

# NOTICES

## DEPARTMENT OF BANKING

### Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending January 24, 2012.

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

### BANKING INSTITUTIONS

#### Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
1-20-2012	<p><i>From:</i> First Citizens National Bank Mansfield Tioga County</p> <p><i>To:</i> First Citizens Bank Mansfield Tioga County</p> <p>Application for approval to convert from a national banking association to a Pennsylvania state-chartered bank and trust company.</p>	Filed

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
1-1-2012	<p>F.N.B. Corporation Hermitage Mercer County</p> <p>Application for approval to acquire 100% of Parkvale Financial Corporation, Monroeville, and thereby indirectly acquire 100% of Parkvale Savings Bank, Monroeville. (This is a correction from the activity previously posted on Summary # 3, week ending 01-10-2012, which listed this as approved, where it should be effective. See 42 Pa.B. 568 (January 28, 2012))</p>	Effective

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
1-24-2012	<p>F&amp;M Trust Co. of Chambersburg Chambersburg Franklin County</p>	<p>6391 Carlisle Pike Mechanicsburg Cumberland County</p>	Filed

##### Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
1-18-2012	<p>F&amp;M Trust Co. of Chambersburg Chambersburg Franklin County</p>	<p><i>To:</i> 51 South High Street Newville Cumberland County</p> <p><i>From:</i> 9 West Big Spring Avenue Newville Cumberland County</p>	Approved
1-20-2012	<p>Greater Delaware Valley Savings Bank Broomall Delaware County</p>	<p><i>To:</i> 309 Lancaster Avenue Frazer Chester County</p> <p><i>From:</i> 82 East Lancaster Avenue Paoli Chester County</p>	Filed

## NOTICES

**Branch Consolidations**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
7-22-2011	S&T Bank Indiana Indiana County	<i>Into:</i> 410 Main Street Clarion Clarion County  <i>From:</i> 650 Main Street Clarion #3305 Clarion County	Effective
1-13-2012	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>Into:</i> 4101 Carlisle Pike Camp Hill Cumberland County  <i>From:</i> 3301 Trindle Road Camp Hill Cumberland County	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
1-24-2012	Citizens Bank of PA Philadelphia Philadelphia County	1 North George Street York York	Approved
1-24-2012	Citizens Bank of PA Philadelphia Philadelphia County	1777 Sentry Park W Blue Bell Montgomery County	Approved
1-24-2012	Citizens Bank of PA Philadelphia Philadelphia County	2929 Arch Street Philadelphia Philadelphia County	Approved
1-24-2012	Citizens Bank of PA Philadelphia Philadelphia County	110 Black Horse Pike Audobon New Jersey	Approved
1-24-2012	Citizens Bank of PA Philadelphia Philadelphia County	6901 Ridge Avenue Philadelphia Philadelphia County	Approved
1-24-2012	Citizens Bank of PA Philadelphia Philadelphia County	100 MacDade Boulevard Holmes Delaware County	Approved
1-24-2012	Citizens Bank of PA Philadelphia Philadelphia County	1065 West County Line Road Hatboro Montgomery County	Approved

**Articles of Amendment**

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
1-17-2012	Miners Bank Minersville Schuylkill County  Amendment to Article III of the institution's Articles of Incorporation is restated in its entirety to eliminate Trust Powers.	Filed

**SAVINGS INSTITUTIONS**

No activity.

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

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
1-23-2012	TruMark Financial Credit Union Trevose Bucks County  Application for approval to merge Kenrick Federal Credit Union, Bryn Mawr, with and into TruMark Financial Credit Union, Trevose.	Filed

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
1-24-2012	Freedom Credit Union Warminster Bucks County	Filed
	Application for approval to merge Crestmont Baptist Federal Credit Union, Willow Grove, with and into Freedom Credit Union, Warminster.	

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 12-231. Filed for public inspection February 10, 2012, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, actions and special notices

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#### APPLICATIONS

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

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

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

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

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

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

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

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

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

**I. NPDES Renewal Applications**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0032107 (Sewage)	Beltzville State Park 2950 Pohopoco Drive Lehighton, PA 18235	Carbon County Franklin Township	Pohopoco Creek (2-B)	Y
PA0061131 (Sewage)	Dalton Sewer Authority PO Box 538 Dalton, PA 18414	Lackawanna County LaPlume Township	Ackerly Creek (4-F) Cold Water Fishes	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0020648 (SEW)	Port Royal Municipal Authority PO Box 236 804 8th Street Port Royal, PA 17082	Juniata County / Port Royal Borough	Juniata River / 12-A	Y
PA0031861 (SEW)	Zerbe Sisters Nursing Home, Inc. 2499 Zerbe Road Narvon, PA 17555-9328	Lancaster County / Caernarvon Township	West Branch Conestoga River / 7-J	Y
PA0085910 (SEW)	Beth A. Yohe 1050 Drager Road Columbia, PA 17512	Lancaster County / Rapho Township	Little Chickies Creek / 7-G	Y
PA0087378 (IW)	Randall Quinn Letterkenny Army Depot 1 Overcash Avenue Chambersburg, PA 17201	Franklin County / Greene Township	Conodoguinet Creek / 7-B	Y
PAS203503 (Stormwater)	Greg Holland Mueller Water Products 1200 Abernathy Road NE Suite 1200 Atlanta, GA 30328	Franklin County / Antrim Township	UNT Muddy Run / 13-C	Y
PA0088251 (SEW)	Upper Bern Township 25 N. 5th Street PO Box 185 Shartelsville, PA 19554	Berks County / Upper Bern Township	Wolf Creek / 3-C	Y
PA0014621 (IW)	United Water PA, Inc. (Sixth Street Water Plant) 4211 E. Park Circle Harrisburg, PA 17111-2806	Dauphin County / Susquehanna Township	Susquehanna River / 3-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0228311 A-1 (Sewage)	Brady Township Northwest WWTP 1986 Elimsport Road Montgomery, PA 17752	Lycoming County Brady Township	Unnamed Tributary to Black Hole Creek (10-C)	Y
PA0228435 A-1 (Sewage)	Brady Township Southeast Wastewater Treatment Plant Fritz Station Road Montgomery, PA 17752	Lycoming County Brady Township	Unnamed Tributary to Black Run (10-C)	Y

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

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

**PA0011533**, IW, SIC Code 2911, **Sunoco Inc. R&M**, 3144 W Passyunk Avenue, Philadelphia, PA 19145-5208. Facility Name: Girard Point Processing Area. This existing facility is located in City of Philadelphia, **Philadelphia County**.

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

The receiving stream(s), Schuylkill River, is located in State Water Plan watershed 3F and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfalls 001 and 009 are based on stormwater flow.

Parameters	Mass (lb/day)		Instant. Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report				
pH (S.U.)			6.0			9.0
BOD <sub>5</sub>				26.4	48.0	66.0
Chemical Oxygen Demand				180	360	450
Total Suspended Solids				21.6	34.0	55.0
Oil and Grease				8.0	15.6	20.0
Hexavalent Chromium				0.03	0.06	0.07
Total Chromium				0.22	0.60	0.75
Total Phenolics				0.17	0.35	0.43

The proposed effluent limits for Outfalls 002 and 014 are based on stormwater runoffs.

Parameters	Mass (lb/day)		Instant. Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Instant. Maximum	
Flow (MGD)	Report	Report				
pH (S.U.)			6.0			9.0
Oil and Grease						15
Total Organic Carbon						110

The proposed effluent limits for Outfalls 004 and 011 are based on a non-contact cooling water flow.

Parameters	Mass (lb/day)		Instant. Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Instant. Maximum	
Flow (MGD)	Report	Report				
pH (S.U.)			6.0			9.0
Temperature (°F)						110
Total Organic Carbon						5.0

The proposed effluent limits for Outfalls 005, 010 and 012 are based on a roof drains runoffs flow.

Parameters	Concentration (mg/l)	
	Annual Average	Daily Maximum
pH (S.U.)	Report	Report
CBOD <sub>5</sub>	Report	Report
Chemical Oxygen Demand	Report	Report
Total Suspended Solids	Report	Report
Oil and Grease	Report	Report
Total Kjeldahl Nitrogen	Report	Report
Total Phosphorus	Report	Report
Dissolved Iron	Report	Report

The proposed effluent limits for Outfall 015 are based on treated wastewater flow of 6.22 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.5	XXX	XXX	8.5
Total Residual Oxidants	XXX	XXX	XXX	Report	0.2	0.5
BOD <sub>5</sub>	1289	2427	XXX	25	48	70
CBOD <sub>20</sub>	2170	XXX	XXX	XXX	XXX	XXX
CBOD <sub>20</sub> % Removal (%)						
Percent Removal	89.25					
	Min %					
	Removal	XXX	XXX	XXX	XXX	XXX
Chemical Oxygen Demand						
Effluent Net	8848	17190	XXX	XXX	XXX	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	170	331	425

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Suspended Solids						
Effluent Net	1062	1668	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	20.5	32	51
Total Dissolved Solids						
(Interim)	151,221	206,204	XXX	3939	4108	5212
Total Dissolved Solids (Final)	143,362	193,026	XXX	2760	3720	4200
Oil and Grease						
Effluent Net	405	758	XXX	XXX	XXX	XXX
Oil and Grease	XXX	XXX	XXX	8.0	14.6	20.0
Ammonia-Nitrogen						
Effluent Net	480	1049	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	9.3	20.2	23.2
Total Cadmium (Interim)	XXX	XXX	XXX	Report	Report	XXX
Total Cadmium (Final)	XXX	XXX	XXX	0.0009	0.0018	0.0023
Hexavalent Chromium						
Effluent Net	0.6	1.3	XXX	XXX	XXX	XXX
Hexavalent Chromium	XXX	XXX	XXX	0.01	0.02	0.03
Total Chromium						
Effluent Net	7.3	21.0	XXX	XXX	XXX	XXX
Total Chromium	XXX	XXX	XXX	0.14	0.4	0.4
Fluoride						
Effluent Net	363.1	726.2	XXX	XXX	XXX	XXX
Fluoride	XXX	XXX	XXX	7.0	14.0	17.5
Total Lead (Interim)	XXX	XXX	XXX	Report	Report	XXX
Total Lead (Final)	XXX	XXX	XXX	0.009	0.018	0.02
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Total Sulfide						
Effluent Net	7.1	15.7	XXX	XXX	XXX	XXX
Total Sulfide	XXX	XXX	XXX	0.14	0.3	0.35
Total Thallium (Interim)	XXX	XXX	XXX	Report	Report	XXX
Total Thallium (Final)	XXX	XXX	XXX	0.003	0.007	XXX
Total Zinc	XXX	XXX	XXX	Report	Report	XXX
2,4-Dinitrotoluene (Interim)	XXX	XXX	XXX	Report	Report	XXX
2,4-Dinitrotoluene (Final)	XXX	XXX	XXX	0.0007	0.0015	0.0018
3,3-Dichlorobenzidine						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
3,3-Dichlorobenzidine (Final)	XXX	XXX	XXX	0.0003	0.0006	0.00075
Phenol	XXX	XXX	XXX	0.02	0.02	0.02
Acrolein (Interim)	XXX	XXX	XXX	Report	Report	XXX
Acrolein (Final)	XXX	XXX	XXX	0.003	0.007	0.009
Acrylonitrile (Interim)	XXX	XXX	XXX	Report	Report	XXX
Acrylonitrile (Final)	XXX	XXX	XXX	0.0007	0.0015	0.0018
Hexachlorobenzene (Interim)	XXX	XXX	XXX	Report	Report	XXX
Hexachlorobenzene (Final)	XXX	XXX	XXX	0.000004	0.000008	0.00001
Benzidine (Interim)	XXX	XXX	XXX	Report	Report	XXX
Benzidine (Final)	XXX	XXX	XXX	0.00001	0.00002	0.0000025
Total BTEX	XXX	XXX	XXX	0.1	0.2	0.25
Bis(2-Chloroethyl)Ether	XXX	XXX	XXX	Report	Report	XXX
Chrysene	XXX	XXX	XXX	Report	Report	XXX
Dibenzo(a,h)Anthracene						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
Dibenzo(a,h)Anthracene	XXX	XXX	XXX	0.00005	0.00011	0.00014
Indeno(1,2,3-cd)Pyrene						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
Indeno(1,2,3-cd)Pyrene	XXX	XXX	XXX	0.00005	0.00011	0.00014
N-Nitrosodimethylamine						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
N-Nitrosodimethylamine	XXX	XXX	XXX	0.00001	0.00002	0.00003
N-Nitrosodi-N-Propylamine						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
N-Nitrosodi-N-Propylamine	XXX	XXX	XXX	0.00007	0.00015	0.00018

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Phenolics Effluent Net	6.2	17.7	XXX	XXX	XXX	XXX
Total Phenolics	XXX	XXX	XXX	0.12	0.34	0.3
PCBs (Dry Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX
PCBs (Wet Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX
Vinyl Chloride (Interim)	XXX	XXX	XXX	Report	Report	XXX
Vinyl Chloride (Final)	XXX	XXX	XXX	0.0004	0.0008	0.001
Acute toxicity (Ceriodaphnia) (TUa)	XXX	XXX	XXX	XXX	Report	XXX
Chronic toxicity (Ceriodaphnia) (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Acute toxicity (Pimephales) (TUa)	XXX	XXX	XXX	XXX	Report	XXX
Chronic toxicity (Pimephales) (TUc)	XXX	XXX	XXX	XXX	Report	XXX

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

- Remedial Measures if Creates Public Nuisance
- Applicable BAT/BCT
- Thermal Impact Requirement
- Approved Chemical Additives
- Minimize use of Chemical Additives
- Approved EPA Test Methods
- WET Tests Requirements
- Change in Ownership
- Proper Sludge Disposal
- PCBs Requirements
- I-max Definitions
- Operation and Maintenance Plan Requirements
- Laboratory Certification
- PPC Plan Requirements
- Stormwater Runoff Calculations
- Intake Credit Calculations for Various Parameters
- Calculations of Net Credit
- CBOD<sub>20</sub> Allocations
- Permit Modification Upon Modeling of Estuary
- Limitation of Contaminated Stormwater Runoff
- Bypass Provision
- No Discharge from S-19 Sump Pump
- TDS Limitations Requirements
- No Oil Sheen/Film in Discharge
- TRO Definition
- Water Intake Structure
- Stormwater requirements
- Chemical additives Requirements

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

The EPA Waiver is not in effect.

**PA0056481**, Sewage, SIC Code 7011, **Oak Grove Country Inn LLC**, 34 Durham Road, Ottsville, PA 18942. Facility Name: Oak Grove Country Inn STP. This existing facility is located in Bedminster Township, **Bucks County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0016 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Minimum	Minimum	Average Monthly		
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>						
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX	40
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1000
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18

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

The EPA Waiver is in effect.

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

**PA0028568**, Sewage, SIC Code 4952, **Bangor Borough Authority**, 54 Market Street, P. O. Box 51, Bangor, PA 18013. Facility Name: Bangor Borough Authority. This existing facility is located in Washington Township, **Northampton 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), Martins Creek, is located in State Water Plan watershed 1-F and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.6 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.18	XXX	0.42
CBOD <sub>5</sub>	334	534	XXX	25	40	50
Total Suspended Solids	400	600	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
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	32	XXX	XXX	2.4	XXX	4.8
Nov 1 - Apr 30	96	XXX	XXX	7.2	XXX	14.4
Whole Effluent Chronic Toxicity (TU <sub>c</sub> )*	XXX	XXX	XXX	XXX	XXX	1.41 Maximum

\* The WET limitation of 1.41 TU<sub>c</sub> will become effective four years after the effective date of this permit unless the testing and TIE/TRE identify and eliminate the sources of the toxic response.

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

- Chronic Whole Effluent Toxicity (WET) Limitations.

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

The EPA Waiver is not in effect.

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

**PA0110744**, SIC Code 4941, **Evitts Creek Water Co.**, 1032 Lake Gordon Road, Bedford, PA 15522-5243. Facility Name: Evitts Creek Water. This existing facility is located in Cumberland Valley Township, **Bedford County**.

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

The receiving stream(s), Evitts Creek, is located in State Water Plan watershed 13-A 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 0.4297 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	<0.1	XXX	0.2
Total Suspended Solids	Report	Report	XXX	30	60	75
Total Aluminum	Report	Report	XXX	4.0	8.0	10
Total Iron	Report	Report	XXX	1.5	3.0	3.7
Total Manganese	Report	Report	XXX	1.0	2.0	2.5

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

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

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

The EPA Waiver is in effect.

**PA0088609**, Sewage, SIC Code 4952, **Broad Top Township Bedford County**, 187 Municipal Road, Defiance, PA 16633-0057. Facility Name: Six Mile Run STP. This existing facility is located in Broad Top Township, **Bedford 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), Raystown Branch Juniata River, is located in State Water Plan watershed 11-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0833 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	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
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub>	17	27	XXX	25	40	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	20	31	XXX	30	45	60
		Wkly Avg				
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		

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.

**PA0080454**, SIC Code 4941, **Carlisle Borough**, 53 W South Street, Carlisle, PA 17013-3458. Facility Name: Carlisle Water Treatment Plant. This existing facility is located in North Middleton Township, **Cumberland County**.

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

The receiving stream(s), 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 0.288 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Aluminum	XXX	XXX	XXX	4.0	8.0	10
Total Iron	XXX	XXX	XXX	2.0	4.0	5.0
Total Manganese	XXX	XXX	XXX	1.0	2.0	2.5

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

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

Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28.

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.

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

**PA0234079**, Sewage, SIC Code 4952, **Tiadaghton Valley Municipal Authority (TVMA)**, 232 Smith Street, Jersey Shore, PA 17740. Facility Name: Tiadaghton Valley Municipal Authority WWTP. This proposed facility is located in Nippenose Township, **Lycoming County**.

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

The receiving stream(s), West Branch Susquehanna River, is located in State Water Plan watershed 10-A and is classified for aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.05 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Minimum	Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
CBOD <sub>5</sub>	218	350	XXX	25	40	50
Total Suspended Solids	262	394	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX
UV Dosage (mjoules/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	19178			
Net Total Phosphorus	Report	2557			

\* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Trading of Nutrients and Sediment Reduction Credits Policy and Guidelines (Document #392-0900-001, December 30, 2006). The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department. All annual loads must be report by November 28th each year.

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

- Chesapeake Bay Nutrient Requirements
- Solids Management
- Sludge Disposal Requirements
- WET Test Condition
- Termination of Jersey Shore Borough's NPDES permit upon substantial completion of TVMA

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is in effect.

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

**PA0110663**, Sewage, **Cresson Borough Municipal Authority**, 631 Second Street, Cresson, PA 16630. Facility Name: Cresson Borough STP. This existing facility is located in Cresson Borough, **Cambria County**.

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

The receiving stream(s), Little Conemaugh River, is located in State Water Plan watershed 18-E and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.5 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
CBOD <sub>5</sub>	312.9	469.4	XXX	25	37.5	50
BOD <sub>5</sub> Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	375.5	563.3	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	23.8	35.7	XXX	1.9	2.9	3.8
Ammonia-Nitrogen						
Nov 1 - Apr 30	31.3	46.9	XXX	2.5	3.8	5.0
Total Copper	0.53	0.94 Daily Max	XXX	0.042	0.075 Daily Max	XXX

Comments: The draft permit proposes a relaxed effluent limitation for the Total Copper parameter. NPDES Permit PA0110663 previously issued on October 22, 2004 contained an average monthly Total Copper effluent limitation of 10 µg/l. The permittee conducted a Water Effect Ratio (WER) and developed a criteria modifier of 10.6 which was approved by the DEP's Central Office. This modifier resulted in a relaxed monthly average water quality based effluent concentration of 96 µg/l. However, the actual average monthly effluent concentration of 42 µg/l was imposed so as not to exceed the existing long-term performance of the STP.

The EPA Waiver is not in effect.

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

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

**WQM Permit No. 3281205-A9**, Industrial Waste, **EME Homer City Generation, L.P.**, 1750 Power Plant Road, Homer City, PA 15748-8009

This existing facility is located in Center and Blacklick Townships, **Indiana County**.

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

**WQM Permit No. WQG026135**, Sewerage, **Amwell Township**, 885 Amity Ridge Road, Amity, PA 15311

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

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

**WQM Permit No. 5612401**, Sewerage, **Indian Lake Borough**, 1301 Causeway Drive, Central City, PA 15926.

This proposed facility is located in Indian Lake Borough, **Somerset County**.

Description of Proposed Action/Activity: Application for the construction and operation of a single residence sewage treatment plant.

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

**WQM Permit No. 4312401**, Sewerage, **Grove City Borough**, P. O. Box 110, Grove City, PA 16127

This existing facility is located in Grove City Borough, **Mercer County**.

Description of Proposed Action/Activity: Renovation of existing sewage treatment plant.

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

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

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

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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 151202— aka—PAS10- G444-RA-1	West Vincent Associates, Ltd 707 Eagleview Boulevard Exton, PA 19341	Chester	West Vincent Township	Birch Run (EV)
PAI01 2312001	Paul Mastropieri 137 Saint Andrews Drive Egg Harbor Township, NJ 08234-7725	Delaware	Radnor Township	Ithan Creek (CWF)
PAI01 511201	XLT, Inc. 3200 South 70th Street Philadelphia, PA 19153	Philadelphia	City of Philadelphia	Delaware River (WWF-MF)

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

*Lehigh County Conservation District: Lehigh Ag. Ctr., Suite 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>
PAI023903037R(2)	Scott Faust Upper Macungie Twp. 8330 Schantz Rd. Breinigsville, PA 18031	Lehigh	Upper Macungie Township	UNT to Little Lehigh Creek, HQ-CWF, MF

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023911022	James Gentile 7562 Penn Dr. Allentown, PA 18106	Lehigh	Weisenberg Township	Iron Run, HQ-CWF, MF

Wayne County Conservation District: 648 Park St., Honesdale, PA 18431, 570-253-0930.

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026412002	Koberlein Environmental Services 188 Beach Lk. Hwy. Honesdale, PA 18431	Wayne	Canaan Township, and South Canaan Township	Middle Creek, HQ-CWF, MF
PAI026412003	Aqua Pennsylvania, Inc. 1775 North Main St. Honesdale, PA 18431	Wayne	Honesdale Borough	Lackawaxen River, HQ-TSF, MF; Dyberry Creek, HQ-CWF, MF

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

Beaver County Conservation District, 156 Cowpath Road, Aliquippa, PA 15001, (724-378-1701)

<i>Permit No.</i>	<i>Applicant &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI056512001	Malcolm Sias Regional Trail 194 Donohoe Road Greensburg, PA 15601	Westmoreland	Salem Township	Beaver Run (HQ) & Loyalhanna Creek (WWF)

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

**STATE CONSERVATION COMMISSION**

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

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

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

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

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

**NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal / New</i>
Clair Hurst 788 Kingpen Rd Kirkwood, PA 17536	Lancaster	111	520.02	Swine	HQ	R

## PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

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

### SAFE DRINKING WATER

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

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

##### APPLICATION No. 6412501, Public Water Supply.

Applicant	<b>Aqua PA, Inc. Waymart System</b>
[Township or Borough]	Canaan Township, <b>Wayne County</b>
Responsible Official	Mr. Steve Clark Division Manager 1775 North Main Street Honesdale, PA. 18431
Type of Facility	Public Water Supply
Consulting Engineer	Entech Engineering, Inc. 4 South 4th Street PO Box 32 Reading, PA. 19603
Application Received Date	January 25, 2012

Description of Action	This project provides for changes to the Waymart Well #5 facility. Improvements include a new well house, pitless adaptor unit, chemical feed and chlorine contact piping.
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*Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

##### Permit No. 3612501, Public Water Supply.

Applicant	<b>Ames Resse, Inc.</b>
Municipality	East Lampeter Township
County	<b>Lancaster</b>
Responsible Official	Enrique Traval, VP/ General Manager PO Box 413 Bird In Hand, PA 17505-0413
Type of Facility	Public Water Supply
Consulting Engineer	Charles A Kehew II, P.E. James R. Holley & Associates, Inc. 18 South George Street York, PA 17401
Application Received:	1/20/2011
Description of Action	Installation of VOC treatment and 4-log treatment of viruses

### MINOR AMENDMENT

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

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

##### Application No. 4388504-MA1, Minor Amendment.

Applicant	<b>St. Paul Homes</b>
Township or Borough	West Salem Township
Responsible Official	G. Bryan Oros
Type of Facility	Public Water Supply
Consulting Engineer	Steven R. Halmi, P.E. Deiss & Halmi Engineering, Inc. 105 Meadville Street Edinboro, PA 16412
Application Received Date	January 24, 2012
Description of Action	Repainting of north elevated water storage tank.

## 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—026.907)**

Sections 302—05 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.302—026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment

ment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

**Compression Polymers, Greenwood Avenue & Warner Street, Scranton City, Lackawanna County.** James P. Sposito, James P. Sposito Associates, 11 Archbald Street, Carbondale, PA 18407 has submitted a Notice of Intent to Remediate on behalf of his client, CPG International, Inc., 801 Corey Street, Scranton, PA 18505, concerning the remediation of groundwater found to have been impacted by hydraulic fluid as a result of a release from a press which is located inside the manufacturing building. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard for groundwater. The intended future use of the property is industrial. 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.

### DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

**Application for General Permit, Determination of Applicability; Under the Solid Waste Management Act (35 P. S. §§ 6018.101—018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash**

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

**General Permit Application No. WMGR081D032. EGreen Electronic Recycling,** 1653 Lititz Pike, Lancaster, PA 17601. This application is for a residual waste general permit for processing, recycling and beneficial use of electronic materials. Processing is limited to dismantling, sorting, and packaging/shipping of electronic waste materials. The application for determination of applicability was deemed to be administratively complete by Central Office on January 30, 2012.

