

On April 5, 2012, the State Board of Barber Examiners (Board) suspended the license of Jon T. Russakoff, license no. BL052085 of Philadelphia, Philadelphia County. The Board took this action under the Order of the Court of Common Pleas of Washington County dated February 21, 2012, which the Court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the order by writing to Cynthia K. Montgomery, Senior Counsel in Charge, State Board of Barber Examiners, P. O. Box 2649, Harrisburg, PA 17105-2649

JOHN E. PAYNE, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 12-1036. Filed for public inspection June 1, 2012, 9:00 a.m.]

## TURNPIKE COMMISSION

### Request for Proposals

The Turnpike Commission (Commission) will accept proposals for RFP No. 12-10320-3499, Compliance Reporting and Investor Relations, until 12 p.m. on Monday, July 2, 2012. Information concerning this request for proposals can be obtained from the Commission web site at [www.paturndpike.com](http://www.paturndpike.com) under "Doing Business with the PTC," "Requests for Proposals," "All Other Types," RFP No. 12-10320-3499—Compliance Reporting and Investor Relations.

WILLIAM K. LIEBERMAN,  
*Chairperson*

[Pa.B. Doc. No. 12-1037. Filed for public inspection June 1, 2012, 9:00 a.m.]