Persons interested in reviewing the application may contact Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

**General Permit Application No. WMGR081D012. Hi-Tech Recyclers LLC,** 400 N. Lexington Street, Pittsburgh, PA 15208. This application is for a residual waste general permit for processing, recycling and beneficial use of electronic materials. Processing is limited to dismantling, sorting, and packaging/shipping of electronic waste materials. The application for determination of applicability was deemed to be administratively complete by Central Office on January 30, 2012.

Persons interested in reviewing the application may contact Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

## 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 mate-

rials are available for review in the regional office listed before the applications. Persons interested in reviewing the application files should contact the appropriate regional office to schedule appointments.

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

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

Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121–143, the Federal Clean Air Act (42 U.S.C.A. §§ 7401–671q) 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*

**63-00958A: Markwest Liberty Midstream & Resources, LLC** (1515 Arapahoe Street, Tower 2 Suite 700, Denver, CO 80202) to expand their Welling Compressor Station, an existing facility, with up to an additional five (5) engines. Based on emission projections the facility will remain a minor source of air pollutants. The facility is in Buffalo Township, **Washington County**.

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

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

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

**09-0219: Premium Excavating, LLC** (P. O. Box 190, Morrisville, PA 19067) for installation of a nonmetallic

crushing plant to process construction washout material (waste concrete) at Falls Township, **Bucks County**. The construction will result in Particulate Matter (PM) to be emitted into the atmosphere at this Natural Minor (not Title-V) facility. This Plan Approval will contain all applicable requirements including monitoring, recordkeeping and reporting designed to keep the facility operating within all applicable air quality requirements.

**09-0217: Particle Size Technology, Inc.** (1930 Kumry Rd, Quakertown, PA 18951) for construction of a dry powder particle sizing manufacturing operation in Milford Township, **Bucks County**. Particle Size Technology is a minor facility. The manufacturing process consists of sizing, repackaging and analysis of plastics, resins, toners, waxes and polymers for the foods, cosmetic and pharmaceutical industries. The main emissions from this type of operation are particulate matter (PM). Best Available Technology (BAT) is applicable for this authorization. BAT for this project will be capturing and controlling the PM with dust collectors with an emission rate of 0.02 gr/dscf or less to the atmosphere. The Plan Approval will include: work practice standards, and testing, monitoring, and recordkeeping 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*

**32-00055H: EME Homer City Generation, LP** (1750 Power Plant Road, Homer City, PA 15748) to allow the construction and temporary operation of dry flue gas desulfurization (FGD) systems with fabric filters, lime and byproduct material handling and storage systems, and other associated support equipment to control SO<sub>2</sub> emissions from Unit 1 & 2 at the Homer City Generating Station located in Black Lick and Center Townships, **Indiana County**.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44–127.46 that the Department of Environmental Protection (DEP) intends to issue Air Quality Plan Approval: PA-32-00055H to allow the construction and temporary operation of dry flue gas desulfurization (FGD) systems with fabric filters, lime and byproduct material handling and storage systems, and other associated support equipment to control SO<sub>2</sub> emissions from Unit 1 & 2 at the Homer City Generating Station located in Black Lick and Center Townships, Indiana County.

Alstom's Novel Integrated Desulfurization (NID) systems are to be installed downstream from the existing electrostatic precipitators and upstream from the existing Unit 1 & 2 stacks. NID is expected to employ a hydrated lime and byproduct mixture injection into the flue gas stream for control of SO<sub>2</sub> emissions. Secondary control of PM/PM<sub>10</sub>/PM<sub>2.5</sub>, VOC, mercury, lead, sulfuric acid mist, hydrogen chloride, and fluorides is expected. Steam turbine efficiency upgrades are also to be performed on the Unit 1 & 2 steam turbines as a part of this installation. New air contamination sources proposed at the facility include lime unloading and handling systems, multiple lime and byproduct storage silos, and byproduct handling systems. Fugitive emissions are also expected from lime deliveries to the plant by truck (only in the event of rail unavailability), and byproduct disposal along existing plant roads and the existing on-site landfill. Best available technology (BAT) for lime unloading includes unloading to either an underground hopper within a partially

enclosed building controlled by dust collector(s) or unloading by pneumatic conveyor directly to storage silos. BAT for storage silo loading is enclosed transfer to and between storage silos controlled by bin vent filters and minimization of hours of operation. BAT for the byproduct handling systems is the use of bin vent filters and byproduct wetting prior to partially enclosed transfer to dump trucks. Existing vehicle, roadway, and landfill emission reduction practices will remain in effect at the facility. These include speed restrictions, roadway sweeping, and roadway and material wetting where applicable.

This authorization is subject to state regulations including 25 Pa. Code §§ 123.1, 123.2, 123.31, and 123.41. These limitations are applicable facility-wide and already included in the Title V Operating Permit (TVOP). Air dispersion modeling will be required to be performed by the Owner/Operator prior to start-up of the NID systems in order to demonstrate that the facility will not cause an exceedance of with the SO<sub>2</sub> National Ambient Air Quality Standards. SO<sub>2</sub> emissions from Unit 1 & 2 shall be limited to 0.20 lb/MMBtu of heat input on a 30-day rolling average (excluding periods of startup and shutdown) subject to results of the required modeling. Plan approval conditions will also include rolling 12-month SO<sub>2</sub>, total PM (filterable & condensable), and filterable PM emission limits. Opacity limits; testing, monitoring, recordkeeping, and reporting requirements; and work practice standards are included for the NID and material handling systems. The permitted heat input to Unit 1 & 2 may not be increased as a result of the steam turbine efficiency upgrades.

Potential emissions from the NID system installation including all lime and byproduct handling are calculated to be 22.7 tons of particulate matter (PM), 9.6 tons of particulate matter less than 10 microns (PM<sub>10</sub>), and 6.0 tons of particulate matter less than 2.5 microns (PM<sub>2.5</sub>) per year. These potential fugitive emission increases are expected to be more than offset by actual reductions of PM/PM<sub>10</sub>/PM<sub>2.5</sub> from the Unit 1 & 2 stacks. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently submit either a revision to its pending TVOP application or a TVOP administrative amendment application in accordance with 25 Pa. Code Subchapters F and G.

Interested persons may submit written comments, suggestions or objections concerning the proposed Plan Approval to the regional office within 30 days of publication of this notice. Written comments submitted to the Department during the 30-day public comment period shall include the following:

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

Identification of the proposed Plan Approval (PA-32-00055H).

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

The Department will hold a public hearing on March 14, 2012, from 5:00-7:00 PM at Homer-Center High School, 70 Wildcat Lane, Homer City, PA 15748, to take oral testimony regarding this Air Quality Plan Approval application. Notice of this hearing is separately published within this *Pennsylvania Bulletin*. Written comments or should be directed to Alan Binder, Air Quality, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information you may contact Alan Binder at 412-442-4168.

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

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

**61-219A: GOC Property Holdings, LLC** (175 Main Street, Oil City, PA 16301), for the construction of a new metal heat treating facility along Route 8, in Rouseville Borough, **Venango County**. New sources at the site will include a natural gas fueled boiler, two (2) natural gas fueled furnaces, a quench system and a cooling tower.

Pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 61-219A to GOC Property Holdings, LLC for the construction of a natural gas fueled boiler, two (2) natural gas fueled furnaces, a quench system and a cooling tower. This facility will be located along Route 8N in Rouseville Borough, Venango County. The Plan Approval will subsequently be incorporated into a facility Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 61-219A is for the installation of a natural gas fueled boiler, two (2) natural gas fueled furnaces, a quench system and a cooling tower. Based on the information provided by the applicant and DEP's own analysis, the combined subject sources will have the potential to emit approximately 11.74 tons per year of nitrogen oxides, 3.25 tons per year of carbon monoxide, 1.04 tons per year of particulate matter, 0.09 tons per year of sulfur oxides and 0.75 tons per year of volatile organic compounds.

The Plan Approval will contain testing, monitoring, recordkeeping, work practice and additional requirements designed to keep the facility operating within all applicable air quality requirements.

#### 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*

**46-00010: Covanta Plymouth Meeting, LP** (1155 Conshohocken Road, Conshohocken, PA, 19428-1028) 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.

**46-00081: Markel, Corp.** (435 School Lane, Plymouth Meeting, PA 19462) for operation of a facility that manufactures fluoropolymer tubing and coated wire, plastic tubing, coated fiberglass sleeves, and specialty tubing products in Plymouth Township, **Montgomery County**. The following air emission sources are located at this

facility: two boilers, sixteen extruders, one parts washer, one No. 2 fuel oil storage tank, and one Isopar storage tank. The facility is a Title V facility for VOC emissions which is located in Plymouth Township, Montgomery County. This renewal of the Title V Operating Permit does not authorize any increase in air emissions of regulated pollutants above previously approved levels. The Title V Operating Permit contains all applicable requirements including: testing, monitoring, and recordkeeping and reporting to show continued compliance with the terms and conditions of the permit.

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

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

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

**09-00211: Pennridge School District** (1303 North 5th Street, Perkasie, PA 18944) for operation of five (5) boilers and three (3) emergency generators in East Rockhill Township, **Bucks County**. The main emissions from this facility are Nitrogen Oxides (NOx) produced by the consumption of fuels. The proposed operating permit is for a non-Title V (State Only), Synthetic Minor facility. It contains monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**46-00011: ArcelorMittal Plate, LLC** (900 Conshohocken Stare Road, Conshohocken, PA 19428) for renewal of the Title V Operating Permit in Plymouth Township, **Montgomery County**. The initial permit was issued on 7-5-2001 and was subsequently renewed on 6/8/2007. The facility use quenching and tempering heat treatment processes to increase the strength and hardness of steel plate, which is used as the protective skins on military vehicles and other many non-military application. As a result of potential emissions of NOx, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Permit renewal does not reflect any change in air emissions from the facility. The facility is subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64.

The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

*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*

**06-03128: Royal Green LLC** (PO Box 9, Temple, PA 19560) for their ferrous metal shredding operation in Ontelaunee Township, **Berks County**.

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

The subject facility has actual emissions of three tons per year of particulate matter. The Operating Permit will include emission limits and work practice standards along

with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

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

A 30-day comment period, from the date of publication of this notice in the *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.

**22-03025: John R. Shultz Funeral Home** (406 Market Street, Lykens, PA 17048) for operation of a human crematorium in Lykens Borough, **Dauphin County**. This is a renewal of their State-Only Operating Permit issued in 2006.

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

The subject facility has the potential to emit 0.84 tpy of CO, 1.45 tpy NOx, 0.08 tpy PM10, & 0.11 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.

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

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

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

A 30-day comment period, from the date of publication of this notice in the *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.

**06-03107: Morgan Corporation Grace Mine Plant** (P. O. Box 588, Morgantown, PA 19543) for the flatbed truck bodies, frames and parts plant in New Morgan Borough, **Berks County**.

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

The subject facility has actual emissions of 1.5 tpy of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

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

A 30-day comment period, from the date of publication of this notice in the *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.

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

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

**26-00473: Bullsken Tipple Company / Bullsken Yard** (114 Narrows Road, Connellsville, PA 15425) for operation of a bituminous coal preparation plant in Connellsville Township, **Fayette County**.

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

The subject facility consists of a 120 ton per hour enclosed crusher, truck and train unloading and loading, conveyors, stockpiling and haulroads. The facility has the potential to emit 61.1 tpy PM and 28.6 tpy PM10. The facility is required to conduct a daily survey of the facility during daylight hours while the facility is operating to ensure compliance with the fugitive emission and malodor restrictions. Records of the daily survey performed must

be recorded. The Owner/Operator shall maintain a daily log of tons of coal delivered to the facility, inventory on hand, and coal shipped from the facility. The facility is also required to water all in-plant roads once per day, dependent on the weather, maintain a set vehicle pattern, post speed limit sign of 15 mph as well as promptly remove earth or other material from paved roads onto with earth or other material has been transported by trucking or earth moving equipment, or other means. The proposed authorization is subject to State and Federal Regulations. The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.

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

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

Identification of the proposed Operating Permit (26-00473).

Concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

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

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

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

**37-00268: Commercial Asphalt Supply, Inc.—Slippery Rock Plant** (161 Plain Grove Road, Slippery Rock, PA 16057) for renewal of the Synthetic Minor Permit to operate asphalt paving mixtures and blocks manufacturing facility in Scott Township, **Lawrence County**. The facility's emitting sources included, 1) H & B Counter-flow Drum Asphalt plant, 2) Knock out box (control device) and, 3) FAB Spec., Baghouse (control device) and 4) Caterpillar emergency generator diesel engine 605 HP. The facility has a throughput restriction, 750,000 tons of hot mix asphalt products based on 12-month rolling total to stay below the emission threshold of Title V (less than 100 TPY of Carbon Monoxide). Thus, the facility becomes Synthetic Minor. The emergency generator is subject to 40 CFR Part 63, Subpart ZZZZ.

**42-00177: Bradford Forest, Inc.** (444 High St., Bradford, PA 16701), to renew a State Only Operating Permit for the facility located in the City of Bradford, **McKean County**. The facility is a Natural Minor. The primary sources at the facility are 3 Wood Boilers, saw mill operations, and parts washers. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

**S11-001: Philadelphia Ship Repair, LLC.** (5195 South 19th Street, Philadelphia, PA 19112) to operate their ship repair facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes two

boilers, four Painting and three blasting operations, four internal combustion engines, and emission control devices.

The operating permit will be issued under 25 Pa. Code, 2 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.

### OPERATING PERMITS

#### PUBLIC HEARINGS

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

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

**32-00055H. EME Homer City Generation, LP,** Homer City Generating Station FGD Installation, Black Lick and Center Townships, **Indiana County**

Under 25 Pa. Code § 127.48 notice is hereby given that the Pennsylvania Department of Environmental Protection (DEP) will hold a public hearing from 5:00-7:00 PM on Wednesday, March 14, 2012 at the Homer-Center High School, 70 Wildcat Lane, Homer City, PA 15748.

The hearing is to take testimony concerning the Department's intent to issue a Plan Approval to EME Homer City Generation, LP for the installation of Alstom Novel Integrated Desulfurization systems with fabric filters on Unit 1 & 2 at the Homer City Generating Station in Black Lick and Center Townships, Indiana County. Air emission sources to be added to the facility include lime and byproduct material handling systems. NID systems are being installed primarily to reduce SO<sub>2</sub> emissions from Unit 1 & 2. Secondary control of PM/PM<sub>10</sub>/PM<sub>2.5</sub>, VOC, mercury, lead, sulfuric acid mist, hydrogen chloride, and fluorides is expected. The Department published a separate notice of intent to issue this plan approval in the *Pennsylvania Bulletin* to allow for public comments regarding the proposed plan approval.

Those wishing to present testimony during the hearing should contact Community Relations Coordinator, John Poister, at (412) 442-4203 before March 14, 2012, to register.

Persons unable to attend the public hearing can submit three copies of a written statement to the department within 10 days thereafter. The statement should be sent to: Alan Binder, Air Quality Program, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222.

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act of 1990 should contact John Poister or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how DEP may accommodate your needs.

### PLAN APPROVALS

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

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

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

**58-399-037: Williams Field Services Company LLC** (1605 Coraopolis Heights Road, Moon Twp., PA 15108) to issue a Plan Approval for their facility in Lenox Township, **Susquehanna County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Williams Field Services Company LLC (1605 Coraopolis Heights Road, Moon Twp., PA 15108) for their facility located in Lenox Twp., Susquehanna County. This Plan Approval No. 58-399-037 will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 58-399-037 is for the construction of a natural gas compressor station at the Zink Compressor Station. The VOC emissions from the facility will not equal or exceed 50 TPY, based on a 12-month rolling sum. The NO<sub>x</sub> emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. Total PM, SO<sub>x</sub>, and CO emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. The HAPs from the facility must never equal or exceed 10 TPY of any single HAP and must never equal or exceed 25 TPY of all aggregated HAPs, based on a 12-month rolling sum. The Plan approval and Operating Permit will include testing, monitoring, record keeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

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

Emissions from the engines will meet BAT & NSPS Subpart JJJJ requirements. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the following:

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

Identification of the proposed permit No.: 58-399-037.

A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone # 570-826-2511 within 30 days after publication date.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

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

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

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

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

### *Coal Applications Received*

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

**30841307. Emerald Coal Resources, LP** (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370), to revise the permit for the Emerald Mine No. 1 in Franklin Township, **Greene County** to add subsidence control plan area acres for development mining. Subsidence Control Plan Acres Proposed 20.88. The application was considered administratively complete on January 24, 2012. Application received: November 18, 2011.

**32901603 and NPDES No. PA 0214507. Tipple Four J, Inc.**, (P. O. Box 438, Seward, PA 15954), to renew the permit for the Tipple Four J in Armstrong Township, **Indiana County** and related NPDES permit. No additional discharges. The application was considered administratively complete on January 24, 2012. Application received: September 14, 2011.

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

**56120102 and NPDES No. PA0263419. Rosebud Mining Company**, 1117 Shaw Mines Road, Meyersdale, PA 15552, commencement, operation and restoration of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 114.7 acres. Receiving stream(s): unnamed tributaries to Pickings Run; UTS to/and Coal Run classified for the following use(s): high quality cold water fishery; cold water fishery. The first downstream potable water supply intake from the point of discharge is Lincoln Municipal Authority—intake on North Branch of Quemahoning Creek. Application received: January 12, 2012.

**56080104 and NPDES No. PA0262625. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, revision of an existing bituminous surface and auger mine to add an additional NPDES point in Paint and Adams Townships, **Somerset and Cambria Counties**, affecting 252.9 acres. Receiving stream(s): unnamed tributaries to Paint Creek, Paint Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 19, 2012.

**56763114 and NPDES No. PA0608238. Svonavec, Inc.**, 150 West Union Street, Suite 201, Somerset, PA 15501, revision of an existing bituminous surface mine/sand quarry for Erosion and Sedimentation Controls in Milford Township, **Somerset County**, affecting 96.8 acres. Receiving stream(s): unnamed tributary to/and South Glade Creek classified for the following use(s): warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 21, 2011.

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

**61100101 and NPDES Permit No. PA0258814. K & A Mining** (P. O. Box 288, Grove City, PA 16127). Revision to an existing bituminous surface mine to add blasting in Irwin Township, **Venango County** affecting 68.6 acres. Receiving streams: Unnamed tributary to Williams Run; unnamed tributary to Scrubgrass Creek; and an unnamed tributary to East Branch Wolf Creek, all classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: January 20, 2012.

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

**40120101. Northampton Fuel Supply Co., Inc.**, (1 Horwith Drive, PA 18067), commencement, operation and restoration of an anthracite surface mine, coal refuse reprocessing and refuse disposal operation in Foster & Hazle Townships and Jeddo Borough, **Luzerne County** affecting 1013.0 acres, receiving stream: Big Black Creek, classified for the following uses: cold water fishes and migratory fishes. Application received: January 19, 2012.

**40-305-009GP12. Northampton Fuel Supply Co., Inc.**, (1 Horwith Drive, PA 18067), application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 40120101 in Foster & Hazle Townships and Jeddo Borough, **Luzerne County**. Application received: January 19, 2012.

*Noncoal Applications Received*

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

**7075SM1 and NPDES Permit No. PA0612120. Pennsy Supply, Inc.**, 1001 Paxton Street, Harrisburg, PA 17105, renewal of NPDES Permit, Spring Township, **Perry County**. Receiving stream(s): Shermans Creek classified for the following use(s): warm water fishery. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received: January 18, 2012.

**50820303 and NPDES Permit No. PA0613169, Pennsy Supply, Inc.**, 1001 Paxton Street, Harrisburg, PA 17105, renewal of NPDES Permit, Oliver Township, **Perry County**. Receiving stream(s): Little Buffalo Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received: January 18, 2012.

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

**65122801. HET Construction Co., Inc.** (P. O. Box 280, Irwin, PA 15642). Application for commencement,

operation and reclamation of small noncoal surface mine, located in Penn Township, **Westmoreland County**, affecting 15.2 acres. Receiving streams: unnamed tributary to Byers Run and Lyons Run, classified for the following use: TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: January 18, 2012.

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

**58072806. Tammy Lynn Norton**, (430 Norton Road, New Milford, PA 18834), Stage I & II bond release of a quarry operation in Harford Township, **Susquehanna County** affecting 5.0 acres on property owned by Mario and Luciano Fasullo. Application received: January 17, 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.

*Coal NPDES Draft Permits*

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

**NPDES No. PA0262625 (Mining permit no. 56080104), Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, revision of an NPDES permit for a bituminous surface mine in Adams and Paint Townships, **Cambria and Somerset Counties**, affecting 252.9 acres. Receiving stream(s): unnamed tributary to and Paint Creek, classified for the following use(s): cold water fishery. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: January 19, 2012.

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

The treated wastewater outfall(s) listed below discharge to Paint Creek.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
004	N
005	N
006	N

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

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

The stormwater outfall(s) listed below discharge to Paint Creek.

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

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

**NPDES No. PA0259209 (Permit No. 61110103). K & A Mining** (P. O. Box 288, Grove City, PA 16127) New NPDES permit for a bituminous surface mine in Irwin Township, **Venango County**, affecting 53.1 acres. Receiving streams: Unnamed tributary to Scrubgrass Creek to the Allegheny River, classified for the following uses: CWF. TMDL: None. Application received: November 23, 2011.

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

The outfall(s) listed below discharge to an unnamed tributary to Scrubgrass Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TP1	Y
TP2	Y

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3	6	7
Manganese (mg/l)		2	4	5
Aluminum (mg/l)		2	4	5
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (milliosmoles/kg)				50

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

The outfall(s) listed below discharge to an unnamed tributary to Scrubgrass Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
SP2	Y
SP2	Y

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

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

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

**NPDES No. 0257834 (Mining permit no. 17110110), Larry D. Baumgardner Coal Co., Inc.**, PO Box 186, Lanse, PA 16849, new NPDES permit for bituminous coal surface mining in Woodward Township, **Clearfield County**, affecting 32.9 acres. Receiving streams: Unnamed Tributary to Laurel Run (to Moshannon Creek) classified for the following use: Cold Water Fishery (Laurel Run Watershed—Clearfield County TMDL). Application received: September 6, 2011.

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

The outfall listed below discharges to: Unnamed Tributary to Laurel Run.

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TF1	Y
TF2	Y

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Alkalinity greater than acidity <sup>1</sup>				

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)				50

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

*Noncoal NPDES Draft Permits*

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

**NPDES No. PA0612120 (Mining permit no. 7075SM1), Pennsy Supply, Inc.**, 101 Paxton Street, Harrisburg, PA 17105, renewal of an NPDES permit for noncoal surface mine in Spring Township, **Perry County**, affecting 20.8 acres. Receiving stream(s): Sherman Creek, classified for the following use(s): warm water fishery. Application received: January 18, 2012.

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

The outfall(s) listed below discharge to: Sherman Creek.

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

**NPDES No. PA0613169 (Mining permit no. 50820303), Pennsy Supply, Inc.**, 101 Paxton Street, Harrisburg, PA 17105, renewal of an NPDES permit for noncoal surface mine in Oliver Township, **Perry County**, affecting 71.1 acres. Receiving stream(s): Little Buffalo Creek, classified for the following use(s): cold water fishery. Application received: January 18, 2012.

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

The outfall(s) listed below discharge to: Little Buffalo Creek.

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

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

**NPDES No. PA0208485 (Permit No. 37910305). Three Rivers Aggregates, LLC** (225 North Shore Drive, Pittsburgh, PA 15212) Renewal of an NPDES permit for a large industrial minerals surface mine in Plain Grove Township, **Lawrence County**, affecting 28.0 acres. Receiving streams: Unnamed tributary to Taylor Run, classified for the following uses: CWF. TMDL: None. Application received: December 14, 2011.

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

The outfall(s) listed below discharge to Taylor Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
002	N
003	N

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

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

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

**NPDES No. 0257389 (Mining permit no. 08100302), Johnson Quarries, Inc.**, PO Box 136 Orange Street, Le Raysville, PA 18829 new issuance of an NPDES permit for a Large Noncoal (Industrial Minerals) Surface Mining Permit in Stevens Township, **Bradford County**, affecting 127.9 acres. Receiving stream(s): Rockwell Creek and Wyalusing Creek classified for the following use(s): WWF. Application received: June 29, 2010.

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

## 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.

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**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.**

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**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E52-233. Semyon Burshteyn**, 1845 52nd Street, Apt. 27, Brooklyn, NY 11204, in Delaware Township, **Pike County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 12-foot wide by 24-foot long floating dock in Sandspring Lake and to construct and maintain a footpath across approximately 125 feet of PFO wetlands (EV) along the lake within the Little Bushkill Creek Watershed (HQ-CWF, MF) for the purpose of accessing the dock. The footpath will impact a de minimus area of wetlands equal to 0.02 acre. The project is located along Spring Road approximately 200 feet north of its intersection with Lilac Court on Lot 1, Block W-2206, Section 22 of the Wild Acres Subdivision (Lake Maskenozha, PA Quadrangle, Latitude: 41°12'36.9"; Longitude: -74°58'01.7").

**E39-514. Catasauqua Borough**, 118 Bridge Street, Catasauqua, PA 18032-2598, in Catasauqua Borough, **Lehigh County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a pump station, effluent chamber modifications and an approximately 335-foot long, 8-foot high concrete floodwall in the floodway and floodway fringe of the Lehigh River (TSF, MF). The activities are associated with the Catasauqua Sewage Treatment Plant Upgrade Project. The project is located at 18 West Race Street (Catasauqua, PA Quadrangle, Latitude: 40°38'53"; Longitude: -75°28'22").

**E48-415. Borough of Freemansburg**, 600 Monroe Street, Freemansburg, PA 18017, in Borough of Freemansburg, **Northampton County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain an approximately 0.63 mile long section of an 8-foot wide at-grade stone recreational biking/hiking trail in the floodway of the Lehigh River. The project is located on an existing towpath between the Lehigh Canal and Lehigh River beginning at the Freemansburg Borough/City of Bethlehem line (Hellerstown, PA Quadrangle Latitude: 40°37'16.6"; Longitude: -75°20'50.5") and extending approximately 1.43 miles upstream to the confluence of the Lehigh River and Nancy Run (Nazareth, PA Quadrangle, Latitude: 40°37'55.1"; Longitude: -75°20'3.1").

**EA54-021 NE: Schuylkill Headwaters Association, Inc.**, P. O. Box 1385, Pottsville, PA. 17901. Schuylkill Township, **Schuylkill County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain an abandoned mine discharge (AMD) passive wetland treatment system proposed in and along a tributary to the Schuylkill River and adjacent wetlands. The purpose of the project is to treat and reduce AMD loadings discharging from the Mary D mine outfall to restore water quality to the Schuylkill River Watershed. The project is located at the intersection of township roads T-512 Valley Road and T-505 Sanderson Street. (Delano, PA Quadrangle, Latitude: 40° 45' 16.3", Longitude: -76° 3' 24.4").

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

**E38-177: Pennsylvania Game Commission**, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, in Bethel Township, **Lebanon County**, ACOE Baltimore District

To construct and maintain a 14.0-foot wide, single span bridge having a normal span of 73.0 feet and an underclearance of 8.0 feet across Bear Hole Run (CWF, MF) for the purpose of providing access to State Game Lands. The project is located along Swope Valley Road approximately 1.0 mile south of the intersection of Route 443 (Pine Grove, PA Quadrangle; Latitude: 40°30'53.8", Longitude: -76°28'12.6") in Bethel Township, Lebanon County.

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

**E08-475. Williams Oil & Propane, Inc.**, 44 Reuter, Towanda, PA, 18848. Water Obstruction and Encroachment Joint Application, Dandy Market, in Monroe Borough, **Bradford County**, ACOE Baltimore District (Monroeton, PA Quadrangle N: 41° 43' 7"; W: 76° 28' 20").

To place fill within 0.47 acres of jurisdictional wetlands associated with Towanda Creek (Warm Water Fishery). The project is centered southeast of the intersection or SR 0414 and SR 0220 in the Village of Monroe in Bradford County.

**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 submerged intake within Lycoming Creek. The proposed project is located off Upper Powy's Road in Lewis Township, Lycoming County. There are no proposed wetland impacts.

**E41-621. Transcontinental Gas Pipe Line, LLC**, 2800 Post Oak Blvd, Suite 900, Houston, TX 77056-6147. Water Obstruction and Encroachment Joint Application, Muncy Loop, in Wolf and Penn Townships, **Lycoming County**, ACOE Baltimore District (Picture Rocks, PA Quadrangle N: 41° 16' 7.8"; W: 76° 41' 24").

To construct, operate and maintain 2.22 miles of 42 inch diameter natural gas pipeline within the West Branch of the Susquehanna River watershed (Warm Water Fishery). Construction of the pipeline loop will require eight (8) water body crossings. The project is centered approximately 1 mile south of the Village of Picture Rocks in Lycoming County.

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

**E16-141, PA Game Commission**, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797. Pendleton Run Bridge Construction Project, in Mill Creek Township, **Clarion County**, ACOE Pittsburgh District (Corsica, PA Quadrangle N: 41°, 14', 14.46"; W: 79°, 13', 48.95").

To construct and maintain a 43' single span 14' wide steel & timber bridge access to State Games Lands #074 and consisting of 6 steel I-beams (W21x68) and a timber deck (2x6 pressure treated) set upon concrete abutments (2'W x 4'H x 14'L both).

**E16-142, PA Game Commission**, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797. Woods Run Bridge Construction Project, in Mill Creek Township, **Clarion County**, ACOE Pittsburgh District (Strattanville, PA Quadrangle N: 41°, 13', 15.0"; W: 79°, 15', 15.78").

To construct and maintain a 28' single span 14' wide steel & timber bridge access to State Games Lands #074 and consisting of 6 steel I-beams (W12x53) and a timber deck (2x6 pressure treated) set upon concrete abutments (2'W x 4'H x 14'L both).

**E42-355, Bradford Area Water Authority**. Bradford Dam No. 2 Rehabilitation and Access Road, in Bradford and Foster Townships, **McKean County**, ACOE Pittsburgh District (Bradford, PA Quadrangle N: 41°, 57', 40.8"; W: 78°, 43', 21.1").

To construct and maintain an approximately 4.14 mile long by 20 foot wide access road and other activities associated with the rehabilitation of Bradford City Water

Authority's Bradford Dam No. 2 north of S.R. 346 approximately 6 miles west of the City of Bradford. Project impacts include a culvert crossing and grading impacting a total of approximately 71 feet including permanent impact to 36 feet of a tributary to Marilla Brook and impacts to a total of 5063 feet of 41 tributaries to Gilbert Run including a total of 935 feet of permanent impact to 30 tributaries to Gilbert Run. All permanently impacted tributaries are streams having a contributory drainage area of less than 100 acres. The project will also include 0.01 acre temporary impact to other wetland (PEM) at the base of the existing dam associated with the rehabilitation of the dam and a total of 0.89 acre of permanent impact to 14 wetland areas (0.88 acre PEM and 0.006 acre PFO), 12 of which are considered Exceptional Value (EV), along the access road. Project proposes creation of approximately 2 acres of on-site replacement wetlands.

**E61-294, PA DOT District 1-0**, 255 Elm Str., Oil City, PA 16301. SR 0062 Section A03 Sage Run Bridge Replacement, in Cranberry Township, **Venango County**, ACOE Pittsburgh District (Oil City, PA Quadrangle N: 41°, 25', 12.4"; W: -79°, 42', 12").

To remove the existing 18 ft single span 98 ft long slab bridge and to construct and maintain a 28 ft single span 105 ft long precast slab bridge over Sage Run (CWF) along Riverside Drive, Cranberry Township, SR 0062 Segment 0520 Offset 0066 just North of its intersection with SR 0257 Salina Road. Project also includes removal of a 32 ft long concrete wall along Sage Run upstream of the bridge, 205 ft realignment of Sage Run and reconstruction and realignment of the SR 0257 and SR 0062 intersection.

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut Street, Meadville, PA 16335 814-332-6860*

**E24-08-004, EOG Resources, Inc.**, 2039 South Sixth Street, Indiana, PA 15701. Seneca-Tenn Pipeline, Phase 2 (Elk), in Jones Township, **Elk County**, Army Corps of Engineers Pittsburgh District (Hazel Hurst, Crosby, Wildwood Fire Tower, PA Quadrangle N: 41° 38' 01"; W: -78° 29' 10").

The applicant proposes to construct and maintain approximately 6.4 miles of natural gas pipeline located in Sergeant Township, McKean County and Jones Township, Elk County. The proposed pipeline will connect the existing southern portion of a Marcellus Shale well field to an existing Compressor Station located approximately 6000 feet southwest of Clermont, PA. The water obstructions and encroachments in the Elk County portion of the project are described below:

To construct and maintain:

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
1	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent, palustrine forested (PEM/PFO) EV wetland having 5667 square feet of temporary wetland impact.	41° 37' 52.53" -78° 29' 6.87"
2	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent (PEM) EV wetland having 54621 square feet of temporary wetland impact.	41° 37' 40.29" -78° 29' 2.38"
3	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross Straight Creek (HQ-CWF) having 147 linear feet of temporary stream impact.	41° 35' 58.51" -78° 28' 40.40"

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
4	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross an UNT Straight Creek (HQ-CWF) having 110 linear feet of temporary stream impact.	41° 35' 55.77" -78° 28' 6.39.33"
5	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine forested (PFO) EV wetland having 9487 square feet of temporary wetland impact.	41° 35' 22.59" -78° 28' 30.09"

The project will result in a total of 257 linear feet of temporary stream impacts and 1.60 acres of temporary EV wetland impacts from utility line and road crossings.

**E42-08-005, EOG Resources, Inc.**, 2039 South Sixth Street, Indiana, PA 15701. Seneca-Tenn Pipeline, Phase 2 (McKean), in Sergeant Township, **McKean County**, Army Corps of Engineers Pittsburgh District (Hazel Hurst, Crosby, Wildwood Fire Tower, PA Quadrangle N: 41° 38' 01"; W: -78° 29' 10").

The applicant proposes to construct and maintain approximately 6.4 miles of natural gas pipeline located in Sergeant Township, McKean County and Jones Township, Elk County. The proposed pipeline will connect the existing southern portion of a Marcellus Shale well field to an existing Compressor Station located approximately 6000 feet southwest of Clermont, PA. The water obstructions and encroachments in the McKean County portion of the project are described below:

To construct and maintain:

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
1	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent, palustrine forested (PEM/PFO) EV wetland having 25611 square feet of temporary wetland impact.	41° 40' 16.98" -78° 29' 59.00"
2	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross Gum Boot Run (HQ-CWF) having 244 linear feet of temporary stream impact.	41° 40' 3.26" -78° 29' 54.63"
3	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent (PEM) EV wetland having 6109 square feet of temporary wetland impact.	41° 40' 2.74" -78° 29' 54.52"
4	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross an UNT to Gum Boot Run (HQ-CWF) having 106 linear feet of temporary stream impact.	41° 35' 55.77" -78° 28' 6.39.33"
5	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent (PEM) EV wetland having 10348 square feet of temporary wetland impact.	41° 39' 26.90" -78° 29' 41.55"
6	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross Buck Run (HQ-CWF) having 111 linear feet of temporary stream impact.	41° 39' 25.92" -78° 29' 41.70"
7	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross an UNT to Buck Run (HQ-CWF) having 75 linear feet of temporary stream impact.	41° 39' 23.62" -78° 29' 40.18"
8	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine forested (PFO) EV wetland having 1657 square feet of temporary wetland impact.	41° 39' 20.96" -78° 29' 39.34"
9	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross Doe Run (HQ-CWF) having 119 linear feet of temporary stream impact.	41° 38' 55.04" -78° 29' 29.92"
10	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent, palustrine forested (PEM/PFO) EV wetland having 10617 square feet of temporary wetland impact.	41° 38' 52.93" -78° 29' 29.21"
11	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent (PEM) EV wetland having 5004 square feet of temporary wetland impact.	41° 38' 45.88" -78° 29' 26.58"
12	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross an UNT to Doe Run (HQ-CWF) having 116 linear feet of temporary stream impact.	41° 38' 45.45" -78° 29' 26.65"

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
13	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent, palustrine shrub-scrub (PEM/PSS) EV wetland having 11601 square feet of temporary wetland impact.	41° 38' 37.49" -78° 29' 23.70"
14	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross an UNT to County Line Run (HQ-CWF) having 140 linear feet of temporary stream impact.	41° 38' 21.95" -78° 29' 17.62"
15	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine forested (PFO) EV wetland having 7654 square feet of temporary wetland impact.	41° 38' 19.89" -78° 29' 16.99"
16	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent (PEM) EV wetland having 5324 square feet of temporary wetland impact.	41° 38' 17.52" -78° 29' 16.06"
17	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent (PEM) EV wetland having 11675 square feet of temporary wetland impact.	41° 38' 15.92" -78° 29' 15.52"
18	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross County Line Run (HQ-CWF) having 109 linear feet of temporary stream impact.	41° 38' 14.49" -78° 29' 14.99"
19	A 20" diameter steel natural gas pipeline to be bored under a palustrine emergent, palustrine shrub-scrub (PEM/PSS) EV wetland	41° 37' 25.84" -78° 28' 57.91"
20	A 20" diameter steel natural gas pipeline to be bored under Wellendorf Branch (HQ-CWF)	41° 37' 24.44" -78° 28' 57.57"
21	A 20" diameter steel natural gas pipeline to be bored under a palustrine emergent, (PEM) EV wetland	41° 37' 18.48" -78° 28' 55.99"
22	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent (PEM) EV wetland having 17514 square feet of temporary wetland impact.	41° 37' 5.54" -78° 28' 52.64"
23	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent (PEM) EV wetland having 3136 square feet of temporary wetland impact.	41° 37' 1.26" -78° 28' 51.44"
24	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent (PEM) EV wetland having 4114 square feet of temporary wetland impact.	41° 36' 53.19" -78° 28' 49.48"
25	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross North Fork Straight Creek (HQ-CWF) having 116 linear feet of temporary stream impact.	41° 36' 52.97" -78° 28' 49.37"
26	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine forested (PFO) EV wetland having 7746 square feet of temporary wetland impact.	41° 36' 51.52" -78° 28' 48.95"
27	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent, palustrine shrub-scrub (PEM/PSS) EV wetland having 13232 square feet of temporary wetland impact.	41° 36' 34.80" -78° 28' 44.34"
28	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine forested (PFO) EV wetland having 23020 square feet of temporary wetland impact.	41° 36' 24.26" -78° 28' 41.90"
29	A 20" diameter steel natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent (PEM) EV wetland having 48837 square feet of temporary wetland impact.	41° 36' 16.48" -78° 28' 41.33"

The project will result in a total of 1136 linear feet of temporary stream impacts and 4.77 acres of temporary EV wetland impacts from utility line and road crossings.

*District Oil and Gas Operations: Eastern Oil and 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 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 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.

**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 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 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 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 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 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 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 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 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 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 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 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 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 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 (0.00 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.

#### ENVIRONMENTAL ASSESSMENTS

Central Office: Bureau of Waterways Engineering, Rachel Carson State Office Building, Floor 3, 400 Market Street, Harrisburg, PA 17105

**D46-070EA. Mr. James Mensch**, American Legion Post 184, 744 Gravel Pike, East Greenville, PA 18041.

Upper Hanover Township, **Montgomery County**, ACOE Philadelphia District.

Project proposes to remove the remaining portions of Mill Side Park Dam across Perkiomen Creek (TSF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The dam is located approximately 300 feet west of the intersection of SR 029 and Water Street (T218) (East Greenville, PA Quadrangle; Latitude: 40° 25' 22", Longitude: -75° 31' 30").

**D10-011EA. Pennsylvania American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055. Oakland Township, **Butler County**, ACOE Pittsburgh District.

Project proposes to modify Lake Oneida Dam across Connoquenessing Creek (HQ-WWF) in order to meet current Dam Safety requirements. Modifications include replacement of the existing spillway and installation of roller compacted concrete overtopping protection. Construction will necessitate permanent impacts to 16 lineal feet of Connoquenessing Creek and 0.047 acre of associated PEM wetland; and temporary impacts to 83 lineal feet of Connoquenessing Creek. The dam is located approximately 0.48 mile northeast of the intersection of SR 38 and Pine Tract Road (East Butler, PA Quadrangle, Latitude: 40°55'24"; Longitude: -79°52'18").

## ACTIONS

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

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

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

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

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

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

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

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

### I. NPDES Renewal Permit Actions

*Northeast Regional Office: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2553.*

**PA0021555-A1**, Sewage, **Weatherly Borough Carbon County**, 10 Wilbur Street, Weatherly, PA 18255-1437.

This proposed facility is located in Weatherly Borough, **Carbon County**.

Description of Proposed Activity: Issuance of amended NPDES Permit for name change from Weatherly Municipal Authority to Weatherly Borough.

*Southcentral Region: Water Management 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 ?
PA0085430 (Sew)	Brad Nelson MHC Robin Hill, LLC 2 North Riverside Plaza, Suite 800 Chicago, IL 60606-2682	Berks County / Greenwich Township	UNT Maiden Creek / 3-B	Y
PA0082201 (Sew)	Letterkenny Township Municipal Authority 4924 Orrstown Road Orrstown, PA 17244-9503	Franklin County / Letterkenny Township	Conodoguinet Creek / 7-B	Y
PA0009164 (IW)	Standard Steel LLC 500 N. Walnut Street Burnham, PA 17009-1644	Mifflin County Burnham Borough	Kishacoquillas Creek / 12-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
PA0027626 Sewage	Kiski Valley STP 1200 Pine Camp Road Leechburg, PA 15656	Westmoreland County Allegheny Township	Kiskiminetas River	N
PA0094536 Sewage	Forest Hills Middle School STP 1427 Frankstown Road Sidman, PA 15955	Cambria County Croyle Township	UNT of South Fork Little Conemaugh River	Y
PA0091201 Sewage	Indiana Medical Condominiums STP 1177 South Sixth Street Indiana, PA 15701	Indiana County White Township	UN of Two Lick Creek	Y
PA0217514 Sewage	Honeywell Electronic Materials STP 195 Hartzell School Road Fombell, PA 16123	Beaver County Marion Township	Connoquenessing Creek	Y
PA0096512 Sewage	Mount Morris Water & Sewage Authority Davistown Road Mount Morris, PA 15349-0304	Greene County Perry Township	Dunkard Creek	Y
PA0203734 Sewage	Weaver & Simkovich SFTF 2499 Camp Meeting Road Sewickley, PA 15143	Allegheny County Park Borough	UNT of Rippling Run	Y
PA0217115 Sewage	Jacksonville STP 105 Cunkleman Road Kent, PA 15752	Indiana County Black Lick Township	Reeds Run	Y
PA0096695 Sewage	Central Elementary School Central School Road Fayette City, PA 15438	Fayette County Jefferson Township	Little Redstone Creek	Y

\*\*\*\*Renewal individuals

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PAS238302 (Stormwater)	Air Liquide Industries, U.S. St. Marys 203 West Creek Road Saint Marys, PA 15857	Elk County City of Saint Marys	Unnamed Tributary to West Creek 8-A	Y
PAS238302 (Sewage)	Greenville Sanitary Authority STP 183 Hamburg Road Greenville, PA 16125	Mercer County Greenville Borough	Shenango River 20-A	N

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

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

**NPDES Permit No. PA0261777**, Sewage, **Alvin K. Fisher, Jr.**, 6756 McClays Mill Road, Newburg, PA 17240.

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

Description of Proposed Action/Activity: Authorization to discharge to a UNT to Conodoguinet Creek in Watershed 7-B.

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

**NPDES Permit No. PA0234052**, CAFO, 0211, 0213, 0272, **James W. Showers**, 767 Gray Hill Road, New Columbia, PA 17856

This proposed facility is located in White Deer Township, **Union County**.

Description of Size and Scope of Proposed Operation/Activity: The Showers Farm CAFO is an existing beef cattle and horse operation adding a finishing swine operation, totaling 384.44 AEUs. The farm consists of 139 acres which includes approximately 23 acres of pasture land, approximately 87 acres of cropland and the balance in farmstead and woods. The hogs will produce 900,000 gallons of liquid manure per year. All hog manure will be collected in an 809,000 gallon underbarn storage. Beef cattle and horse manure is collected during part of the year as a solid. All manure is land-applied in accordance with the farm's Nutrient Management Plan during the Spring, Summer and Fall. Up to 625,000 gallons of manure may be exported offsite.

The receiving stream, UNT of White Deer Creek, is in the State Water Plan watershed 10C (White Deer Creek) and is classified for: HQ-CWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR federal effluent limitation guidelines is required. The permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

**NPDES Permit No. PA0228443**, CAFO (SIC #0241), **Paul Dotterer & Sons, Inc.**, 408 Kryder Road, Mill Hall, PA 17751.

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

Description of Proposed Activity: This is an existing dairy operation in multiple barns at three locations; the main facility (south of Kryder Road) houses the milking and dry cows in 6 barns; the heifer facility (north of main facility and Kryder Road) houses heifers in 4 barns; the calf facility (on Heltman Road) houses all calves in one barn.

Manure is handled primarily as a liquid. The system reuses wash water to flush alleys. Solids and sand are separated out of the slurry and stacked separately. Calf manure is handled as a solid. All manure is spread on farms associated with Dotterer. No exporting of manure. This is for an increase from 1,378 AEUs to 2,155 AEUs on this operation.

The receiving stream, UNT to Cedar Run is in the State Water Plan watershed #9C and is classified for: HQ-CWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR federal effluent limitation guidelines is required. The permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

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

**NPDES Permit No. PA0263869**, Sewage, **Jerald Dickerson**, P. O. Box 82, 276 McCreas Brook Road, Eldred, PA 16731.

This existing facility is located in Ceres Township, **McKean County**.

Description of Proposed Action/Activity: Issuance of a new NPDES permit for treated sewage to a Small Flow Treatment Facility which is replacing a malfunctioning onlot system.

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


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

**WQM Permit No. 3103401, Amendment 11-1, Sewerage, Alexandria Borough & Porter Township Joint Sewer Authority, PO Box 113, Alexandria, PA 16611.**

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

Description of Proposed Action/Activity: Permit approval for the construction/modification of sewage facilities consisting of: Construction of a new wet well with new influent pumps, a new Headworks with a mechanical screen and a distribution box, renovation of the existing 0.120 mgd capacity Schreiber treatment unit, construction of a new 0.240 mgd Schreiber Treatment unit, construction of a new Process building to house Rotary Press, Polymer feed system and four blowers to provide air to the two treatment units, construction of a new RAS building to house all RAS pumps and all three chemical feed systems, construction of a UV disinfection unit, conversion of the two existing Contact Stabilization units to aerobic digesters, renovation of the existing sludge dewatering building to house three aerobic digester blowers, demolition of the existing control building and construction of a new administrative office building, and upgrade of the existing Hartslog Street and Main Street pumping stations.

**WQM Permit No. 2811404, Sewerage, Alvin K. Fisher, Jr., 6756 McClays Mill Road, Newburg, PA 17240.**

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

Description of Proposed Action/Activity: Permit approval for the construction / operation of sewage facilities consisting of an SFTF with septic tank, peat filter, chlorine disinfection, and outfall to UNT Conodoguinet Creek.

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

**WQM Permit No. 4211401, Sewerage, Jerald Dickerson, P. O. Box 82, 276 McCrea Brook Road, Eldred, PA 16731.**

This existing facility is located in Ceres Township, **McKean County**.

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

**WQM Permit No. WQG028330, Sewerage, Bradford Township, 136 Hemlock Street, Bradford, PA 16701.**

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

Description of Proposed Action/Activity: Construction and operation of a pump station and sewer extension.

**WQM Permit No. WQG018820, Sewerage, Ronald Wilcox, 2095 Dutchman Drive, Apt 3, Rockhill, SC 29732.**

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

Description of Proposed Action/Activity: Replaces a malfunctioning on-lot system.

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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>
PAI01151116	PA Department of Transportation—District 6-0 7000 Geerdes Boulevard King of Prussia, PA 19406	Chester	West Whiteland and West Goshen Townships	Broad Run (EV); East Branch Brandywine Creek (HQ-CWF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032111006	Mark L. Horst Shady Lane Farm 174 Fire House Road Shippensburg, PA 17257	Cumberland	N. Newton Township	Big Spring Creek/EV, MF & Green Spring Creek/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 in 40 CFR 123.23(d).

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

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

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

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Northampton Township Bucks County	PAG0200 0911026-1	Diakon Lutheran Social Ministries 798 Hausman Road Allentown, PA 18104	Unnamed Tributary Neshaminy Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
East Nottingham Township Chester County	PAG0200 1511010	Herr Foods, Inc. PO Box 300 Nottingham, PA 19362	Northeast Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Newlin Township Chester County	PAG0200 1511043	Natural Lands Trust, Inc. 1031 Palmers Mill Road Media, PA 19063	Unnamed Tributary West Branch Brandywine Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Caln Township Chester County	PAG0200 1511033	Paoli Enterprises 1644 East Lancaster Avenue Paoli, PA 19301	Valley Run (CWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Chichester Township Delaware County	PAG0200 2309015-R	Baker Residential of PA 3 Creek Parkway Suite 220 Naamans Creek Business Center Boothwyn, PA 19061	Naamans Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Pottstown Borough Montgomery County	PAG0200 4607071-1	Pottstown Borough 100 East High Street Pottstown, PA 19464	Manatawny Creek (CWF)	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>
Upper Providence Township Montgomery County	PAG0200 4606047-R	Mike Downs Hillman Drive Suite 120 Chadds Ford, PA 19317	Unnamed Tributary Schuylkill River (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Horsham Township Montgomery County	PAG0200 4611055	Harry C. Barbin, III 267 Winchester Drive Horsham, Pa 19044	Park Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511127	City of Philadelphia Department of Public Property 1515 Arch St, 11th Floor Philadelphia, PA 19102-1504	Pennypack Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Smithfield Twp., Monroe County	PAG02004506004R	Mt. Tom Road Properties, LLC 1123 Fillmore St. East Stroudsburg, Pa 18301	Sambo Creek, CWF, MF	Monroe Co. Cons. Dist. 570-629-3060
Washington Twp., Northampton Co.	PAG02004806024R	Aaron Tucker Hester at Washington LLC 57 Brant Ave. Suite 200 Clark, NJ 07066	Oughoughton Creek, CWF, MF	Northampton Co. Cons. Dist. 610-746-1971
Palmer Twp., Northampton Co.	PAG02004809007R	Joseph Iudicello Nehemiah Construction Corp. 6500 Chapmans Rd. Allentown, PA 18106	Lehigh River, WWF, MF	Northampton Co. Cons. Dist. 610-746-1971
Eaton Twp., Wayne Co.	PAG02006611006	Sugar Hollow Water Services, LLC 211 Shaffer Lane Tunkhannock, PA 18657	Susquehanna River, WWF, MF	Wyoming Co. Cons. Dist. 570-836-2589
Franklin Township Adams County	PAG02000111020	James D. Frazee Dynamic Hydra-Pruners 257 East High Street Orrtanna, PA 17353	UNT to Little Marsh Creek/ CWF	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636
Oxford Township Adams County	PAG02000106014R	Craig Smith TCT Enterprises, LLC 372 North Street McSherrystown, PA 17344	Tributary to Pine Run/ WWF	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Reading City Berks County	PAG02000611044	Ralph Johnson City of Reading 815 Washington Street Reading, PA 19601	Schuylkill River/WWF & Angelica Creek/CWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Windsor Township Berks County	PAG02000605022R	John Forino Forino Company 555 Mountain Home Road Sinking Spring, PA 19608	Schuylkill River/WWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Greenfield Township Blair County	PAG02000711018	Tom Columbus Jr. Sheetz, Inc. 5700 6th Avenue Altoona, PA 16602	Beaverdam Creek/CWF	Blair Co Conservation District 1407 Blair St Hollidaysburg, PA 16648 814.696.0877
Juniata Township Blair County	PAG02000709009-R	Rick Pope Hollidaysburg Borough Authority Municipal Building, 401 Blair St. Hollidaysburg, PA 16648	Blair Gap Run/ TSF	Blair Co Conservation District 1407 Blair St Hollidaysburg, PA 16648 814.696.0877
East Pennsboro Township Cumberland Co.	PAG02002111025	Michael Gillespie, P.E. PA DOT, Engineering Dist. 8-0 2140 Herr Street Harrisburg, PA 17103-1699	Susquehanna River/WWF	Cumberland Co Conservation Dist 310 Allen Road, Suite 301 Carlisle PA 17013 717-240-7812
Derry Township Dauphin County	PAG02002207007R	Doug Gelder DSG Development Corp. PO Box 42 Hershey, PA 17033-0042 & Chad Barshinger Abel Construction, Inc. Po Box 476 Mountville, PA 17554-0476	Swatara Creek/ WWF	Dauphin Co. Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Derry Township Dauphin County	PAG02002211038	Mr. Edward Buchan The Hershey Co. 100 Crystal A Dr. Hershey, PA 17033	Spring and Swatara Creek / WWF	Dauphin Co. Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Derry Township Dauphin County	PAG02002209024	Mr. John Osmolinski Milton Hershey School P. O. Box 830 Hershey, PA 17033	Spring Creek / WWF	Dauphin Co. Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Halifax Township Dauphin County	PAG02002206067R	Mark X. DiSanto Triple Crown Corporation 5351 Jaycee Avenue Harrisburg, PA 17112	Armstrong Creek / CWF	Dauphin Co. Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Susquehanna Township Dauphin County	PAG02002211032	Brian Kobularcik Metropolitan Development Group 1030 Reed Ave., Suite 100 Wyomissing, PA 19610	Paxton Creek / WWF	Dauphin Co. Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
West Hanover Township Dauphin County	PAG02002204017	Richard Yingst 4712 Smith Road Harrisburg, PA 17109	Beaver Creek/ WWF	Dauphin Co. Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Greene Township Franklin County	PAG02002805094-R	Robert Miller Beacon of Greene LLC 24 Buckingham Way Freehold, NJ 07728	UNT to Conococheague Creek	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg PA 17201 717.264.5499
Hamilton Township Franklin County	PAG02002811035	Glenn Dice Dice Subdivision 143 East Queen Street Chambersburg, PA 17201	UNT to Dennis Creek/CWF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg PA 17201 717.264.5499
Hamilton Township Franklin County	PAG02002811036	Brian Bricker Bricker's Pole Barn 2223 Sollenberger Road Chambersburg, PA 17202	UNT to Back Creek/TSF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg PA 17201 717.264.5499
Leacock Township Lancaster County	PAG02003610002-R	PennDOT District 8-0 2140 Herr Street Harrisburg, PA 17103	Pequea Creek Mill Creek/ WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5
Strasburg Borough Lancaster County	PAG02003610007-R	44 Strasburg Associates 503 Bedford Place Lititz, PA 17543	Pequea-Octoraro Creek/ WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Manor Township Lancaster County	PAG02003611012	Alexcih County Holdings LLC 2374 Franklin Road Columbia, PA 17512	UNT Little Conestoga Creek/WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5
West Hempfield Township Lancaster County	PAG02003611021-1	Hempfield School District 200 Church Street Landisville, PA 17543	UNT Conestoga River/WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5
East Hempfield Township Lancaster County	PAG02003611040	Homestead Village Inc. 1800 Village Circle Lancaster, PA 17603	Brubaker Run/ WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5
Mount Joy Township Lancaster County	PAG02003611086	Esbensshade Farms 220 Eby Chiques Road Mount Joy, PA 17552	Little Chickies Creek/TSF, MF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5
Manheim Township Lancaster County	PAG02003611087	Landis Valley Holdings LP 616 Paxton Place, Suite 100 Lititz, PA 17543	West Tributary Landis Run/ WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5
East Lampeter Township Lancaster County	PAG02003611093	Rebecca S. Beiler 12 South Ronks Road Ronks, PA 17572	UNT Mill Creek/WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5
East Hempfield Township Lancaster County	PAG02003611094	1500 Main Realty LP 5260 Main Street, Box 404 East Petersburg, PA 17520	Little Conestoga Creek/WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5
West Lampeter Township Lancaster County	PAG02003611095	Members 1st FCU 5000 Louise Drive Mechanicsburg, PA 17055	UNT Mill Creek/WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5

<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>
Lancaster Township Lancaster County	PAG02003611096	School District of Lancaster 1020 Lehigh Avenue Lancaster, PA 17602	UNT Conestoga River/WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5
Manheim Borough Lancaster County	PAG02003611098	Manheim Borough Authority 15 East High Street Manheim, PA 17545	Chickies Creek/ WWF, MF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5
Manheim Township Lancaster County	PAG02003611101	Lancaster Bible College 901 Eden Road Lancaster, PA 17601	Conestoga River/WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5
East Hempfield Township Lancaster County	PAG02003611102	Brent O. Stoltzfus 474 Mt. Sidney Road Lancaster, PA 17602	Swarr Run/ WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5
East Hempfield Township Lancaster County	PAG02003611107	New Generation LLC 1525 Oregon Pike, Suite 1102 Lancaster, PA 17601	Little Conestoga Creek/WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5
Penn Township Lancaster County	PAG02003612001	Manheim's PA Auction Services 1190 Lancaster Road Manheim, PA 17545	Chiques Creek/ WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5
Salisbury Township Lancaster County	PAG02003612002	Benuel K. Smucker 160 Cambridge Road Gap, PA 17527	White Horse Run/CWF, MF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5
East Drumore Township Lancaster County	PAG02003612004	Barry Lefever 111 Laurel Drive Quarryville, PA 17566	UNT South Fork Big Beaver Creek/ TSF, MF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
East Lampeter Township Lancaster County	PAG02003612005	Brookfield Development Corp 227 Granite Run Drive, Suite 100 Lancaster, PA 17601	UNT Conestoga River/WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5
Strasburg Borough Lancaster County	PAG02003612006	Charter Homes at Strasburg Inc. 114 Foxshire Drive Lancaster, PA 17601	UNT Pequea Creek/WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361, Ext. 5
South Londonderry Township Lebanon County	PAG02003811013	Don L. Lechleitner SA&B Partners 1 1840 Fishburn Road Hershey, PA 17033	Spring Creek/ WWF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
S. Lebanon Township Lebanon County	PAG02003811024	Robert Riley Seneca Foods Corporation 30 Keystone Drive Lebanon, PA 17042	Quittapahilla Creek/TSF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
South Lebanon Township Lebanon County	PAG02003811001	Richard D. McAlevy Dept. of Veterans Affairs Lebanon VA Medical Center 1700 South Lincoln Avenue Lebanon, PA 17042	Quittapahilla Creek/TSF, MF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4

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

<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>
State College Borough Centre County	PAG02001410023(1)	Jason Mitchell J.C. Bar Development LLC 3100 Market St Camp Hill PA 17011	Slab Cabin Run CWF, MF	Centre County Conservation District 414 Holmes Ave Suite 4 Bellefonte PA 16823 Phone: (814) 355-6817
Gulich & Woodward Townships Clearfield County	PAG02001711014	Woodward Township Sewage & Water Auth PO Box 6 Houtzdale PA 16651	Beaver & Whiteside Run CWF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield PA 16830 Phone: (814) 765-2629

*Facility Location:  
Municipality &  
County*

<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>
Delaware & Turbot Townships, Milton & Watsonstown Boroughs Northumberland County	PAG02004910016(1)	Delaware Township Municipal Authority PO Box 80 Dewart PA 17730	West Branch Susquehanna River, UNT to West Branch of Susquehanna River, Dry Run, Warrior Run, Muddy Run, Spring/Tannery Run & Limestone Run (All) WWF, MF	Northumberland Cnty Conservation Dist 441 Plum Creek Rd Sunbury PA 17801 (570) 286-7114 Ext. 4

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

*Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Beaver County Franklin Township	PAG02000411011	Austin Rogers Ellwood City DPP V, LLC	South Branch Slippery Rock Creek (WWF)	Beaver County CD 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
Beaver County Brighton Township	PAG02000412001	Ron Scarton First National Bank One FNB Blvd. 5th Floor Hermitage, PA 16148	UNT to Six Mile Run (WWF)	Beaver County CD 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
Cambria County Geistown Borough Richland Township	PAG02001111019	Highland Sewer & Water Authority 120 Tank Drive Johnstown, PA 15904	Sams Run & Falls Run (WWF)	Cambria County CD 401 Candlelight Drive Suite 221 Ebensburg, PA 15931 (814) 472-2120
Somerset County Quemahoning Township Jenner Township	PAG02005611005	Jenner Township Municipal Water Authority PO Box 115 Boswell, PA 15531	Quemahoning Creek & Two Mile Run (CWF)	Somerset County CD 6024 Glades Pike Suite 103 Somerset, PA 15501 (814) 445-4352
Cranberry Township Butler County	PAG02001012001	Madison Heights Attn: Mr. Donald Rodger 215 Executive Drive Cranberry Township PA 16066	UNT Brush Creek WWF	Butler Conservation District 724-284-5270
Cranberry Township Butler County	PAG02001012004	Shadow Creek Dev. Assoc. 215 Executive Drive Cranberry Township PA 16066	UNT Wolfe Creek WWF	Butler Conservation District 724-284-5270
City of Erie & Millcreek Township Erie County	PAG2002511026(1)	PADOT 255 Elm Street, PO Box 398 Oil City PA 16301	UNT W Branch Cascade Creek WWF; MF UNT Walnut Creek CWF; MF	Erie Conservation District 814-825-6403
Punxsutawney Borough Jefferson County	PAG02003311004	PADOT, District 10-0 2550 Oakland Avenue PO Box 429 Indiana PA 15701	Elk Run CWF Mahoning Creek WWF	Jefferson Conservation District 814-849-7463
Lafayette Township McKean County	PAG2004209002(1)	Bradford Regional Airport 212 Airport Road Lewis Run PA 16738	Wetlands & UNT Three Mile Run CWF	McKean Conservation District 814-887-4001

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Cambria County, Chest Township	PAG2091112001	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Wyerough Run/ CWF	PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800
Cambria County, Susquehanna Township	PAG2091112002	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Unnamed Tributary to Walnut Run/ CWF	PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800
<i>General Permit Type—PAG-03</i>				
<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>
Souderton Borough Montgomery County	PAR120023	Leidys Inc. 266 West Cherry Lane P. O. Box 257 Souderton, PA 18964	Unnamed Tributary to Skippack Creek-3-E	Southeast Region Clean Water Management 484.250.5970
Wright Twp. Luzerne County	PAR212202	Certainteed Corporation 750 East Swedesford Rd. Valley Forge, PA 19482	Watering Run (CWF, MF)	PA DEP Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511
Wright Twp. Luzerne County	PAR122202	SVC MFC INC 750 Oak Hill Rd. Mountaintop, PA 18707	Big Wapwallopen Creek (CWF, MF)	PA DEP Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511
Unity Township Westmoreland County	PAR206164	Latrobe Foundry Machine & Supply Company PO Box 431 Latrobe, PA 15650-0431	UNT of Nine Mile Run	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Oakmont Borough Allegheny County	PAR116103	Global Circuits, Inc. 931 Third Street Oakmont, PA 15139	Allegheny River	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000

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

*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 Erie Erie County	PAR708305	Mayer Brothers Construction Company 1902 Cherry Street Erie, PA 16502-2648	Unnamed Tributary to West Branch Cascade Creek 15	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-4*

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

*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>
Greene Township Erie County	PAG041055	Ronald Wilcox 2095 Dutchman Drive, Apt 3 Rockhill, SC 29732	Unnamed Tributary to Fourmile Creek 15	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-10*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Black Township Somerset County	PAG106149	Texas Eastern Transmission, LP 890 Winter Street Suite 300 Waltham, MA 02451	West Branch Coxes Creek	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

## STATE CONSERVATION COMMISSION

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

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

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

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

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

CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Leon Zimmerman West Donegal Farms 2011 Maytown Rd Elizabethtown, PA 17022	Lancaster	267.2	1115.2	Swine/Steer Pullet	NA	A

**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 free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**SAFE DRINKING WATER**

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

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

**Permit No. 0711505 MA, Minor Amendment, Public Water Supply.**

Applicant	<b>Borough of Tyrone</b>
Municipality	Snyder Township
County	<b>Blair</b>
Responsible Official	John Cornell, Manager 1100 Logan Avenue Tyrone, PA 16686

Type of Facility	Filter rehabilitation project to include media replacement, repair of filter cell walls, replacement of backwash nozzles and underdrain tiles as necessary.
Consulting Engineer	Kevin J Nester, P.E. CET Engineering Services 321 Washington Street Huntingdon, PA 16652
Permit to Construct Issued:	1/23/2012

**Operations Permit** issued to: **Camp Hill State Correctional Institute**, 7210046, Lower Allen Township, **Cumberland County** on 1/27/2012 for the operation of facilities submitted under Application No. 2111508 MA.

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

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

Applicant	<b>Martha’s Furnace Mobile Home Park</b>
[Township or Borough]	Huston Township
County	<b>Centre</b>
Responsible Official	Mr. David L. Burns Martha’s Furnace Mobile Home Park P. O. Box 6 Boalsburg, PA 16827

Type of Facility	Public Water Supply
Consulting Engineer	N/A
Permit Issued	January 25, 2012
Description of Action	4-log inactivation of viruses at Entry Point 101 (Lower Well).

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

Applicant	<b>LeRaysville Water Company</b>
[Township or Borough]	LeRaysville Borough
County	<b>Bradford</b>
Responsible Official	Mr. Richard C. Potter LeRaysville Water Company P. O. Box 142 LeRaysville, PA 18829

Type of Facility	Public Water Supply
Consulting Engineer	N/A
Permit Issued	January 25, 2012

Description of Action 4-log inactivation of viruses at Entry Point 100 (Well Nos. 1, 2 and 3).

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

Applicant **Duncan Township Municipal Authority**

[Township or Borough] Duncan Township

County **Tioga**

Responsible Official Mr. Richard Putman  
Duncan Township Municipal Authority  
42 Duncan Township Road  
Wellsboro, PA 169001

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued January 25, 2012

Description of Action 4-log inactivation of viruses at Entry Point 101 (Well Nos. 1 and 2).

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

Applicant **Heatherbrooke Estates**

[Township or Borough] Muncy Creek Township

County **Lycoming**

Responsible Official Ms. Donna Weimer  
Heatherbrooke Estates  
2042 Route 405  
Muncy, PA 17756

Type of Facility Public Water Supply

Consulting Engineer Stephen Gilbert  
HDC, Inc.  
279 Deer Lane  
Trout Run, PA 17771

Permit Issued January 27, 2012

Description of Action 4-log inactivation of viruses at Entry Points 101 (Well No. 1) and 102 (Well No. 2).

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

Applicant **Jackson Mobile Home Park**

[Township or Borough] Wysox Township

County **Bradford**

Responsible Official Mr. Patrick Crowley  
Jackson Mobile Home Park  
53 Woodland Avenue  
Wellsboro, PA 16901

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued January 25, 2012

Description of Action 4-log inactivation of viruses at Entry Point 100 (Well No. 2).

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

Applicant **Monument Water Association**

[Township or Borough] Liberty Township

County **Centre**

Responsible Official Mr. Matthew Milliron  
Monument Water Association  
106 Elm Street  
Beech Creek, PA 16822

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued January 27, 2012

Description of Action 4-log inactivation of viruses at Entry Point 100 (Well No. 3).

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

Cancellation of Permit issued to Water-Gait Community Water Association, PWSID #6430078, Liberty Township, Mercer County on January 24, 2012. This action represents the cancellation of Permit Number 4302502 issued July 31, 2003. This action is a result of Water-Gait Community Water Association no longer meeting the definition of a Public Water System.

**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 Adams County Act 167 Stormwater Management Plan**, submitted by Adams County, was approved on January 27, 2012. This plan applies to all watersheds and to all areas within **Adams 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:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Union Township	1445 East Main St., Douglassville PA 19518	Berks
Robeson Township	2689 Main St., Birdsboro PA 19508	

*Plan Description:* The approved plan provides for changing the Township's previously approved drip irrigation system plan to serve the sewage needs of Geigertown to an extension of sanitary sewers to the Birdsboro Municipal Authority's sewage treatment plant. The proposed sewer extension consists of two pump stations and force mains running along Geigertown Road and connecting to the Union Township Authority's sewer in Kulpmont. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 2

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

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

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

The Department has received the following plans and reports:

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

**Katz Property**, Leamour Court, Stroud Township, **Monroe County**. Timothy Pilcher, B & B Diversified Enterprises, Inc., P. O. Box 188, Gwynedd, PA 19436 has submitted a Final Report on behalf of his client, Lea Z. Katz, P. O. Box 510, Stroudsburg, PA 18360, concerning the remediation of soil and groundwater found to have been impacted by No. 2 fuel oil as a result of a release from a 500-gallon, non-regulated underground storage tank, which contained holes in it. The report was submitted to document attainment of the Residential Statewide Health Standard for soil and groundwater. A public notice regarding the submission of the Final Report was published in the *Pocono Record* on January 5, 2012.

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

**Former Tyler Run, LLC Property**, 427 Kings Mill Road, York, PA 17403, York City and Spring Garden Township, **York County**. Herbert, Rowland, & Grubic, Inc., 369 East Park Drive, Harrisburg, PA 17111, on behalf of Tyler Run, LLC, 11915 Park Heights Avenue, Owings Mills, MD 21117, submitted a Final Report concerning remediation of soils contaminated with benzene, chlorinated solvents and PCBs. The Final Report for groundwater was approved on December 22, 2011. The report is intended to document remediation of the site to meet the Site Specific standard.

**York Northwest Triangle**, parcel bounded by Philadelphia Street, Codorus Creek, North George Street, and North Street, City of York, **York County**. ARM Group, Inc., PO Box 797, Hershey, PA 17033-0797, on behalf of City of York Redevelopment Authority, 49 East Market Street, York, PA 17401, submitted a Final Report concerning remediation of site soils and groundwater contaminated with inorganics and petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide Health standard. The site is enrolled in the One Cleanup Program.

**T.W. Ponessa & Associates Corporate Offices**, 414 North Prince Street, Lancaster, PA 17603, Lancaster City, **Lancaster County**. Reliance Environmental, Inc., 130 East Chestnut Street, Lancaster, PA 17602, on behalf of Triple J Associates, Ltd., 160 Valley Road, Lancaster, PA 17601, submitted a Final Report concerning site soils contaminated with fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health standard.

**Fort Indiantown Gap Army National Guard Training Center**, Building 11-89, East Hanover Township, **Lebanon County**. PA Dept. of Military and Veterans Affairs, Office of Facilities and Engineering, Environmental Management, Building 0-11, Fort Indiantown Gap, Annville, PA 17003-5002, submitted a Final Report concerning remediation of site soils and groundwater contaminated with heating oil. The report is intended to document remediation of the site to meet the Residential Statewide Health standard.

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

**Borough of Mifflinburg**, Mifflinburg, **Union County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857 on behalf of the Borough of Mifflinburg, 120 North Third Street, Mifflinburg, PA 17844 has submitted a Final Report concerning remediation of site soil contaminated with #2 oil at 201 South Fifth Street, Mifflinburg, Pa 17844. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Springer Residence**, Borough of Perryopolis, **Fayette County**. Miller Environmental, Inc., 514 Hartman Run Road, Morgantown, WV 26505 on behalf of Barbara & Herbert Springer, 136 Janet Street, Perryopolis, PA 15473. Final Report concerning the remediation of site soils contaminated with kerosene used for fuel for the Springer Residence furnace.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

**Quadrant Engineering Plastics Property**, Laurel Line Drive, Scranton City, **Lackawanna County**. Martin Gilgallon, Pennsylvania Tectonics, Inc., 826 Main Street, Peckville, PA 18452 submitted a Final Report on behalf of

his client, Quadrant EPP USA, Inc., 900 North-South Road, Scranton, PA 18504, concerning the remediation of soil and groundwater found to have been impacted by hydraulic fluids as a result of a release from a large press located at the property. The report documented attainment of the Residential Statewide Health Standard for soil and groundwater and was approved January 20, 2012.

**Cosner 2H/3H/4H/5H Well Site**, Hop Bottom, Springville Township, **Susquehanna County**. James Pinta, Jr. 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, 5 Penn Center West, Suite 401, Pittsburgh, PA 15276, concerning the remediation of soil found to have been impacted by brine fluid due to the overfilling of an aboveground storage tank. The report documented attainment of the Residential Statewide Health Standard and the Background Standard for arsenic, calcium, magnesium, sodium, potassium, and strontium for soil and was approved on January 26, 2012. The report was originally submitted within 90 days of the release.

**Jones Property**, 137 Independence Road, Smithfield Township, **Monroe County**. Jeffrey Wynn, Patriot Environmental Management, LLC, P. O. Box 629, Douglassville, PA 19518 submitted a Final Report on behalf of his client, Jason Jones, 137 Independence Road, East Stroudsburg, PA 18301, concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a release to the on-site perforated septic settling tank. The report documented attainment of the Statewide Health Standard for soil and was approved on January 24, 2012. The report was originally submitted within 90 days of the release.

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

**Mr. & Mrs. Grady Gafford Residence**, Delmar Township, **Tioga County**. Brooks Petroleum Contracting Company, 6622 Route 287, Wellsboro, Pa 16901 on behalf of Grady Gafford, 454 Fishler Street, Wellsboro, PA 16901 has submitted a Final Report concerning the remediation of site soil contaminated with heating oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 25, 2012.

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

**Sandra Hardy Residence**, 93 Princeton Avenue, Uniontown, PA. Borough of Uniontown, **Fayette County**. Environmental Maintenance Company, Inc., 1420 E. Mermaid Lane, Glenside, PA 19038 on behalf of the Sandra Hardy Residence, submitted a Final Report concerning remediation of site soils contaminated with fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard for soil, and was approved by the Department on January 26 2012.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

**Permit No. 101470. United States Recycling, Inc.,** 6101 Tacony Street, Philadelphia, PA 19135-2998, City of Philadelphia, **Philadelphia County**. This 10-year renewal permit is to continue municipal waste transfer operations at the 380 tons per day (tpd) United States Recycling, Inc. transfer facility. Also included in this approval is a permit modification allowing the permittee to increase the maximum daily volume of municipal waste that can be accepted at the facility from 380 tpd to 1,500 tpd. The volume increase, if implemented, will occur in stages (from 380 tpd to 760 tpd, and then from 760 to 1500 tpd) with each stage tied to the completion of certain facility improvements. The permit was issued by the Southeast Regional Office on January 27, 2012.

*Northeast Region: William Tomayko, Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**Permit No. 100022. Chrin Brothers Sanitary Landfill, Chrin Brothers Sanitary Landfill, Inc.,** 635 Industrial Drive, Easton, PA 18042. A Major Permit Modification approval, authorizing the expansion of the permit area at the western permit boundary from 108.0 acres to 112.6 acres at this municipal waste landfill located in Williams Township, **Northampton County**. The expansion does not include a change in the permitted disposal capacity, disposal acreage, or waste acceptance rates. The Major Permit Modification was approved by the Regional Office on January 25, 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.**

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

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

**58-310-051GP3: Pennsy Supply, Inc.** (PO Box 3331, 1001 Paxton Street, Harrisburg, PA 17105) on January 24, 2012, to install and operate a portable crushing operation at their site in Bridgewater Township, **Susquehanna County**.

**58-329-044GP3: Pennsy Supply Inc.** (PO Box 3331, 1001 Paxton Street, Harrisburg, PA 17105) on January 24, 2012, to install and operate diesel engines at their site in Bridgewater Township, **Susquehanna County**.

**58-310-052GP3: F.S. Lopke Contracting, Inc.** (3430 State Route 434, Apalachin, NY 13732) on January 24, 2012, to construct and operate a Portable Crushing Operation with watersprays at their site in Harford Township, **Susquehanna County**.

**58-329-045GP3: F.S. Lopke Contracting, Inc.** (3430 State Route 434, Apalachin NY 13732) on January 24, 2012, to construct and operate diesel engines at their site in Harford Township, **Susquehanna County**.

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

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

**GP5-59-226: SWEPI, LP** (190 Thorn Hill Road, Warrendale, PA 15086) on January 19, 2012, to construct and operate four (4) 1380 hp Caterpillar G3516B LE (serial numbers 27302, 27299, 27300, & 27301) four (4)-stroke ultra-lean-burn (ULB) natural gas fired compressor engines each equipped with a EMIT Technologies oxidation catalyst model ELX-4200Z-1616F-31CEE-361, one (1) 95 hp GM 4.3L Vortec rich-burn natural gas fired generator engine, two (2) 50.0 MMSCF/day Cameron 550 Reconcinator glycol dehydration units each equipped with a separate 0.55 MMBtu/hr reboiler heater, and one (1) 10,000 gallon drained water tank at the Lawton Compressor Station in Delmar Township, **Tioga County**.

**GP5-41-649A: SWEPI, LP** (190 Thorn Hill Road, Warrendale, PA 15086) on December 20, 2011, to construct and operate one (1) 215 bhp Caterpillar G3406 NA serial 4FD03578 four (4)-stroke rich-burn compressor engine equipped with a Miratech model VX-RE-10XC non-selective catalytic reduction (NSCR) system, 30.0 MMscf/day NATCO model SB12-6, serial 0811-253 glycol dehydrator unit equipped with a 0.275 MMBtu/hr reboiler heater, and one 10,000 gallon produced water tank at the Delciotto No. 2 Compressor Station located in McNett Township, **Lycoming County**.

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

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

**GP5-30-00193A: CNX Gas Co., LLC** (200 Evergreen Drive, Waynesburg, PA 15370) on January 26, 2012, to allow the installation and operation of two (2) Caterpillar G3516 LE and one (1) Caterpillar model G3516B natural gas-fired compressor engines, each controlled by an oxidation catalyst, at the Lightner Run Compressor Station located in Center Township, **Greene County**.

**GP5-63-00951D: Rice Drilling B, LLC** (171 Hillpointe Dr Suite 350, Canonsburg, PA 15317-9554) on January 27, 2012, received authorization to construct and operate sources and controls associated with a natural gas production facility at the X-Man (Sims) Compressor Station located in Amwell Township, **Washington County**.

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

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

**GP3-24-160C: North Star Aggregates, Inc., Oyster Run Mine** (8205 Route 219, Brockport, PA 15832) on January 24, 2012, to operate a Portable Nonmetallic Mineral Processing Plant (BAQ-GPA/GP-3) in Horton Township, **Elk County**.

**GP9-24-160D: North Star Aggregates, Inc., Oyster Run Mine** (8205 Route 219, Brockport, PA 15832) on January 24, 2012, to operate Diesel or #2 Fuel-Fired Internal Combustion Engines (BAQ-GPA/GP-9) in Horton Township, **Elk County**.

**GP3-24-174A: North Star Aggregates, Inc.—Montmorenci Mine** (PA-948 North, Montmorenci Avenue, Ridgway, PA 15853) on January 24, 2012, to operate a Portable Nonmetallic Mineral Processing Plant (BAQ-GPA/GP-3) in Ridgway Township, **Elk County**.

**GP9-24-174B: North Star Aggregates, Inc.—Montmorenci Mine** (PA-948 North, Montmorenci Avenue, Ridgway, PA 15853) on January 24, 2012, to operate of Diesel or #2 Fuel-Fired Internal Combustion Engines (BAQ-GPA/GP-9) in Ridgway Township, **Elk County**.

**GP14-42-187A: Resting Acres Pet Cemetery** (1353 South Avenue, Bradford, PA 16701) on January 25, 2012, to operate an Animal Crematory (BAQ-GPA/GP-14) in Bradford, **McKean County**.

**GP5-42-207B: Atlas Resources, LLC, Dent Compressor Station** (SR 219, Big Run, PA 15715), issued January 25, 2012, for the operation of a natural gas fired compressor engine (BAQ-GPA/GP-5) in Lafayette Township, **McKean County**.

**GP5-42-208A: Atlas Resources, LLC—Big Shanty Compressor Station** (Big Shanty Road, Lafayette, PA 16738) on January 26, 2012, to operate of a natural gas fired compressor engine (BAQ-GPA/GP-5) in Lafayette Township, **McKean County**. This permit was previously permitted under M & M Royalty, Ltd.

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**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.**

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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*

**09-0024H: Waste Management of Pennsylvania, Inc.** (1000 New Ford Mill Rd, Morrisville, PA 19067) on January 30, 2012, to install a landfill gas fired 2233 brake horsepower (bhp) generator engine at their Tullytown Resource Recovery Facility (TRFF) in Tullytown Borough, **Bucks County**. The landfill is a Title V facility. The bulk of the landfill gas produced at TRFF will continue to be sent off-site. The engine will employ lean burn technology to minimize formation of nitrogen oxides (NO<sub>x</sub>). The engine will be required to meet 98% destruction efficiency of incoming volatile organic compounds (VOC) or a concentration of 20 parts per million non-methane organic compounds (NMOC) (excluding formaldehyde) as hexane at 3% oxygen content, dry basis in the exhaust stream. The engine will be limited to emissions of 0.41 g/bhp-hr formaldehyde. The project is subject to the requirements of Non-attainment New Source Review, codified at 25 Pa. Code § 127.203(b)(1)(ii). In order to comply, the applicant has procured tons of VOC emission reduction credits (ERC), in accordance with 25 Pa. Code § 127.210. The engine is subject to the requirements of New Source Standards of Performance (NSPS) for Stationary Spark Ignition Internal Combustion Engines, 40 CFR Part 60, Subpart JJJJ. The company will comply with all required monitoring, recordkeeping and testing requirements.

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

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

**39-302-198: Kraft Foods Global, Inc.** (7352 Industrial Boulevard, Allentown, PA 18106) on January 24, 2012, to install a new 31.2 MMBTU natural gas fired boiler and modification to the facility wide emission limits and fuel usage at their facility in Upper Macungie Township, **Lehigh County**.

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

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

**24-083T: Mersen USA St Marys—formerly Carbone of America** (215 Stackpole Street, St Marys, PA 15857) on January 24, 2012, to install a new graphitizing furnace. This action is under Plan Approval 24-083T for their facility at 1032 Trout Run Road, in the City of St Marys, **Elk 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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*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*

**06-05079E: United Corrstack, LLC** (720 Laurel Street, Reading, PA 19602-2718) on January 24, 2012, to a 482 mmBtu/hr circulating fluidized bed boiler and a 30 MW steam turbine in the City of Reading, **Berks County**. The plan approval was extended.

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

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

**49-00001: Mt. Carmel Cogeneration, Inc.** (PO Box 409, Marion Heights Rd, Marion Heights PA 17832) on January 24, 2012, to issue a Title V Operating Permit (renewal) for their electric generating facility in Mt. Carmel Township, **Northumberland County**. The renewal Title V operating permit contains monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulations.

*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*

**PA-03-00183B: EQT Gathering, LLC.** (Suite 1700, 625 Liberty Avenue, Pittsburgh, PA, 15222) on January 20, 2012, to make a minor modification change to the Tax Identification Number (EIN) of EQT Gathering, LLC on the Plan Approval at their the Jupiter Compressor Station in Morgan Township, **Greene County**.

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

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

**25-920D: Waste Management of Pennsylvania, Inc.—Lakeview Landfill** (851 Robison Road East, Erie, PA 16509) issued January 31, 2012, to construct a landfill expansion and the increase in carbon monoxide emissions limits associated with existing landfill gas-fired engines at their facility in Summit Township, **Erie County**. This is a Title V facility.

**42-028B: Saint-Gobain** (1 Railroad Avenue, Port Allegany, PA 16743), issued January 31, 2012, for plan approval to rebrick and to install an Oxygen Enriched Air Staging System on Furnace No. 1 at the container glass manufacturing facility in Port Allegany Borough, **McKean County**. This is a Title V facility, Permit #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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*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

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

**16-00132: Clarion Boards** (PO Box 340, 143 Fiberboard Road, Shippensburg, PA 16254-0340) on January 27, 2012, issued an administrative amendment to the Title V Operating Permit to incorporate the plan approval 16-132I requirements into the permit for the facility located in Paint Township, **Clarion County**.

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

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

**15-00042: Southeastern Veterans Center** (1 Veterans Drive, Spring City, PA 19475) on January 31, 2012, to operate two (2) boilers, two (2) emergency generators, one (1) fire pump, one (1) chiller and various small natural gas heaters at the care center for retired veterans of war in East Vincent Township, **Chester County**. This action is a renewal of the original State Only Operating Permit (Synthetic Minor), which was issued on December 20, 2006. The renewal will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**15-00038: Flint Ink Corp.** (210 Phillips Road, Lionville, PA 19341) on January 31, 2012, to operate a printing ink manufacturing facility in Uwchlan Township, **Chester County**. The permit is for a non-Title V (State only) facility. Sources of air emissions are various mixers and mills, and one baghouse for the control of particulate matter. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**29-03007: Mellott Wood Preserving Co., Inc.** (1398 Sawmill Road, PO Box 209, Needmore, PA 17238-0209) on January 24, 2012, for their creosote/coal tar-treated hardwood manufacturing facility in Belfast Township, **Fulton County**. The State-only permit was renewed.

**21-05044: Dairy Farmers of America, Inc.** (4825 Old Gettysburg Road, Mechanicsburg, PA 17055-4814) on January 24, 2012, for their bottled dairy beverage manufacturing facility in Lower Allen Township, **Cumberland County**. The State-only permit was renewed.

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

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

**32-00375: Rosebud Mining Co.** (301 Market Street, Kittanning, PA 16201) on January 20, 2012, for operation of their Lowry Deep Mine Portable Coal Preparation Plant. The 800,000 ton per year facility contains air contamination sources, consisting of one 250 tph screen, conveyers, truck loading, storage piles, and a 277-bhp diesel emergency engine. The facility is subject to the applicable requirements of 40 CFR 60, Subpart Y and Subpart IIII and Pa. Code Title 25, Chapters 121—145. The permit also includes emission limitations, operational requirements, monitoring requirements, and recordkeeping requirements for the facility located in White Township, **Indiana County**.

**56-00011: New Enterprise Stone and Lime Co.—Central City Sand Plant** (417 Sand Plant Road, Cairnbrook, PA 15924) on January 25, 2012, for operation of a sand processing plant located in Shade Township, **Somerset County**. The subject facility consists of the following processing equipment: seven crushers, four screens, one sand classifier and transfer belts. The facility is limited to 1,000,000 tons of product per consecutive 12-month period. The facility also operates two diesel generators: Caterpillar 3508, rated at 1089 bhp and a Caterpillar D398 rated at 939 bhp. The 939 bhp engine is limited to 3,500 hours per consecutive 12-month period. The facility has the potential to emit: 98.9 tpy NO<sub>x</sub>; 18.3 tpy SO<sub>x</sub>; 8.0 tpy CO; 1.10 tpy VOC; 66.61 tpy PM and 23.91 PM-10. The facility is required to conduct daily inspections of the site, as well as maintain records of throughput, fuel usage, hours of operation, and actual emissions to ensure compliance with the operating permit limitations. The proposed authorization is subject to State and Federal Regulations (40 CFR Part 60, Subpart OOO). The permit includes additional operation requirements, monitoring requirements, and recordkeeping requirements.

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

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636*

**25-00987: Hanes Erie, Inc.** (7601 Klier Dr South, Fairview, PA 16415-2449) on January 26, 2012, issued a renewal of a State Only Operating Permit for the facility in Fairview Township, **Erie County**. The facility is a Synthetic Minor. The primary sources at the facility are 8 paint spray booths. The renewal permit contains emission restrictions, reporting, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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**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.**

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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*

**46-00081: Markel Corp.** (416 School House Lane, Norristown, PA 19404) on January 26, 2012, for an administrative amendment to their Title V Operating Permit at their facility in Plymouth Township, **Montgomery County**. The facility is a manufacturer of

fluoropolymer tubing and coated wire, plastic tubing, coated fiberglass sleeving, and specialty tubing products. The revised Title V operating permit will contain additional monitoring, recordkeeping, reporting and work practice standards to keep the facility operating within all applicable air quality requirements.

The following conditions have been addressed in the amended Title V Permit:

1. Section D, Sources 101 and 104, Condition #004(f): Revised the deadline for submission of test report(s) to the Department.

2. Section D, Source 105, Condition #005(f): Revised the deadline for submission of test report(s) to the Department.

The Administrative Amendment is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

**15-00067: HERR Foods, Inc.** (273 Old Baltimore Pike in West Nottingham, PA 19362) on January 31, 2012, located in West Nottingham Township, **Chester County**. The amendment incorporates the expansion to Chip Line No. 4 by adding two (2) additional batch kettle fryers. The conditions from Plan Approval 15-0067H were copied into the State Only Operating Permit. Administrative Amendment of State Only Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

**46-00162: Hammond Lead Products** (10 South Grosstown Road, Pottstown, PA 19464) on January 31, 2012, for operation of a lead oxide manufacturing plant located in West Pottsgrove Township, **Montgomery County**. The permit is for a non-Title V (State only) facility. The facility has a potential to emit less than 25 tons per year of Nitrogen Oxides (NOx) and Volatile Organic Compounds (VOC); the facility is a Natural Minor. Particulate matter and lead emissions from each source are collected by baghouses and then controlled by high efficiency particulate air (HEPA) filter systems. All sources located at the facility are subject to the requirements of 40 CFR Part 63, Subpart VVVVVV—National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources. Administrative Amendment of the Natural Minor Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450. The amendment incorporates terms and conditions from Plan Approval No. 46-0162A, which allows for the installation of two (2) exhaust points for the existing Poly-Dispersion Process Line (Source ID 106) and Rail Car Loading Operation (Source ID 107). The amended permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

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

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

**62-00150: Superior Tire & Rubber Corporation** (1818 Pennsylvania Ave. West, PO Box 308, Warren, PA 16365), on January 26, 2012, issued an administrative amendment to the State Operating Permit to incorporate the plan approval 62-150C requirements into the permit for the facility located in Warren City, **Warren 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 Permits Actions*

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

**56060101 and NPDES No. PA0249904. Fieg Brothers**, 3070 Stoystown Road, Stoystown, PA 15563, permit renewal for the continued operation and restoration of a bituminous surface mine in Stonycreek Township, **Somerset County**, affecting 194.6 acres. Receiving stream(s): UTS to Buck Run, Schrock Run and Stonycreek River classified for the following use(s): cold water fisheries. The first downstream potable water supply intake from the point of discharge is Hooversville Municipal Authority. Application received July 11, 2011. Permit issued: January 23, 2012.

**56060101 and NPDES No. PA0249904. Fieg Brothers**, 3070 Stoystown Road, Stoystown, PA 15563, revision of an existing bituminous surface mine to permit the temporary closing of Gobblers Knob Road (T-563) beginning at the intersection with Covered Bridge Road and continuing approximately 1250 feet to Fiegtown Road, and providing a temporary bypass for a period of approximately 2 years in Stonycreek Township, **Somerset County**, affecting 194.6 acres. Receiving stream(s): UT to Buck Run; UT to Schrock Run and UT to Stonycreek River classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is Hooversville Municipal Authority. Application received: October 3, 2011. Permit issued: January 23, 2012.

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

**33110102 and NPDES Permit No. PA0259101. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127). Commencement, operation and restoration of a bituminous surface mine in Union Township and Corsica Borough, **Jefferson County** affecting 33.5 acres. Receiving streams: Unnamed tributary to Welch Run. Application received: May 19, 2011. Permit Issued: January 23, 2012.

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

**17030112 and NPDES No. PA0243566. Clearfield Properties, Inc.** (2151 Lisbon Road, Kennerdell, PA 16374). Transfer of an existing bituminous surface mine

from U.S. Operating Services Co., located in Chest Township, **Clearfield County** affecting 148.9 acres. Receiving streams: unnamed tributaries to North Camp Run to Chest Creek classified for cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: June 30, 2011. Permit issued: January 23, 2012.

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

**13743002R5. Pagnotti Enterprises, Inc.**, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite surface mine and coal refuse reprocessing operation in Banks and Hazle Townships, **Carbon and Luzerne Counties** affecting 984.5 acres, receiving streams: Catawissa and Beaver Creeks. Application received: November 5, 2010. Renewal issued: January 20, 2012.

**13743002GP104. Pagnotti Enterprises, Inc.**, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 13743002 in Banks and Hazle Townships, **Carbon and Luzerne Counties**, receiving streams: Catawissa and Beaver Creeks. Application received: November 18, 2011. Permit issued: January 20, 2012.

**19860101R5. Jac-Mar Coal Co. t/a L & E Coal**, (P. O. Box 353, Cresco, PA 18326), renewal of an existing anthracite surface mine operation in Conyngham Township, **Columbia County** affecting 190.0 acres, receiving stream: unnamed tributary of Big Mine Run. Application received: April 20, 2011. Renewal issued: January 30, 2012.

**19860101GP104. Jac-Mar Coal Co. t/a L & E Coal**, (P. O. Box 353, Cresco, PA 18326), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 19860101 in Conyngham Township, **Columbia County**, receiving stream: unnamed tributary of Big Mine Run. Application received: April 20, 2011. Permit issued: January 30, 2012.

#### *Noncoal Permits Actions*

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

**7575SM1 and NPDES No. PA0594296. Hempt Brothers, Inc.**, 205 Creek Road, P. O. Box 278, Camp Hill, PA 17001, revision of an existing surface mine to convert 25.3 acres of existing permitted support area to mineral extraction within the current SMP in Silver Spring Township, **Cumberland County**, affecting 196.2 acres. Receiving stream(s): unnamed tributary to/and Hogestown Run classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is located on Conodoguinet Creek approximately five miles downstream from the quarry. The water supply is owned and operated by PA American Water Company West. Application received: June 29, 2011. Permit issued: January 23, 2012.

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

**7475SM10A1C9 and NPDES Permit No. PA0123242. ESSROC Cement Corp.**, (3251 Bath Pike, Nazareth, PA 18064), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Nazareth Borough and Upper Nazareth Township, **Northampton County**, receiving stream: unnamed tributary to East

Branch of Monocacy Creek. Application received: October 26, 2011. Renewal issued: January 24, 2012.

**58102812. Rich Jenkins, Inc.**, (362 Grinnell Road, Kingsley, PA 18826), commencement, operation and restoration of a quarry operation in Bridgewater Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received: June 14, 2010. Permit issued: January 24, 2012.

**64080801GP104. Roloson Excavating, Inc.**, (836 Braman Road, Equinunk, PA 18417), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 64080801 in Manchester Township, **Wayne County**, receiving stream: Delaware River. Application received: June 23, 2011. Permit issued: January 25, 2012.

**19810302C2. Sokol Quarries, Inc.**, (P. O. Box 366, Bloomsburg, PA 17815), correction to an existing quarry operation to authorize a stream relocation and update the mining area in Benton and Fishing Creek Townships and Stillwater Borough, **Columbia County** affecting 152.0 acres, receiving streams: unnamed tributary to Fishing Creek and Raven Creek. Application received: March 3, 2011. Correction issued: January 30, 2012.

**19810302GP104. Sokol Quarries, Inc.**, (P. O. Box 366, Bloomsburg, PA 17815), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 19810302 in Benton and Fishing Creek Townships and Stillwater Borough, **Columbia County**, receiving streams: unnamed tributary to Fishing Creek and Raven Creek. Application received: March 3, 2011. Permit issued: January 30, 2012.

**58112509. Douglas G. Kilmer**, (4847 State Route 106, Clifford Township, PA 18470), commencement, operation and restoration of a quarry operation in Harford Township, **Susquehanna County** affecting 5.0 acres, receiving stream: Unnamed to Nine Partners Creek. Application received: April 26, 2011. Permit issued: January 30, 2012.

**58112509GP104. Douglas G. Kilmer**, (4847 State Route 106, Clifford Township, PA 18470), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58112509 in Harford Township, **Susquehanna County**, receiving stream: Unnamed to Nine Partners Creek. Application received: April 26, 2011. Permit issued: January 30, 2012.

#### **ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

#### *Blasting Permits Actions*

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

**63124001. Lane Construction Group** (2 Presley Road, Bridgeville, PA 15017). Blasting activity permit for the construction of the Industrial and rail yard project, located in Chartiers, Cecil, and Mt. Pleasant Townships, **Washington County**. The duration of blasting is expected to last five months. Blasting permit issued: January 23, 2012.

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

**08124105. Silver Valley Drilling & Blasting, Inc.** (RR 4, Box 4192, Saylorsburg, PA 18353-9514). Blasting for utility work located in Wyalusing, Herrick and Stevens Townships, **Bradford County**. Permit issued: January 24, 2012. Permit expires: January 23, 2013.

**08124106. Meshoppen Blasting, Inc.** (Frantz Road, P. O. Box 127, Meshoppen, PA 18630). Blasting for a well site located in Wilmot Township, **Bradford County**. Permit issued: January 24, 2012. Permit expires: May 31, 2012.

**14124001. RES Coal LLC** (224 Grange Hall Road, Armagh, PA 15920). Blasting on the Hale #2 GFCC# 14-10-01 located in Rush Township, **Centre County**. Permit issued: January 19, 2012. Permit expires: January 1, 2016 or end of GFCC #14-10-01.

**14124012. Douglas Explosives, Inc.** (P. O. Box 77, Philipsburg, PA 16866). Construction blasting at the Penn State University Pegula Ice Arena located in College Township/State College Boro, **Centre County**. Permit issued: January 24, 2012. Permit expires: December 30, 2012.

**41124001. Appalachian Geophysical Services LLC** (2659 St. Rt. 60, P. O. Box 426, Killbuck, OH 44637). Seismic exploration blasting located in Lewis Township, **Lycoming County**. Permit issued: January 25, 2012. Permit expires: November 14, 2012.

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

**36124103. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Green Park Development in Rapho Township, **Lancaster County** with an expiration date of December 31, 2012. Permit issued: January 23, 2012.

**66124001. Geokinetics**, 927 North State Street, PO Box 259, Clarks Summit, PA 18411, seismic blasting for Wyoming PA 3D Phase 1 in Benton Township, **Lackawanna County**, Auburn & Springville Townships, **Susquehanna County**, Braintrim, Eaton, Lemon, Meshoppen, Overfield, Washington, Clinton, Forkston, Mehopy, North Branch, Tunkhannock & Windham Townships, **Wyoming County** with an expiration date of December 31, 2012. Permit issued: January 26, 2012.

**36124104. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Clair Byers manure pit in Clay Township, **Lancaster County** with an expiration date of April 30, 2012. Permit issued: January 26, 2012.

**36124105. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Summer Breeze Development in West Lampeter Township, **Lancaster County** with an expiration date of December 31, 2012. Permit issued: January 26, 2012.

**39124101. American Rock Mechanics, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Lehigh Hills in Upper Macungie Township, **Lehigh County** with an expiration date of January 31, 2013. Permit issued: January 26, 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 free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E0829-020: Appalachia Midstream, LLC**, 100 IST Center, Horseheads, NY 14845, Albany, Terry and Overton Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across an unnamed tributary to Black Creek (EV-MF) impacting 203 linear feet of stream; (Dushore, PA Quadrangle, Latitude: 41°35'14", Longitude: -76°29'26");

2. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across an unnamed tributary to Black Creek (EV-MF) impacting 64 linear feet of stream; (Dushore, PA Quadrangle, Latitude: 41°35'15", Longitude: -76°29'30");

3. a 16 inch diameter natural gas line across an unnamed tributary to Black Creek (EV-MF) impacting 6 linear feet of stream; (Overton, PA Quadrangle, Latitude: 41°35'23", Longitude: -76°30'02");
4. a 16 inch diameter natural gas line across an unnamed tributary to Black Creek (EV-MF) impacting 8 linear feet of stream; (Overton, PA Quadrangle, Latitude: 41°35'34", Longitude: -76°30'09");
5. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across an unnamed tributary to Black Creek (EV-MF) impacting 6 linear feet of stream; (Overton, PA Quadrangle, Latitude: 41°35'35", Longitude: -76°30'10");
6. a 16 inch diameter natural gas line across Black Creek (EV-MF) impacting 15 linear feet of stream; (Overton, PA Quadrangle, Latitude: 41°35'49", Longitude: -76°30'53");
7. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across an unnamed tributary to Millstone Creek (HQ-CWF,MF) impacting 64 linear feet of stream; (Overton, PA Quadrangle, Latitude: 41°36'00", Longitude: -76°31'52");
8. a 16 inch diameter natural gas line across Millstone Creek (HQ-CWF,MF) impacting 4 linear feet of stream; (Overton, PA Quadrangle, Latitude: 41°36'14", Longitude: -76°32'14");
9. a 16 inch diameter natural gas line across an unnamed tributary to Millstone Creek (HQ-CWF,MF) impacting 7 linear feet of stream; (Overton, PA Quadrangle, Latitude: 41°36'24", Longitude: -76°32'39");
10. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across an unnamed tributary to Millstone Creek (HQ-CWF,MF) impacting 107 linear feet of stream; (Overton, PA Quadrangle, Latitude: 41°36'25", Longitude: -76°32'41");
11. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across an unnamed tributary to Millstone Creek (HQ-CWF,MF) impacting 80 linear feet of stream; (Overton, PA Quadrangle, Latitude: 41°36'25", Longitude: -76°32'42");
12. a 16 inch diameter natural gas line across an unnamed tributary to Millstone Creek (HQ-CWF,MF) impacting 13 linear feet of stream; (Overton, PA Quadrangle, Latitude: 41°36'45", Longitude: -76°33'21");
13. a 16 inch diameter natural gas line across Chilson Run (HQ-CWF,MF) impacting 21 linear feet of stream; (Overton, PA Quadrangle, Latitude: 41°37'27", Longitude: -76°33'40");
14. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across an unnamed tributary to Black Creek (EV-MF) impacting 151 linear feet of stream; (Overton, PA Quadrangle, Latitude: 41°35'08", Longitude: -76°29'27");
15. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across Black Creek (EV-MF) impacting 150 linear feet of stream; (Overton, PA Quadrangle, Latitude: 41°34'29", Longitude: -76°30'23");
16. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across an unnamed tributary to Level Branch (EV-MF) impacting 80 linear feet of stream; (Overton, PA Quadrangle, Latitude: 41°34'47", Longitude: -76°31'10");
17. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across an unnamed tributary to Level Branch (EV-MF) impacting 150 linear feet of stream; (Overton, PA Quadrangle, Latitude: 41°35'00", Longitude: -76°31'35");
18. a 16 inch diameter natural gas line across an unnamed tributary to Level Branch (EV-MF) impacting 8 linear feet of stream; (Overton, PA Quadrangle, Latitude: 41°34'47", Longitude: -76°31'10");
19. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across an unnamed tributary to Level Branch (EV-MF) impacting 33 linear feet of stream; (Overton, PA Quadrangle, Latitude: 41°35'01", Longitude: -76°31'36");
20. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across Level Branch (EV-MF) impacting 150 linear feet of stream; (Overton, PA Quadrangle, Latitude: 41°35'01", Longitude: -76°31'38");
21. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across an unnamed tributary to Level Branch (EV-MF) impacting 80 linear feet of stream; (Overton, PA Quadrangle, Latitude: 41°35'07", Longitude: -76°32'31");
22. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across an unnamed tributary to Lick Creek (EV-MF) impacting 150 linear feet of stream; (Overton, PA Quadrangle, Latitude: 41°35'12", Longitude: -76°32'42");
23. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across an unnamed tributary to Level Branch (EV-MF) impacting 80 linear feet of stream; (Overton, PA Quadrangle, Latitude: 41°35'13", Longitude: -76°32'46");
24. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across a Palustrine Emergent Wetland (PEM) and a Palustrine Forested Wetland (PFO) impacting 8,851 square feet; (Dushore, PA Quadrangle, Latitude: 41°35'19", Longitude: -76°29'57");
25. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across a Palustrine Emergent Wetland (PEM) and a Palustrine Forested Wetland (PFO) impacting 2,050 square feet; (Overton, PA Quadrangle, Latitude: 41°35'22", Longitude: -76°30'02");
26. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across a Palustrine Emergent Wetland (PEM) and a Palustrine Forested Wetland (PFO) impacting 406 square feet; (Overton, PA Quadrangle, Latitude: 41°35'26", Longitude: -76°30'05");
27. a 16 inch diameter natural gas line across a Palustrine Emergent Wetland (PEM) and a Palustrine Scrub-Shrub Wetland (PSS) impacting 18 square feet; (Overton, PA Quadrangle, Latitude: 41°35'34", Longitude: -76°30'09");
28. a 16 inch diameter natural gas line across a Palustrine Forested Wetland (PFO) impacting 51 square feet; (Overton, PA Quadrangle, Latitude: 41°35'35", Longitude: -76°30'10");
29. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across a Palustrine Scrub-Shrub Wetland (PSS) and a Palustrine Forested Wetland (PFO) impacting 1,400 square feet; (Overton, PA Quadrangle, Latitude: 41°35'36", Longitude: -76°30'12");
30. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across a Palustrine

Emergent Wetland (PEM) and a Palustrine Scrub-Shrub Wetland (PSS) impacting 9,013 square feet; (Overton, PA Quadrangle, Latitude: 41°35'49", Longitude: -76°30'56");

31. a 16 inch diameter natural gas line across a Palustrine Emergent Wetland (PEM), Palustrine Scrub-Shrub (PSS) and a Palustrine Forested Wetland (PFO) impacting 406 square feet; (Overton, PA Quadrangle, Latitude: 41°36'14", Longitude: -76°32'14");

32. a 16 inch diameter natural gas line across a Palustrine Emergent Wetland (PEM) and a Palustrine Forested Wetland (PFO) impacting 624 square feet; (Overton, PA Quadrangle, Latitude: 41°36'15", Longitude: -76°32'16");

33. a 16 inch diameter natural gas line across a Palustrine Emergent Wetland (PEM) and a Palustrine Forested Wetland (PFO) impacting 273 square feet; (Overton, PA Quadrangle, Latitude: 41°36'18", Longitude: -76°32'23");

34. a 16 inch diameter natural gas line across a Palustrine Emergent Wetland (PEM) and a Palustrine Scrub-Shrub Wetland (PSS) impacting 177 square feet; (Overton, PA Quadrangle, Latitude: 41°36'19", Longitude: -76°32'27");

35. a 16 inch diameter natural gas line across a Palustrine Emergent Wetland (PEM) and a Palustrine Scrub-Shrub Wetland (PSS) impacting 69 square feet; (Overton, PA Quadrangle, Latitude: 41°35'26", Longitude: -76°30'05");

36. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across a Palustrine Forested Wetland (PFO) impacting 460 square feet; (Overton, PA Quadrangle, Latitude: 41°36'23", Longitude: -76°32'36");

37. a 16 inch diameter natural gas line across a Palustrine Emergent Wetland (PEM) and a Palustrine Forested Wetland (PFO) impacting 123 square feet; (Overton, PA Quadrangle, Latitude: 41°36'25", Longitude: -76°32'40");

38. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across a Palustrine Emergent Wetland (PEM) impacting 658 square feet; (Overton, PA Quadrangle, Latitude: 41°36'35", Longitude: -76°33'08");

39. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across a Palustrine Emergent Wetland (PEM) impacting 260 square feet; (Overton, PA Quadrangle, Latitude: 41°37'11", Longitude: -76°33'47");

40. a 16 inch diameter natural gas line across a Palustrine Scrub-Shrub Wetland (PSS) impacting 81 square feet; (Overton, PA Quadrangle, Latitude: 41°37'26", Longitude: -76°33'39");

41. a 16 inch diameter natural gas line across a Palustrine Scrub-Shrub Wetland (PSS) and a Palustrine Forested Wetland (PFO) impacting 162 square feet; (Overton, PA Quadrangle, Latitude: 41°37'28", Longitude: -76°33'40");

42. a 16 inch diameter natural gas line across a Palustrine Forested Wetland (PFO) impacting 54 square feet; (Powell, PA Quadrangle, Latitude: 41°37'43", Longitude: -76°33'32");

43. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across a Palustrine Emergent Wetland (PEM), Palustrine Scrub-Shrub Wetland (PSS) and a Palustrine Forested Wetland (PFO)

impacting 6,972 square feet; (Dushore, PA Quadrangle, Latitude: 41°35'08", Longitude: -76°29'26");

44. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across a Palustrine Emergent Wetland (PEM) and a Palustrine Scrub-Shrub Wetland (PSS) impacting 1,187 square feet; (Dushore, PA Quadrangle, Latitude: 41°35'26", Longitude: -76°30'05");

45. a 16 inch diameter natural gas line across a Palustrine Emergent Wetland (PEM) and a Palustrine Scrub-Shrub Wetland (PFO) impacting 63 square feet; (Overton, PA Quadrangle, Latitude: 41°34'30", Longitude: -76°30'23");

46. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across a Palustrine Emergent Wetland (PEM) and a Palustrine Scrub-Shrub Wetland (PSS) impacting 565 square feet; (Overton, PA Quadrangle, Latitude: 41°34'29", Longitude: -76°30'24");

47. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across a Palustrine Emergent Wetland (PEM) impacting 4,815 square feet; (Overton, PA Quadrangle, Latitude: 41°34'35", Longitude: -76°30'38");

48. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across a Palustrine Emergent Wetland (PEM) impacting 2,455 square feet; (Overton, PA Quadrangle, Latitude: 41°34'38", Longitude: -76°30'46");

49. a 16 inch diameter natural gas line and a temporary 12 foot wide equipment mat across a Palustrine Emergent Wetland (PEM) impacting 775 square feet; (Overton, PA Quadrangle, Latitude: 41°35'15", Longitude: -76°32'47");

The project will result in 1,710 linear feet or 13,783 square feet of temporary stream impacts, 41,354 square feet (0.95 acre) of PEM/PSS/PFO temporary wetland impacts and 460 square feet (0.01 acre) of PEM/PSS/PFO permanent wetland impacts all for the purpose of installing a natural gas line with associated access roadways.

**E5929-024: SWEPI LP**, 190 Thorn Hill Road, Warrendale, PA 15086, Richmond, Covington and Sullivan Townships, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering lines and a 10 inch and 4 inch diameter water line impacting 28 linear feet of an unnamed tributary to Tioga River (CWF) (Mansfield, PA Quadrangle 41°45'54"N 77°05'00"W);

2) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering lines and a 10 inch and 4 inch diameter water line impacting 86 linear feet of Tioga River (CWF) (Mansfield, PA Quadrangle 41°45'53"N 77°04'50"W);

3) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering lines and a 10 inch and 4 inch diameter water line impacting 21 linear feet of an unnamed tributary to Tioga River (CWF) (Mansfield, PA Quadrangle 41°45'48"N 77°04'37"W);

4) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering lines and a 10 inch and 4 inch diameter water line impacting 4 linear feet of an unnamed tributary to Tioga River (CWF) (Mansfield, PA Quadrangle 41°45'45"N 77°04'28"W);

5) 8 inch and 20 inch diameter natural gas gathering lines and a 10 inch and 4 inch diameter water line

impacting 7 linear feet of an unnamed tributary to Tioga River (CWF) (Mansfield, PA Quadrangle 41°45'37"N 77°04'11"W);

6) 8 inch and 20 inch diameter natural gas gathering lines and a 10 inch and 4 inch diameter water line impacting 13 linear feet of an unnamed tributary to Tioga River (CWF) (Mansfield, PA Quadrangle 41°45'37"N 77°04'08"W);

7) a temporary road crossing using a mat bridge impacting 10 linear feet of an unnamed tributary to Tioga River (CWF) (Mansfield, PA Quadrangle 41°45'36"N 77°07'08"W);

8) a temporary road crossing using a mat bridge impacting 16 linear feet of an unnamed tributary to the Tioga River (CWF) (Mansfield, PA Quadrangle 41°45'37"N 77°03'57"W);

9) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering lines and a 10 inch and 4 inch diameter water line impacting 11 linear feet of an unnamed tributary to Canoe Camp Creek (CWF) (Mansfield, PA Quadrangle 41°45'53"N 77°03'11"W);

10) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering lines and a 10 inch and 4 inch diameter water line impacting 79 linear feet of Canoe Camp Creek (CWF) (Mansfield, PA Quadrangle 41°45'54"N 77°03'00"W);

11) a temporary road crossing using a mat bridge impacting 23 linear feet of Canoe Camp Creek (CWF) (Mansfield, PA Quadrangle 41°45'48"N 77°03'00"W);

12) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering lines and a 10 inch and 4 inch diameter water line impacting 6 linear feet of an unnamed tributary to Canoe Camp Creek (CWF) (Mansfield, PA Quadrangle 41°46'05"N 77°02'15"W);

13) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering lines and a 10 inch and 4 inch diameter water line impacting 10 linear feet of an unnamed tributary to Canoe Camp Creek (CWF) (Mansfield, PA Quadrangle 41°46'42"N 77°02'06"W);

14) a temporary road crossing using a mat bridge impacting 15 linear feet of an unnamed tributary to Canoe Camp Creek (CWF) (Mansfield, PA Quadrangle 41°46'42"N 77°01'55"W);

15) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering lines and a 10 inch and 4 inch diameter water line impacting 15 linear feet of an unnamed tributary to Canoe Camp Creek (CWF) (Mansfield, PA Quadrangle 41°46'54"N 77°02'19"W);

16) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering lines and a 10 inch and 4 inch diameter water line impacting 22 linear feet of an unnamed tributary to Canoe Camp Creek (CWF) (Mansfield, PA Quadrangle 41°46'55"N 77°02'20"W);

17) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering lines and a 10 inch and 4 inch diameter water line impacting 6 linear feet of an unnamed tributary to Corey Creek (CWF) (Mansfield, PA Quadrangle 41°47'07"N 77°01'00"W);

18) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering lines and a 10 inch and 4 inch diameter water line impacting 14 linear feet of an unnamed tributary to Corey Creek (CWF) (Mansfield, PA Quadrangle 41°47'24"N 77°00'58"W);

19) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 1,369 square feet of a palustrine emergent (PEM) wetland and palustrine scrub/shrub (PSS) wetland (Mansfield, PA Quadrangle 41°45'52"N 77°05'34"W);

20) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 33,247 square feet of a palustrine emergent (PEM) wetland and palustrine scrub/shrub (PSS) wetland (Mansfield, PA Quadrangle 41°45'53"N 77°04'52"W);

21) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 23,058 square feet of a palustrine emergent (PEM) wetland and palustrine scrub/shrub (PSS) wetland (Mansfield, PA Quadrangle 41°45'46"N 77°04'30"W);

22) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 17,621 square feet of a palustrine emergent (PEM) wetland and palustrine scrub/shrub (PSS) wetland (Mansfield, PA Quadrangle 41°45'44"N 77°04'27"W);

23) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 1,044 square feet of a palustrine emergent (PEM) wetland and palustrine scrub/shrub (PSS) wetland (Mansfield, PA Quadrangle 41°45'37"N 77°04'21"W);

24) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 103 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°45'43"N 77°04'19"W);

25) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 109 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°45'33"N 77°04'08"W);

26) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 189 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°45'37"N 77°04'01"W);

27) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 1,942 square feet of a palustrine emergent (PEM) wetland and palustrine scrub/shrub (PSS) wetland (Mansfield, PA Quadrangle 41°45'37"N 77°04'03"W);

28) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 531 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°45'38"N 77°04'01"W);

29) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 2,079

square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°45'39"N 77°03'59"W);

30) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 199 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°45'44"N 77°03'48"W);

31) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 251 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°45'44"N 77°03'45"W);

32) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 625 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°45'44"N 77°03'41"W);

33) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 2,782 square feet of a palustrine forested (PFO) wetland (Mansfield, PA Quadrangle 41°45'47"N 77°03'28"W);

34) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 622 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°45'58"N 77°02'41"W);

35) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 1,089 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°46'00"N 77°02'34"W);

36) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 9,997 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°46'28"N 77°01'40"W);

37) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 3,411 square feet of a palustrine emergent (PEM) wetland and palustrine scrub/shrub (PSS) wetland (Mansfield, PA Quadrangle 41°46'36"N 77°02'01"W);

38) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 629 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°46'42"N 77°01'55"W);

39) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 377 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°46'48"N 77°02'12"W);

40) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 5,254 square feet of a palustrine emergent (PEM) wetland (Mansfield, PA Quadrangle 41°46'39"N 77°01'22"W);

41) a temporary road crossing using a mat bridge, 8 inch and 20 inch diameter natural gas gathering line and a 10 inch and 4 inch diameter water line impacting 5,565 square feet of a palustrine emergent (PEM) wetland and palustrine forested (PFO) wetland (Mansfield, PA Quadrangle 41°47'08"N 77°00'59"W);

The project will result in 363 linear feet of temporary stream impacts, a total of 108,368 square feet (2.49 acres) of temporary wetland impacts, and 3,725 square feet (.09 acre) of permanent wetland impacts all for the purpose of installing a natural gas gathering line, fresh waterline, and associated access roadways.

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

**E15-817. Pennsylvania Department of Transport District 6**, 7000 Geerdes Blvd, King of Prussia, PA 19406, West Whiteland Township, **Chester County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with Grove Road drainage improvement project:

1) To install and maintain a 74-foot long, 18 inch diameter culvert conveying the unnamed tributary (UNT) to Broad Run (HQ-CWF, MF). This work includes removal of the two existing 24-inch and 18-inch pipes located at the northern limit of the stream.

2) To construct and maintained a 30-inch diameter culvert and associated weir along Grove Road, to convey the overflow from the UNT to Broad Run. This work includes the associated rip-rap.

The site is located approximately 682 feet north of the intersection Grubbs Mill Road (T-561) and Grove Road (S.R. 3069) (Downingtown PA, USGS Quadrangle N: 0.34 inches, W: 1.24 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

**E09-958. PennDOT District 6-0**, 7000 Geerdes Boulevard, King of Prussia, PA 19406, Springfield Township, **Bucks County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the replacement of the existing bridge that carries S.R. 0412, Section 53M (Hellertown Road), over an unnamed tributary (UNT) to Cooks Creek (EV, MF):

1. To remove the existing bridge and to construct and maintain, in its place, a single Conspan open bottom arch culvert and associated wingwalls, impacting 0.003 acre of wetlands (Palustrine Emergent). The proposed culvert will be approximately 35 feet-6 inches-long, 24 feet wide, and 5 feet high.

2. To install and maintain several rock cross vanes and step pools at the upstream of the proposed culvert associated with the stream mitigation project.

The proposed bridge replacement project and associated stream mitigation will permanently impact approximately 144 linear feet and temporarily impact approximately 116 linear feet of the UNT to Cooks Creek. The project is located approximately 278 feet northeast of the intersection of Moyer and Hellertown Roads (Hellertown, PA USGS Quadrangle N: 8.31 inches, W: 7.45 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

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

**E06-668: Pa. Department of Transportation, Engineering District 5-0**, 1002 Hamilton Street, Allentown, PA 18101, in Pike Township **Berks County**, ACOE Philadelphia District

To remove the existing structure and construct and maintain a single span prestressed concrete spread box beam bridge skewed 75° having a clear span of 63.46 feet, a width of 29.83 feet, and an underclearance of 6.56 feet across Pine Creek (EV, MF) for the purpose of improving transportation safety and roadway standards. The project is located along SR 1026 (Bertolet Mill Road) in Pike Township, Berks County (Manatawny, PA Quadrangle; N: 6.1 inches, W: 15.6 inches; Latitude: 40°24'31", Longitude: -75°44'13").

**E22-529: Drew Williams, Williams Holding Group, LLC**, 3035 Progress Avenue, Harrisburg, PA 17110, in West Hanover Township, **Dauphin County**, ACOE Baltimore District

To: 1) enclose and maintain an unnamed tributary to Manada Creek (WWF, MF) in a 369.0-foot long, 36.0-inch diameter, 6.0-inch minimum, uniformly depressed HDPE pipe, including endwalls, 2) construct and maintain four 15.0-inch diameter HDPE stormwater outfalls with endwalls and rock riprap aprons discharging to an unnamed tributary to Manada Creek (WWF, MF) (Latitude: 40°20'43.86"N, Longitude: -76°42'28.97"W), an 8.0-inch diameter PVC sanitary sewer pipe, five 6.0-inch diameter PVC sanitary sewer laterals, an 8.0-inch diameter water main, a 2.0-inch diameter PVC gas line, a 2.0-inch diameter PVC conduit for electric, and a 2.0-inch diameter PVC conduit for cable crossing an unnamed tributary to Manada Creek (WWF, MF) (Latitude: 40°20'43.86"N, Longitude: -76°42'28.97"W), and 3) construct and maintain two 15.0-inch diameter HDPE stormwater outfalls with endwalls and rock riprap aprons discharging to an unnamed tributary to Manada Creek (WWF, MF) (Latitude: 40°20'50.09"N, Longitude: -76°42'31.47"W). The purpose of the project is for the construction of a residential development. The project is located along Linglestown Road (S.R. 0039), approximately a 1/2 mile north of its intersection with Allentown Boulevard (U.S. 0022) (Hershey, PA Quadrangle; N: 17.5 inches, W: 11.8 inches; Latitude: 40°20'47", Longitude: -76°42'30") in East and West Hanover Townships, Dauphin County.

*Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636*

**E47-094. Timothy Karr, Jacob's Landing LLC**, 519 North Derr Drive, Lewisburg, PA 17837-1001. Small Projects Water Obstruction and Encroachment Joint Permit, in Danville Borough, **Montour County**, ACOE Susquehanna River Basin District (Danville, PA Quadrangle N: 40° 57' 23"; W: 76° 36' 56").

To construct and maintain a 26 unit townhome complex in the delineated floodway of the Susquehanna River, which is located along Water Street in the Borough of Danville, Montour County. There are no proposed wetland impacts. This permit was issued under Section 105.13(e) "Small Projects."

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

**E04-337. Valvoline Rochester Processing Plant. Valvoline, Division of Ashland, Inc.**, 3499 Blazer Parkway, Lexington, KY 40509. To construct, operate and maintain a new 120 LF barge dock and barge unloading facility. The proposed structures will be constructed in the

Ohio River (WWF). The project is located to the west of the Monaca-East Rochester Bridge (Pa-51) (Beaver, PA Quadrangle; N: 12.75 inches, W: 2.5 inches; Latitude: 40° 41' 42"; Longitude: 80° 16' 05") in East Rochester Borough, **Beaver County**.

**E04-338. Chippewa Township Sanitary Authority**. 2811 Darlington Road, Beaver Falls, PA 15010. To stabilize and maintain approximately 210.0 linear feet of the right bank of the North Branch of Brady Run (TSF); and to remove two vegetated gravel bars totaling approximately 150.0 linear feet in length; and impact approximately 0.089 acre of wetlands for the purpose of protecting the existing sewer line and manholes. The project is located 250 feet north of the intersection of Chippewa Park Road and Shenango Road (Midland, PA Quadrangle; N: 22 inches, W: 0.5 inches; Latitude: 40°- 45'- 10"; Longitude: 80°- 22'- 30") in Chippewa Township, **Beaver County**.

#### ENVIRONMENTAL ASSESSMENTS

*Central Office: Bureau of Waterways Engineering, Rachel Carson State Office Building, Floor 3, 400 Market Street, Harrisburg, PA 17105*

**D36-019EA. Dave Lewis, Marietta Gravity Water Company**, 1195 River Road, P. O. Box 302, Marietta, PA 17547-0302. East Donegal and West Hempfield Townships, **Lancaster County**, ACOE Baltimore District. Project proposes to breach and remove Heistand Sawmill Dam across Chickies Creek (WWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 1200 feet of stream channel. The dam is located approximately 300 feet southeast of the intersection of SR 441 and Long Lane (T334) (Columbia West, PA Quadrangle; Latitude: 40° 3' 19", Longitude: -76° 31' 36").

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

*Southwest Region: Oil & Gas Program Manager, 400 Waterfront Drive Pittsburgh PA*

12/13/2011  
 ESCGP-1 No: ESX10-129-0007 Major Revision  
 Applicant Name: RW Gathering LLC  
 Contact Person David Freudenrich  
 Address: 1000 Town Center Suite 130  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Westmoreland Township: Derry  
 Receiving Stream (s) And Classifications: Saxman Run &  
 Union Run/Ohio River Watershed, Other WWF

1/24/2012  
 ESCGP-1 No.: ESX11-059-0077  
 Applicant Name: EQT Production  
 Contact Person: Todd Klaner  
 Address: 455 Racetrack Road  
 City: Washington State: Pa Zip Code: 15301  
 County: Greene Township(s): Morgan  
 Receiving Stream(s) and Classifications: Tributary 410323  
 to S Fork Tenmile Creek—WWF Trib 40324 to S Fork  
 Tenmile Creek—WWF Thenmile Creek Watershed, Other

1/24/2012  
 ESCGP-1 No.: ESX11-021-0010  
 Applicant Name: Carrizo Marcellus LLC  
 Contact Person: Gary Byron  
 Address: 251 Drainlick Road P O Box 231  
 City: Drifting State: PA Zip Code: 16834  
 County: Cambria Township(s): Reade  
 Receiving Stream(s) and Classifications: Muddy Run CWF,  
 MF, Other

1/24/12  
 ESCGP-1 No.: ESX12-125-0005  
 Applicant Name: Range Resources—Appalachia LLC  
 Contact Person: Glenn Truzzi  
 Address: 3000 Town Center Blvd  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Chartiers  
 Receiving Stream(s) and Classifications: UNT to Chartiers  
 Creek/Chartiers Creek Watershed, Other

1/24/12  
 ESCGP-1 No.: ESX12-125-0006  
 Applicant Name: Range Resources—Appalachia LLC  
 Contact Person: Glenn Truzzi  
 Address: 3000 Town Center Blvd  
 City: Canonsburg State: PA Zip Code: 15317  
 COUNTY Washington Township(s): Chartiers  
 Receiving Stream(s) and Classifications: UNT to Chartiers  
 Creek/Chartiers Creek Watershed, Other

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

ESCGP-1 # ESX11-115-0178  
 Applicant Name Southwestern Energy Production  
 Company  
 Contact Person Dave Sweeley  
 Address 917 State Route 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Susquehanna County  
 Township(s) New Milford Township  
 Receiving Stream(s) and Classification(s) East Lake  
 Creek and Salt Lick Creek (HQ-CWF);  
 Secondary: Susquehanna River (WWF)

ESCGP-1 # ESX11-113-0026  
 Applicant Name Chesapeake Appalachia  
 Contact Person Eric Haskins  
 Address 101 North Main Street  
 City, State, Zip Athens, PA 18810  
 County Sullivan County  
 Township(s) Cherry Township  
 Receiving Stream(s) and Classification(s) Marsh Creek

and UNT Marsh Creek (EV);  
 Secondary: Little Loyalsock Creek (EV)

ESCGP-1 # ESX12-113-0001  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 101 North Main Street  
 City, State, Zip Athens, PA 18810  
 County Sullivan County  
 Township(s) Forks Township  
 Receiving Stream(s) and Classification(s) Streby Run  
 (EV);  
 Secondary: Lick Creek (EV)

ESCGP-1 # ESX11-015-0315  
 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) Parks Creek,  
 West Branch Parks Creek;  
 Secondary: Wysox Creek

ESCGP-1 # ESX12-015-0006  
 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) Columbia Township  
 Receiving Stream(s) and Classification(s) Tributaries to  
 Sugar Creek (TSF);  
 Secondary: Sugar Creek

ESCGP-1 # ESX12-117-0001  
 Applicant Name Mainesburg GS, LP  
 Contact Person Terry Klare  
 Address 5613 DTC Parkway, Suite 200  
 City, State, Zip Greenwood Village, CO 80111  
 County Tioga County  
 Township(s) Sullivan Township  
 Receiving Stream(s) and Classification(s) Canoe Camp  
 Creek (CWF)

ESCGP-1 # ESX11-115-0165  
 Applicant Name Williams Field Services Company, LLC  
 Contact Person Clayton Roesler  
 Address 1605 Coraopolis Heights Road  
 City, State, Zip Moon Township, PA 15108  
 County Susquehanna County  
 Township(s) Bridgewater and Brooklyn Townships  
 Receiving Stream(s) and Classification(s) UNT to Meshop-  
 pen Creek (CWF)

ESCGP-1 # ESX11-081-0166  
 Applicant Name Aqua Infrastructure, LLC  
 Contact Person Marc Lucca  
 Address 762 W. Lancaster Avenue  
 City, State, Zip Bryn Mawr, PA 19010  
 County Lycoming County  
 Township(s) Anthony Township  
 Receiving Stream(s) and Classification(s) First Fork Larry's  
 Creek (HQ, EV);  
 Secondary: Susquehanna River

ESCGP-1 # ESX12-081-0005  
 Applicant Name Anadarko E&P Company  
 Contact Person Nathan Bennett  
 Address 33 W. Third Street, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) McHenry Township

- Receiving Stream(s) and Classification(s) UNT Miller Run (HQ-CWF, MF);  
Secondary: Miller Run (HQ-CWF, MF)
- ESCGP-1 # ESX12-027-0001  
Applicant Name Anadarko E&P Company  
Contact Person Nathan Bennett  
Address 33 W. Third Street, Suite 200  
City, State, Zip Williamsport, PA 17701  
County Centre County  
Township(s) Boggs Township  
Receiving Stream(s) and Classification(s) UNT to Council Run (CWF, MF);  
Secondary: Council Run (CWF, MF)
- ESCGP-1 # ESX12-015-0001  
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) UNT to Dewing Creek, UNT to Appalachian Creek (Both CWF/MF);  
Secondary: Dewing Creek, Appalachian Creek (Both CWF/MF)
- ESCGP-1 # ESX11-015-0321  
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) Columbia Township  
Receiving Stream(s) and Classification(s) Morgan Creek, UNT to Morgan Creek (Both TSF/MF);  
Secondary: Sugar Creek (TSF/MF)
- ESCGP-1 # ESX12-015-0008  
Applicant Name Chesapeake Appalachia, LLC  
Contact Person Eric Haskins  
Address 101 North Main Street  
City, State, Zip Athens, PA 18810  
County Bradford  
Township(s) West Burlington Township  
Receiving Stream(s) and Classification(s) Tomjack Creek, Mill Creek (Both TSF);  
Secondary: Sugar Creek (WWF)
- ESCGP-1 # ESX11-115-0183  
Applicant Name Southwestern Energy Production Company  
Contact Person Dave Sweeley  
Address 917 State Route 92 North  
City, State, Zip Tunkhannock, PA 18657  
County Susquehanna County  
Township(s) New Milford Township  
Receiving Stream(s) and Classification(s) East Lake Creek & UNT to Salt Lick Creek (HQ);  
Secondary: Susquehanna River (WWF)
- ESCGP-1 # ESX11-115-0177  
Applicant Name Southwestern Energy Production Company  
Contact Person Dave Sweeley  
Address 917 State Route 92 North  
City, State, Zip Tunkhannock, PA 18657  
County Susquehanna County  
Township(s) New Milford and Jackson Townships  
Receiving Stream(s) and Classification(s) UNT to Butler Creek (CWF-MF, Majority of Site); Salt Lick Creek Baskin (HQ-CWF, MF);  
Secondary: Susquehanna River
- ESCGP-1 # ESX11-081-0079 (02)  
Applicant Name EXCO Resources (PA), LLC  
Contact Person Scott Sweeder  
Address 3000 Ericsson Drive, Suite 200  
City, State, Zip Warrendale, PA 15086  
County Lycoming County  
Township(s) Penn Township  
Receiving Stream(s) and Classification(s) Sugar Run, UNT Sugar Run, Big Run, UNT Big Run
- ESCGP-1 # ESX11-081-0078 (02)  
Applicant Name EXCO Resources (PA), LLC  
Contact Person Scott Sweeder  
Address 3000 Ericsson Drive, Suite 200  
City, State, Zip Warrendale, PA 15086  
County Lycoming County  
Township(s) Penn Township  
Receiving Stream(s) and Classification(s) Sugar Run, UNT Sugar Run, Big Run, UNT Big Run
- ESCGP-1 # ESX11-081-0061 (01)  
Applicant Name EXCO Resources (PA), LLC  
Contact Person Scott Sweeder  
Address 3000 Ericsson Drive, Suite 200  
City, State, Zip Warrendale, PA 15086  
County Lycoming County  
Township(s) Penn Township  
Receiving Stream(s) and Classification(s) Sugar Run, Greg's Run, Big Run & Beaver Run
- ESCGP-1 # ESX11-081-0081 (01)  
Applicant Name EXCO Resources (PA), LLC  
Contact Person Scott Sweeder  
Address 3000 Ericsson Drive, Suite 200  
City, State, Zip Warrendale, PA 15086  
County Lycoming County  
Township(s) Penn Township  
Receiving Stream(s) and Classification(s) Beaver Run, UNT Beaver Run, Muncy Creek, UNT Muncy Creek (HQ)
- ESCGP-1 # ESX11-117-0036 (01)  
Applicant Name SWEPI LP  
Contact Person H. James Sewell  
Address 190 Thorn Hill Road  
City, State, Zip Warrendale, PA 15286  
County Tioga County  
Township(s) Richmond and Sullivan Townships  
Receiving Stream(s) and Classification(s) UNT to Mill Creek, Kelly Creek, and UNT to Tioga River (All CWF, MF); Mad Run and UNT to Mad Run (TSF, MF)
- ESCGP-1 # ESX09-117-0046 (01)  
Applicant Name SWEPI LP  
Contact Person H. James Sewell  
Address 190 Thorn Hill Road  
City, State, Zip Warrendale, PA 15286  
County Tioga County  
Township(s) Clymer Township  
Receiving Stream(s) and Classification(s) UNT to Jemison Creek/Susquehanna River Basin in PA (List I);  
Secondary: Jemison Creek to Cowanesque River
- ESCGP-1 # ESX11-117-0030 (01)  
Applicant Name SWEPI LP  
Contact Person H. James Sewell  
Address 190 Thorn Hill Road  
City, State, Zip Warrendale, PA 15286  
County Tioga County  
Township(s) Delmar Township  
Receiving Stream(s) and Classification(s) UNT to Marsh Creek (CWF, MR); Marsh Creek (WWF, MF)
- ESCGP-1 # ESX12-117-0002  
Applicant Name SWEPI LP  
Contact Person H. James Sewell

Address 190 Thorn Hill Road  
City, State, Zip Warrendale, PA 15286  
County Tioga County  
Township(s) Rutland Township  
Receiving Stream(s) and Classification(s) UNT to Mill  
Creek/Susquehanna River Basin in PA—Susquehanna  
River (List H) (TSF);  
Secondary: Tioga River/Susquehanna River Basin in  
PA—Susquehanna River (List H)

ESCGP-1 # ESX11-033-0038  
Applicant Name Energy Corporation of America  
Contact Person Mark Fry  
Address 1380 Route 286 Highway East, Suite 221  
City, State, Zip Indiana, PA 15701  
County Clearfield County  
Township(s) Girard Township  
Receiving Stream(s) and Classification(s) Deer Creek,  
West Branch Susquehanna (CWF)

ESCGP-1 # ESX11-115-0137 (01)  
Applicant Name Williams Field Services Company, LLC  
Contact Person Kristy Flavin  
Address 1605 Coraopolis Heights Road  
City, State, Zip Moon Township, PA 15108-4310  
County Susquehanna County  
Township(s) Auburn and Springville Townships  
Receiving Stream(s) and Classification(s) Dority, Nick,  
Riley and Trib. of White Creeks/Upper Susquehanna—  
Tunkhannock Watershed

ESCGP-1 # ESX11-015-0325  
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) Litchfield Township  
Receiving Stream(s) and Classification(s) Satterlee Creek  
and Mallory Creek;  
Secondary: Susquehanna River

ESCGP-1 # ESX12-015-0007  
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) Wilmot Township  
Receiving Stream(s) and Classification(s) UNT to Panther  
Lick Creek, Trib. to Sugar Run Creek;  
Secondary: Sugar Run Creek

ESCGP-1 # ESX11-015-0144 (02)  
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) Pike and Warren Townships  
Receiving Stream(s) and Classification(s) Ross Creek  
(WWF-MF), Gaylord Creek (CWF, MF), Southwick  
Creek (CWF-MF), Wappasening Creek (CWF, MF)

ESCGP-1 # ESX10-117-0202 (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) Union Township  
Receiving Stream(s) and Classification(s) West Mill Creek  
(HQ-CWF, MF)

ESCGP-1 # ESX11-117-0074 (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) Rutland Township  
Receiving Stream(s) and Classification(s) Mill Creek,  
Bailey Creek, Painter Run, Trib. To Mill Creek, Trib. To  
Bailey Creek, Trib. To Hibbard's Run, and Trib. To  
Painter Run (All TSF, MF)

ESCGP-1 # ESX11-117-0008 (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) Union Township  
Receiving Stream(s) and Classification(s) Trib. To Salt  
Spring Run (HQ-CWF, MF)

ESCGP-1 # ESX11-115-0164  
Applicant Name Kenneth Marcum  
Contact Person Cabot Oil & Gas Corporation  
Address Five Penn Center West, Suite 401  
City, State, Zip Pittsburgh, PA 15276  
County Susquehanna County  
Township(s) Harford Township  
Receiving Stream(s) and Classification(s) UNT's to East  
Branch Martin's Creek (CWF) & UNT to Leslie Creek  
(CWF)/Susquehanna River;  
Secondary: Susquehanna River

ESCGP-1 # ESX11-115-0185  
Applicant Name Kenneth Marcum  
Contact Person Cabot Oil & Gas Corporation  
Address Five Penn Center West, Suite 401  
City, State, Zip Pittsburgh, PA 15276  
County Susquehanna County  
Township(s) Dimock Township  
Receiving Stream(s) and Classification(s) UNT to Elk  
Lake Stream (CWF), UNT to West Creek (CWF) and  
West Creek (CWF)

ESCGP-1 # ESX11-015-0299  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Patrick Myers, Jr.  
Address 100 Ist Center  
City, State, Zip Horseheads, NY 14845  
County Bradford County  
Township(s) Terry, Albany, and Asylum Townships  
Receiving Stream(s) and Classification(s) Sugar Run and  
UNT's to Sugar Run (CWF/MF), Durell Creek and  
UNT's to Durell Creek (WWF/MF)

ESCGP-1 # ESX12-015-0005  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Patrick Myers, Jr.  
Address 100 Ist Center  
City, State, Zip Horseheads, NY 14845  
County Bradford County  
Township(s) Smithfield Township  
Receiving Stream(s) and Classification(s) UNT to the  
Tomjack Creek (TSF, MF), UNT to the West Branch of  
the Tomjack Creek (TSF, MF)

ESCGP-1 # ESX12-015-0010  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Patrick Myers, Jr.  
Address 100 Ist Center  
City, State, Zip Horseheads, NY 14845  
County Bradford County

Township(s) Smithfield Township  
 Receiving Stream(s) and Classification(s) Peas Creek—  
 TSF/MF), UNT to the Peas Creek (TSF, MF) UNT to  
 the Browns Creek (WWF, MF)

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

<i>ESCGP-1 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
3311803	Appalachia Midstream LLC 3000 Ericsson Drive, Suite 200 Warrendale PA 15086	Jefferson	Snyder Township	Curry Run CWF Rattlesnake Run CWF

*Northwest Region: Oil and Gas Program Manager, 230  
 Chestnut St., Meadville, PA 16335*

ESCGP-1 #ESX12-123-0014—Catherine Brown Lease  
 Applicant Universal Resource Holdings  
 Contact David See  
 Address 3152 East Main Road  
 City Dunkirk State NY Zip Code 14048  
 County Warren Township(s) Sugar Grove(s)  
 Receiving Stream(s) and Classification(s) UNT to Jackson  
 Run/Jackson Run/Irvine Run

ESCGP-1 #ESX12-065-0045—Sterrett Pad  
 Applicant EXCO Resources (PA), LLC  
 Contact Mr. Larry Sanders

Address 3000 Ericsson Drive, Suite 200  
 City Warrendale State PA Zip Code 15086  
 County Jefferson Township(s) Washington(s)  
 Receiving Stream(s) and Classification(s) Beaverdam Run  
 (HQ-CWF) and Unnamed Tributary to Mill Creek  
 (CWF)  
 ESCGP-1 #ESX11-065-0044—McKee Pad  
 Applicant CNX Gas Company LLC  
 Contact Mr. Craig Neil  
 Address 280 Indian Springs Road, Suite 333  
 City Indiana State PA Zip Code 15701  
 County Jefferson Township(s) Gaskill(s)  
 Receiving Stream(s) and Classification(s) UNT to Mahon-  
 ing Creek / Mahoning Creek Watershed

**STORAGE TANKS**

**SITE-SPECTIFIC INSTALLATION PERMITS**

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

<i>SSIP Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
12-63-006	Frac Tech Services, LLC 777 Main Street, Suite 3000 Fort Worth, TX 76102-5304 Attn: Zachary Ceplecha	Washington	North Strabane Township	8 ASTs storing petroleum products and hazardous substances	68,000 gallons total

**SPECIAL NOTICES**

**ENVIRONMENTAL ASSESSMENT**

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

*Project Information:*

<i>Project Applicant</i>	<i>Project Applicant's Address</i>	<i>Project Location (Municipality)</i>	<i>Project Location (County)</i>
Coplay-Whitehall Sewer Authority	3213 MacArthur Road Whitehall, PA 18052	Whitehall Twp.	Lehigh
Whitehall Twp.	3219 MacArthur Road Whitehall, PA	Whitehall Twp.	Lehigh

Description: The Coplay-Whitehall Sewer Authority proposes to replace the Coplay Creek Interceptor which has a length of about 24,000 feet; to rehabilitate about twenty manholes; and to install about 1,600 feet of cured-in-place liner in the existing sanitary sewer main for stream crossings that connect with the Interceptor. The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the project's funding source. The Department's review of the project and the information in the Environmental Report has not identified any significant, adverse environmental impact resulting from the proposal. The Department hereby approves the Environmental Assessment.

[Pa.B. Doc. No. 12-232. Filed for public inspection February 10, 2012, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at <http://www.eLibrary.dep.state.pa.us>. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Draft Technical Guidance—Substantive Revision*

DEP ID: 563-2504-501. Title: Qualifying, Processing, and Tracking Financial Guarantees and Bond Credits. Description: The purpose of this document is to provide guidance to evaluate, process and track remaining financial guarantees and bond credits. It is revised to reflect regulatory changes that affect this program. Written Comments: Interested persons may submit written comments on this Draft Technical Guidance Document by March 12, 2012. Comments submitted by facsimile will not be accepted. All comments, including comments submitted by electronic mail must include the originator's name and address. Written comments should be submitted to Chris Yeakle, P. O. Box 669, Knox, PA 16232, (814) 797-1191 and [cyeakle@pa.gov](mailto:cyeakle@pa.gov). Contact: Chris Yeakle (814) 797-1191 or [cyeakle@pa.gov](mailto:cyeakle@pa.gov).

*Effective Date:* Upon publication of notice as final in the *Pennsylvania Bulletin*.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-233. Filed for public inspection February 10, 2012, 9:00 a.m.]

### Bid Opportunity

**OSM 40(2318)104.1, Abandoned Mine Reclamation Project, Currie Hill-Avondale, Plymouth Township, Luzerne County.** The principal items of work and approximate quantities include mobilization and demobilization; implementation of the Erosion and Sediment Control Plan; grading 89,800 cubic yards; drainage excavation 14,390 cubic yards; rock lining 10,090 square yards; and seeding 91.8 acres. This bid issues February 11, 2012, and bids will be opened on March 13, 2012, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is

financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or [joelmiller@state.pa.us](mailto:joelmiller@state.pa.us) for more information on this bid.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-234. Filed for public inspection February 10, 2012, 9:00 a.m.]

### Nutrient Credit Trading Program; Notice of Certification Request

The Department of Environmental Protection (Department) provides notice of the following certification request that has been submitted under the Nutrient Credit Trading Program (Trading Program). See 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed), published at 40 Pa.B. 5790 (October 9, 2010).

Nutrient credit trading is a market-based program that provides incentives for entities to create nutrient reduction credits (credits) by going beyond statutory, regulatory or voluntary obligations and goals to remove nutrients from a watershed. The credits can be traded to help others more cost-effectively meet their obligations or goals. The primary purpose of the Trading Program is to provide for more efficient ways for National Pollutant Discharge Elimination System (NPDES) permittees to meet their effluent limits for nutrients.

The information described in this notice relates to a certification request submitted on January 25, 2012.

#### *Background*

Before a credit can be used by an NPDES permittee, a three-step process is followed: (1) the certification request must be approved; (2) generation of the credits must be verified; and (3) the credits must be registered.

Approval is also known as certification, which is a written approval by the Department for the use of a pollutant reduction activity to generate credits. Certifications are based on at least: (1) a written request describing the qualifying pollutant reduction activity that will reduce the pollutant loadings delivered to the applicable watershed; (2) the calculation to quantify the pounds of reductions expected; and (3) a verification plan that, when implemented, ensures that the qualifying pollutant reduction activity has taken place.

Once the credits are certified, they must be verified to be applied toward an NPDES permit for compliance with effluent limits. Verification means implementation of the verification plan contained in the certification. Verification plans require annual submittal of documentation to the Department that demonstrates that the qualifying pollutant reduction activity has taken place for the applicable compliance year.

The credits also need to be registered by the Department before they can be applied toward an NPDES permit for compliance with effluent limits. Registration occurs only after credits have been certified, verified and a contract has been submitted. The Department registers credits for use during the compliance year in which the qualifying pollutant reduction activity has taken place.

The Department provides registered credits with an annual registry number for reporting and tracking purposes.

#### *Certification Request*

The following request is being reviewed by the Department. The Department will accept written comments on this proposed pollutant reduction activity for 30 days.

#### *Applicant*

Lycoming County  
Conservation District

#### *Pollution Reduction Activity Description*

Nitrogen credits to be generated by Client LyChET0001 through the installation of riparian buffers, off-stream watering and streambank fencing.

#### *Written Comments*

Interested persons may submit written comment on this proposed pollutant reduction activity by March 12, 2012. The Department will accept comments submitted by e-mail, but comments submitted by facsimile will not be accepted. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Karen Price, Interstate Waters Office, Department of Environmental Protection, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4785, kprice@pa.gov.

For further information about this certification request or the Trading Program contact Karen Price, at the previously listed address or phone number, or visit the Department's web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keywords: "Nutrient Trading").

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-235. Filed for public inspection February 10, 2012, 9:00 a.m.]

### **Rates to Be Used for Calculating Long-Term Operation and Maintenance Cost Bonds for Water Supply Replacement-Mining Operations**

The Department of Environmental Protection (Department) announces the rates to be used to calculate bond amounts for water supply replacement operation and maintenance costs for anthracite and bituminous coal and industrial mineral mining operations. The authority for bonding mining operations is found under The Clean Streams Law (35 P. S. §§ 691.1—691.1001), the Surface Mining Conservation and Reclamation Act (32 P. S. §§ 1396.1—1396.19a), the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66), The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21), the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326) and the regulations promulgated thereunder at 25 Pa. Code Chapters 77 and 86 (relating to noncoal mining; and surface and underground coal mining: general).

The rates are used in calculating the water supply operation and maintenance bond amounts for replacement water supplies affected by activities at mining operations including: surface mines, coal refuse disposal sites, coal refuse reprocessing sites, coal processing facilities, underground coal mining operations and industrial mineral surface mines. The procedures for calculating

water supply operation and maintenance bonds are described in technical guidance 562-4000-102, "Increased Operation and Maintenance Costs of Replacement Water Supplies," which is available on the Department's web site <http://www.elibrary.dep.state.pa.us>.

The Department may review the adequacy of bonds on existing permits at any time. The Department will conduct these reviews before issuing permit renewals. The Department may conduct similar reviews at the mid-term of a permit and before approving a permit revision.

#### *Rates*

The Department calculated the rate of inflation and rate of return using 5-year averages. For the rate of inflation, the Consumer Price Index (Northeast Urban) from the United States Department of Labor, Bureau of Labor Statistics, was averaged for the calendar years 2007-2011, resulting in a rate of 2.32%. For the rate of return, the interest rate for the 20-year Treasury bill as reported by the Federal Reserve was averaged for the calendar years 2007-2011 resulting in a rate of 4.206%.

For background information and supporting documentation regarding the rates, contact the Bureau of Mining Programs, Division of Monitoring and Compliance, P. O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103.

#### *Effective Date*

The rates in this notice become effective on April 1, 2012. They will remain in effect until new rates are published. It is anticipated that these new rates will be published in February 2013, to be effective April 1, 2013.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-236. Filed for public inspection February 10, 2012, 9:00 a.m.]

### **Storage Tank Advisory Committee Meeting Cancellation**

The March 6, 2012, meeting of the Storage Tank Advisory Committee (Committee) is cancelled. The next meeting is scheduled for June 5, 2012, at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg PA 17105.

Questions concerning the next scheduled meeting of the Committee can be directed to Charles M. Swokel, (717) 772-5806, [cswokel@pa.gov](mailto:cswokel@pa.gov). The agenda and meeting materials for the June 5, 2012, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.depweb.state.pa.us> (DEP Keywords: "Public Participation, Participate").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-5551 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-237. Filed for public inspection February 10, 2012, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Abington Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Abington Memorial Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-2.11.10.2(1)(a), 2.2-2.11.10.3(2)(a) and 2.2-2.11.9.2(1) (relating to a control/nurse station; scrub facilities for cesarean delivery; and space requirements).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 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 a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 12-238. Filed for public inspection February 10, 2012, 9:00 a.m.]

### Application of Albert Einstein Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Albert Einstein Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 2.6-2.2.2.1 (relating to capacity of multi bed room).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 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 a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 12-239. Filed for public inspection February 10, 2012, 9:00 a.m.]

### Application of Children's Hospital of Philadelphia for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Children's Hospital of Philadelphia has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.6-2.2.2.2(1), 2.6-2.2.2.7 and 2.6-2.2.6.12(2)(a) (relating to space requirements; patient bathing facilities; and examination/treatment room).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 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 a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 12-240. Filed for public inspection February 10, 2012, 9:00 a.m.]

### Application of East Stroudsburg Ambulatory Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that East Stroudsburg Ambulatory Surgery Center has requested an exception to the requirements of 28 Pa. Code § 569.35 (relating to general safety precautions).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

[Pa.B. Doc. No. 12-241. Filed for public inspection February 10, 2012, 9:00 a.m.]

### Application of Grant Surgicenter, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Grant Surgicenter, LLC has requested an exception to the requirements of 28 Pa. Code § 551.31 (d)(3) (relating to licensure).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 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 a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

[Pa.B. Doc. No. 12-243. Filed for public inspection February 10, 2012, 9:00 a.m.]

### Application for Exception to 28 Pa. Code § 123.25(2)

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that the following facilities have requested an exception to the requirements of 28 Pa. Code § 123.25(2) (relating to regulations for control of anesthetic explosion hazards):

Shriner's Hospital  
Troy Community Hospital  
UPMC East

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

The facilities are requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

[Pa.B. Doc. No. 12-242. Filed for public inspection February 10, 2012, 9:00 a.m.]

### Application of Hospital of the University of Pennsylvania for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Hospital of the University of Pennsylvania has requested an exception to the requirements of 28 Pa. Code § 107.2 (relating to medical staff membership).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 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 a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

[Pa.B. Doc. No. 12-244. Filed for public inspection February 10, 2012, 9:00 a.m.]

### Application of Lansdale Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Lansdale Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 3.1-3.2.4.2 (relating to space requirements).

This facility is also requesting exception to 28 Pa. Code § 107.2 (relating to medical staff membership).

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 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 a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 12-245. Filed for public inspection February 10, 2012, 9:00 a.m.]

### Application of Mercy Suburban Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Mercy Suburban Hospital has requested an exception to the requirements of 28 Pa. Code § 51.23 (relating to positron emission tomography).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 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 a request and/or provide comments to the Department and

require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

[Pa.B. Doc. No. 12-246. Filed for public inspection February 10, 2012, 9:00 a.m.]

### Application of Pinnacle Health Imaging@Heritage, Lemoyne for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Pinnacle Health Imaging@Heritage, Lemoyne has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-3.4.4.2(2), 2.2-3.4.4.2(3), 2.2-3.4.5.3, 3.1-3.6.1, 3.1-3.6.6 and 3.1-3.6.7.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 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 a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 12-247. Filed for public inspection February 10, 2012, 9:00 a.m.]

### Application of Pinnacle Health Imaging—Tristan Radiology Specialists, Camp Hill for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Pinnacle Health Imaging—Tristan Radiology Specialists, Camp Hill has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this

publication: 2.2-3.4.4.2(2), 2.2-3.4.4.2(3), 2.2-3.4.4.4, 2.2-3.4.5.3, 2.2-3.6.3.4, 2.2-3.6.3.5, 3.1-3.2.2.3, 3.1-3.6.5, 3.1-3.6.1, 3.1-3.6.6 and 3.1-3.6.7.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 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 a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 12-248. Filed for public inspection February 10, 2012, 9:00 a.m.]

### **Application of Pinnacle Health Imaging—Tristan Radiology Specialists, Hershey for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Pinnacle Health Imaging—Tristan Radiology Specialists, Hershey has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-3.4.3.5, 2.2-3.4.4.2(2), 2.2-3.4.4.2(3), 3.1-3.6.1, 3.1-3.6.6, 3.1-3.6.7 and 3.1-7.2.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 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 a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or

hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 12-249. Filed for public inspection February 10, 2012, 9:00 a.m.]

### **Application of Pinnacle Health Imaging—Tristan Radiology Specialists, Old Post Road for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Pinnacle Health Imaging—Tristan Radiology Specialists, Old Post Road has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-3.4.3.5, 2.2-3.4.4.2(3), 2.2-3.4.4.4, 2.2-3.4.5.3, 3.1-3.6.1, 3.1-3.6.6 and 3.1-3.6.7.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 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 a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 12-250. Filed for public inspection February 10, 2012, 9:00 a.m.]

### **Application of Pinnacle Health Imaging—Tristan Radiology Specialists, Union Deposit Road for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Pinnacle Health Imaging—Tristan Radiology Specialists, Union Deposit Road has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically re-

quests exception from the following standards contained in this publication: 2.2-3.4.3.5, 2.2-3.4.4.2(2), 2.2-3.4.4.2(3), 2.2-3.4.5.3, 2.2-3.6.3.4, 2.2-3.6.3.5, 3.1-3.6.1, 3.1-3.6.6, 3.1-3.6.7 and 3.1-7.2.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 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 a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 12-251. Filed for public inspection February 10, 2012, 9:00 a.m.]

### Application of UPMC East for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC East has requested an exception to the requirements of 28 Pa. Code § 127.32 (relating to written orders).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

[Pa.B. Doc. No. 12-252. Filed for public inspection February 10, 2012, 9:00 a.m.]

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

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

Mennonite Home  
1520 Harrisburg Pike  
Lancaster, PA 17601  
FAC ID 132102

This request is on file with the 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. 12-253. Filed for public inspection February 10, 2012, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Additional Class of Payments to Qualifying Acute Care General Hospitals for Obstetrical and Neonatal Intensive Care Services

The Department of Public Welfare (Department) is providing final notice of an increase to the funding allocation for Fiscal Year (FY) 2010-2011 for disproportionate share hospital (DSH) payments to certain qualifying hospitals based on obstetrical and neonatal intensive care cases. There is no change in the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to increase the funding allocation for these DSH payments at 41 Pa.B. 2769 (May 28, 2011). The Department received no public comments during the 30-day comment period, and will implement the changes as described in its notice of intent.

#### *Fiscal Impact*

The FY 2010-2011 obstetrical and neonatal DSH payment in the amount of \$10.717 million (\$4.815 million in State funds) will be paid to qualifying hospitals.

GARY D. ALEXANDER,  
*Secretary*

**Fiscal Note:** 14-NOT-738. (1) General Fund; (2) Implementing Year 2010-11 is \$4,815,000; (3) 1st Succeeding Year 2011-12 is \$0; 2nd Succeeding Year 2012-13 is \$0; 3rd Succeeding Year 2013-14 is \$0; 4th Succeeding Year 2014-15 is \$0; 5th Succeeding Year 2015-16 is \$0; (4) 2007-08 Program—\$5,000,000; 2008-09 Program—\$6,544,000; 2009-10 Program—\$4,500,000; (7) Medical

Assistance—Obstetric and Neonatal Services; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 12-254. Filed for public inspection February 10, 2012, 9:00 a.m.]

### Payments for Burn Center Services

The Department of Public Welfare (Department) is providing final notice of an increase to the funding allocation for Fiscal Year (FY) 2010-2011 for disproportionate share hospital (DSH) payments to certain qualifying Medical Assistance enrolled acute care general hospital burn centers. There is no change in the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to increase the funding allocation for these DSH payments at 41 Pa.B. 2497 (May 14, 2011). The Department received no public comments during the 30-day comment period, and will implement the changes as described in its notice of intent.

#### *Fiscal Impact*

The FY 2010-2011 fiscal impact is \$11.150 million (\$4.946 million in State funds). These payments are provided for in the FY 2010-2011 Hospital Based Burn Center appropriation.

GARY D. ALEXANDER,  
*Secretary*

**Fiscal Note:** 14-NOT-737. (1) General Fund; (2) Implementing Year 2010-11 is \$4,946,000; (3) 1st Succeeding Year 2011-12 is \$0; 2nd Succeeding Year 2012-13 is \$0; 3rd Succeeding Year 2013-14 is \$0; 4th Succeeding Year 2014-15 is \$0; 5th Succeeding Year 2015-16 is \$0; (4) 2007-08 Program—\$5,000,000; 2008-09 Program—\$5,170,000; 2009-10 Program—\$4,630,000; (7) Hospital Based Burn Centers; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 12-255. Filed for public inspection February 10, 2012, 9:00 a.m.]

### Trauma Disproportionate Share Payments

The Department of Public Welfare (Department) is providing final notice of amendments to the qualifying criteria and payment methodology and an increase in the funding allocation for an additional class of disproportionate share hospital (DSH) payments to hospitals that qualify as trauma centers for the purpose of improving access to readily available and coordinated trauma care for the citizens of this Commonwealth. The Department increased funding for these payments as a result of additional funding allocations in the Commonwealth's 2010-2011 budget. The qualifying criteria and payment methodology were amended as a result of requirements established in the act of October 22, 2010 (P. L. 829, No. 84) (62 P. S. §§ 801-H—808-H), known as the Pennsylvania Trauma Systems Stabilization Act.

#### *Level I and Level II Trauma Centers*

A hospital located in this Commonwealth shall qualify as a trauma center (qualified trauma center) if it is accredited by the Pennsylvania Trauma Systems Foundation (Foundation) as a Level I or Level II trauma center.

An out-of-State hospital qualifies as a trauma center (out-of-State qualified trauma center) if the hospital operates a trauma center that annually discharges more than 30 patients, who qualify as trauma patients under the Pennsylvania Trauma Outcome Study (PTOS) for 2 of the preceding 4 years or is West Virginia University Hospital and meets each of the following requirements:

(1) Is accredited as a Level I or Level II trauma center by the Foundation; or has obtained verification from the American College of Surgeons as a Level I or Level II trauma center; and is formally designated as a Level I or Level II trauma center by its home state.

(2) Pays to the Foundation the annual participation fee the out-of-State hospital would be charged were it accredited by the Foundation as a Level I or Level II trauma center.

Out-of-State qualified trauma centers shall submit to the Foundation on an annual basis the following:

(1) A copy of the clinical patient data the hospital submits to the National Trauma Database regarding residents in this Commonwealth who receive trauma services from the hospital.

(2) The total and Commonwealth resident-specific number of PTOS trauma visits and patient days for individuals who are Medical Assistance (MA) recipients and those who are uninsured. The definition of what constitutes a PTOS trauma case shall be the same for both Commonwealth and out-of-State hospitals.

There are no changes to the payment methodology for Level I and Level II trauma centers, including out-of-State hospitals.

#### *Level III Trauma Centers*

The Foundation accredits Level III trauma centers using standards, based on the American College of Surgeons guidelines for Level III trauma centers. In addition to these standards, a hospital shall meet all of the following criteria to qualify for Level III accreditation:

(1) Provide comprehensive emergency services.

(2) Have, on an annual basis, at least 4,000 inpatient admissions from its emergency department.

(3) For trauma centers accredited or seeking accreditation prior to October 23, 2010:

(a) Be located in a county without an accredited Level I or Level II trauma center.

(b) Not be located within 25 miles travel distance from a Level I or Level II trauma center.

(4) For trauma centers seeking accreditation on or after October 23, 2010:

(a) Be located in a county of the third to eighth class.

(b) Not be located within 25 miles travel distance from a Level I, Level II or Level III trauma center.

The Department allocates 10% of the total available funds to hospitals accredited or seeking accreditation as Level III trauma centers for up to 4 years, with documented evidence of progression towards accreditation and achievement of benchmarks as verified and established by the Foundation in collaboration with the Department (qualified Level III trauma centers).

(1) Fifty percent of this amount available for Level III trauma centers is distributed equally among qualified Level III trauma centers.

(2) Fifty percent of the total amount available for Level III trauma centers is distributed on the basis of each qualified Level III trauma center's percentage of MA and uninsured PTOS trauma cases and patient days compared to the Commonwealth Statewide total number of MA and uninsured PTOS trauma cases and patient days for qualified Level III trauma centers.

For these payments, the Department calculates payment to each qualified Level III trauma center using PTOS data provided by the Foundation. For purposes of calculating the hospital specific portion of the payment, the Department shall count all MA days, uninsured PTOS trauma cases and patient days, irrespective of the home state of the patient. Payment to each qualified Level III trauma center may not be greater than 50% of the average Statewide annual payment to a Level II trauma center.

The Department published notice of its intent to increase the funding allocation for these DSH payments at 41 Pa.B. 3309 (June 25, 2011). The Department received no public comments during the 30-day comment period. The Department has implemented the changes described in its intent notice with one clarification. Specifically, the Department clarified the time frame for the application of the Level III trauma center eligibility criteria.

#### *Fiscal Impact*

The Fiscal Year 2010-2011 fiscal impact of these trauma DSH payments is \$25.523 million (\$11.322 million in State general funds).

GARY D. ALEXANDER,  
*Secretary*

**Fiscal Note:** 14-NOT-739. (1) General Fund; (2) Implementing Year 2010-11 is \$11,322,000; (3) 1st Succeeding Year 2011-12 is \$0; 2nd Succeeding Year 2012-13 is \$0; 3rd Succeeding Year 2013-14 is \$0; 4th Succeeding Year 2014-15 is \$0; 5th Succeeding Year 2015-16 is \$0; (4) 2007-08 Program—\$12,500,000; 2008-09 Program—\$11,597,000; 2009-10 Program—\$10,387,000; (7) Trauma Centers; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 12-256. Filed for public inspection February 10, 2012, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania 5 Card Slots Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania 5 Card Slots.

2. *Price:* The price of a Pennsylvania 5 Card Slots instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania 5 Card Slots instant lottery game ticket will contain one play area consisting of "PULL 1," "PULL 2," "PULL 3," "PULL 4," "PULL 5," "PULL 6," "PULL 7" and "PULL 8." Each "PULL" is played separately and contains five playing

card symbols. The playing card symbols and their captions printed in black ink and located in the play area are: 2 of Spades (TWS), 3 of Spades (THS), 4 of Spades (FRS), 5 of Spades (FVS), 6 of Spades (SXS), 7 of Spades (SNS), 8 of Spades (ETS), 9 of Spades (NIS), 10 of Spades (TNS), Jack of Spades (JKS), Queen of Spades (QNS), King of Spades (KGS), Ace of Spades (ACS), 2 of Clubs (TWC), 3 of Clubs (THC), 4 of Clubs (FRC), 5 of Clubs (FVC), 6 of Clubs (SXC), 7 of Clubs (SNC), 8 of Clubs (ETC), 9 of Clubs (NIC), 10 of Clubs (TNC), Jack of Clubs (JKC), Queen of Clubs (QNC), King of Clubs (KGC) and Ace of Clubs (ACC). The playing card symbols and their captions printed in red ink and located in the play area are: 2 of Diamonds (TWD), 3 of Diamonds (THD), 4 of Diamonds (FRD), 5 of Diamonds (FVD), 6 of Diamonds (SXD), 7 of Diamonds (SND), 8 of Diamonds (ETD), 9 of Diamonds (NID), 10 of Diamonds (TND), Jack of Diamonds (JKD), Queen of Diamonds (QND), King of Diamonds (KGD), Ace of Diamonds (ACD), 2 of Hearts (TWH), 3 of Hearts (THH), 4 of Hearts (FRH), 5 of Hearts (FVH), 6 of Hearts (SXH), 7 of Hearts (SNH), 8 of Hearts (ETH), 9 of Hearts (NIH), 10 of Hearts (TNH), Jack of Hearts (JKH), Queen of Hearts (QNH), King of Hearts (KGH) and Ace of Hearts (ACH). Cards are ranked in value from high to low: A, K, Q, J, 10, 9, 8, 7, 6, 5, 4, 3, 2. Each "PULL" uses one 52-card deck of playing card symbols. There are no wild cards. Holders of winning tickets are entitled to the highest prize won in each "PULL."

4. *Prizes:* The prizes that can be won in this game are: \$5, \$7, \$10, \$15, \$50, \$100, \$500, \$1,000 and \$100,000. The player can win up to 8 times on a ticket.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for the Pennsylvania 5 Card Slots instant lottery game.

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

(a) Holders of tickets with a "Royal Flush," represented by an Ace, King, Queen, Jack and 10 playing card symbols of the same suit and in the same "PULL," on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets with a "Straight Flush," represented by any five consecutive playing card symbols of the same suit and in the same "PULL," on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with "Four of A Kind," represented by any four playing card symbols of the same value and in the same "PULL," on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets with a "Full House," represented by "Three of A Kind," or three playing card symbols of the same value, combined with an additional "Pair" of playing card symbols, a "Pair" being two playing card symbols of the same value, in the same "PULL," on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets with a "Flush," represented by any five playing card symbols of the same suit and in the same "PULL," on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets with a "Straight," represented by any five consecutive playing card symbols of any suit and in the same "PULL," on a single ticket, shall be entitled to a prize of \$15.

(g) Holders of tickets with "Three of A Kind," represented by any three playing card symbols of the same value and in the same "PULL," on a single ticket, shall be entitled to a prize of \$10.

(h) Holders of tickets with "Two Pair," represented by two different "Pairs" of playing card symbols, each "Pair" being two playing card symbols of the same value and in the same "PULL," on a single ticket, shall be entitled to a prize of \$7.

(i) Holders of tickets with "One Pair," represented by any two playing card symbols of the same value and in the same "PULL," on a single ticket, shall be entitled to a prize of \$5.

7. *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:

*In Any Pull, Get A Combination Of Cards Found In The Prize Legend On The Back Of The Ticket And Win Prize Shown For That Combination. Win With:*

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 10,800,000 Tickets
ONE PAIR	\$5	8.57	1,260,000
TWO PAIR	\$7	30	360,000
ONE PAIR × 2	\$10	60	180,000
THREE OF A KIND	\$10	60	180,000
THREE OF A KIND + ONE PAIR	\$15	150	72,000
ONE PAIR × 3	\$15	150	72,000
STRAIGHT	\$15	150	72,000
ONE PAIR × 4	\$20	150	72,000
THREE OF A KIND × 2	\$20	300	36,000
THREE OF A KIND + (ONE PAIR × 2)	\$20	300	36,000
STRAIGHT + ONE PAIR	\$20	300	36,000
ONE PAIR × 8	\$40	600	18,000
THREE OF A KIND × 4	\$40	600	18,000
(STRAIGHT × 2) + THREE OF A KIND	\$40	600	18,000
(TWO PAIR × 5) + ONE PAIR	\$40	300	36,000
(TWO PAIR × 5) + STRAIGHT	\$50	600	18,000
THREE OF A KIND × 5	\$50	600	18,000
(STRAIGHT × 3) + ONE PAIR	\$50	600	18,000
(STRAIGHT × 2) + THREE OF A KIND + (ONE PAIR × 2)	\$50	600	18,000
FLUSH	\$50	600	18,000
(STRAIGHT × 6) + (ONE PAIR × 2)	\$100	1,200	9,000
(STRAIGHT × 4) + (THREE OF A KIND × 4)	\$100	1,200	9,000
FLUSH + (STRAIGHT × 2) + (THREE OF A KIND × 2)	\$100	1,200	9,000
FLUSH × 2	\$100	2,400	4,500
FULL HOUSE	\$100	2,400	4,500
(FLUSH × 3) + (THREE OF A KIND × 5)	\$200	3,429	3,150
FLUSH × 4	\$200	3,429	3,150
FULL HOUSE + (FLUSH × 2)	\$200	3,750	2,880
FULL HOUSE × 2	\$200	3,750	2,880
FULL HOUSE × 5	\$500	10,000	1,080
(FULL HOUSE × 2) + (FLUSH × 6)	\$500	9,231	1,170
FOUR OF A KIND	\$500	8,000	1,350
FOUR OF A KIND × 2	\$1,000	30,000	360
STRAIGHT FLUSH	\$1,000	30,000	360
STRAIGHT FLUSH × 5	\$5,000	240,000	45
ROYAL FLUSH	\$100,000	540,000	20
ONE PAIR = \$5			
TWO PAIR = \$7			
THREE OF A KIND = \$10			
STRAIGHT = \$15			
FLUSH = \$50			
FULL HOUSE = \$100			
FOUR OF A KIND = \$500			
STRAIGHT FLUSH = \$1,000			
ROYAL FLUSH = \$100,000			

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

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania 5 Card Slots instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania 5 Card Slots, prize money from winning Pennsylvania 5 Card Slots instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania 5 Card Slots instant lottery game, the right of a ticket holder to claim the prize represented by the

ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. *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.

11. *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 5 Card Slots or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 12-257. Filed for public inspection February 10, 2012, 9:00 a.m.]

### Pennsylvania \$1,000 A Week For Life '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 \$1,000 A Week For Life '12.

2. *Price*: The price of a Pennsylvania \$1,000 A Week For Life '12 instant lottery game ticket is \$2.

3. *Play Symbols*: Each Pennsylvania \$1,000 A Week For Life '12 instant lottery 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 (TWININ) and 30 (THIRTY). 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 (TWININ), 30 (THIRTY) and a LIFE (LIFE) symbol.

4. *Prize Symbols*: The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$750 (SVNHUNFTY) and \$1000WK (\$1000/WK/LF).

5. *Prizes*: The prizes that can be won in this game are: \$1, \$2, \$4, \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$250, \$500, \$750 and \$1,000 A Week For Life. A player can win up to 10 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game*: Approximately 21,000,000 tickets will be printed for the Pennsylvania \$1,000 A Week For Life '12 instant lottery game.

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

(a) Holders of tickets with a LIFE (LIFE) symbol in the play area and a prize symbol of \$1000WK (\$1000/WK/LF) appears in the "Prize" area under the LIFE (LIFE) symbol, on a single ticket, shall be entitled to a prize of \$1,000 a week for life (\$1,040,000 lifetime minimum) which will be paid by an initial cash payment of \$52,000 plus equal annual payments of \$52,000 over the lifetime of the winner and continuing under the provisions of 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner) until the \$1,040,000 minimum has been paid to the designated beneficiary(s) or the estate of the deceased. If the winner of the Pennsylvania \$1,000 A Week For Life prize is younger than 18 years of age, the winner will not begin to receive the prize until the winner reaches 18 years of age. Only one claimant per ticket allowed.

(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 \$750 (SVNHUNFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$750.

(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 \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$250 (TWOHUNFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250.

(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 \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) 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 in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(g) 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 in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(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 \$25<sup>00</sup> (TWY FIV) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(i) 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 in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(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 \$10.<sup>00</sup> (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(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 \$4.<sup>00</sup> (FOR DOL) appears in the "Prize" area under the match-

ing "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(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 \$2.<sup>00</sup> (TWO DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(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 \$1.<sup>00</sup> (ONE DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1.

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

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 21,000,000 Tickets</i>
\$1 x 2	\$2	16.67	1,260,000
\$2	\$2	18.75	1,120,000
\$1 x 4	\$4	75	280,000
\$2 x 2	\$4	50	420,000
\$4	\$4	75	280,000
(\$2 x 2) + \$1	\$5	75	280,000
\$4 + \$1	\$5	150	140,000
\$5	\$5	166.67	126,000
\$1 x 10	\$10	375	56,000
(\$4 x 2) + \$2	\$10	375	56,000
\$5 x 2	\$10	300	70,000
\$10	\$10	500	42,000
\$2 x 10	\$20	750	28,000
\$5 x 4	\$20	1,500	14,000
\$10 x 2	\$20	1,500	14,000
\$20	\$20	1,500	14,000
\$5 x 5	\$25	750	28,000
(\$10 x 2) + \$5	\$25	1,500	14,000
\$20 + \$5	\$25	1,500	14,000
\$25	\$25	1,500	14,000
\$4 x 10	\$40	2,400	8,750
\$5 x 8	\$40	2,400	8,750
\$10 x 4	\$40	2,400	8,750
\$20 x 2	\$40	2,400	8,750
\$25 + \$10 + \$5	\$40	2,400	8,750
\$40	\$40	2,400	8,750
\$5 x 10	\$50	2,400	8,750
\$10 x 5	\$50	3,000	7,000
\$25 x 2	\$50	1,714	12,250
\$50	\$50	3,000	7,000
\$10 x 10	\$100	8,571	2,450
\$20 x 5	\$100	8,571	2,450
\$25 x 4	\$100	8,571	2,450
\$50 x 2	\$100	5,000	4,200
\$100	\$100	8,571	2,450
\$25 x 10	\$250	40,000	525
\$50 x 5	\$250	40,000	525
(\$100 x 2) + \$50	\$250	40,000	525
\$250	\$250	40,000	525
\$50 x 10	\$500	60,000	350
\$100 x 5	\$500	40,000	525

When Any Of Your Numbers  
Match Any Winning Number,  
Win Prize Shown Under The  
Matching Number. Win With:

\$500	Win:	\$500
\$750		\$750
LIFE		\$1000WK

Reveal a "LIFE" (LIFE) symbol, win \$1,000 A Week For Life!

Approximate  
Odds Are 1 In:

120,000
40,000
4,200,000

Approximate No.  
Of Winners Per  
21,000,000 Tickets

175
525
5

Prizes, including the 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 \$1,000 A Week For Life '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).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$1,000 A Week For Life '12, prize money from winning Pennsylvania \$1,000 A Week For Life '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 \$1,000 A Week For Life '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.

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 \$1,000 A Week For Life '12 or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 12-258. Filed for public inspection February 10, 2012, 9:00 a.m.]

## DEPARTMENT OF STATE

### Operation Help the Children; Cease and Desist Order

Operation Help the Children is ordered to cease and desist from soliciting charitable contributions in this Commonwealth until Operation Help the Children responds to the Bureau of Charitable Organizations' requests for information and duly registers or provides information that the organization is excluded or exempt from registration under the Solicitation of Funds for Charitable Purposes Act (10 P.S. §§ 162.1—162.22).

Individuals may obtain a copy of the order by writing to Drew Koser, Investigator, Department of State, Bureau of Charitable Organizations, 212 North Office Building, Harrisburg, PA 17120.

CAROL AICHELE,  
Secretary

[Pa.B. Doc. No. 12-259. Filed for public inspection February 10, 2012, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Application for Lease of Right-of-Way

Under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to lease highway right-of-way has been submitted to the Department of Transportation by the Borough of Collegeville, 491 East Main Street, Collegeville, PA 19426-2645.

The Borough of Collegeville is seeking to lease highway right-of-way located at the intersection of PA Rt. 29 and Main Street in Collegeville Borough, Montgomery County, approximately 13,133 ± square feet/hectares, adjacent to SR 0029, Section(s) OL1, for purposes of Collegeville Gateway, benches and trees.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to Lester Toaso, District Executive, Engineering District 6-0, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525.

Questions regarding this application or the proposed use may be directed to Mary C. Lambright, Real Estate Specialist, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525, (610) 205-6507.

BARRY J. SCHOCH, P.E.,  
Secretary

[Pa.B. Doc. No. 12-260. Filed for public inspection February 10, 2012, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Meeting Cancellation

The February 21, 2012, meeting of the Environmental Quality Board (Board) is cancelled. The next regularly

scheduled meeting of the Board will occur on Tuesday, March 20, 2012, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. An agenda and meeting materials for the March 20, 2012, meeting will be available on the Department of Environmental Protection's web site at <http://www.depweb.state.pa.us> (Select "Public Participation"; "Public Participation Center").

Questions concerning the Board's next scheduled meeting may be directed to Michele Tate at (717) 783-8727 or [mtate@pa.gov](mailto:mtate@pa.gov).

MICHAEL L. KRANCER,  
Chairperson

[Pa.B. Doc. No. 12-261. Filed for public inspection February 10, 2012, 9:00 a.m.]

## GOVERNOR'S OFFICE

### Regulatory Agenda

Executive Order 1996-1 requires all agencies under the jurisdiction of the Governor to submit for publication an agenda of regulations under development or consideration. The following is the 32nd publication of the Administration's regulatory agenda, grouped by agency. Subsequent agendas will be published on the first Saturdays in February and July.

The agendas are compiled to provide members of the regulated community advanced notice of regulatory activity. It is the intention of the Administration that these agendas will serve to increase public participation in the regulatory process.

Agency contacts should be contacted for more information regarding the regulation and the procedure for submitting comments.

This Agenda represents the Administration's present intentions regarding future regulations. The nature and complexity of an individual regulation obviously will determine whether and when any particular regulation listed below (as well as any considered subsequent to publication of this Agenda) is published.

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>ADMINISTRATION</b>			
No regulations being developed or considered at this time.			
<b>AGING</b>			
PA Code Title VI Chapter 15 Protective Services for Older Adults	December 2012, as proposed.	The Older Adults Protective Services Act is under review in light of current interest in enhancing protections for vulnerable Pennsylvanians, the decision of the <i>PA Supreme Court in Nixon et al. v. Commonwealth, et al.</i> (which found the current protective services law to be unconstitutional) and numerous technical and administrative provisions that need to be revised. Regulations are routinely being reviewed as numerous pieces of pending legislation are being considered in addition to this omnibus proposal.	Denise Getgen (717) 772-0184
PA Code Title VI Chapter 23 Long-Term Care Ombudsman Program	June 2012, as proposed.	The Department wishes to promulgate regulations for the Long-Term Care Ombudsman program in order to bring it into conformity with national standards.	Bob McNamara (717) 772-3688
<b>AGRICULTURE</b>			
Domestic Animal 7 Pa. Code Chapter 2, 3, and 16	December 2012, as proposed.	The long-term project is intended to update the Department's Regulatory authority to make it more consistent with the provisions of the Domestic Animal Law (3 Pa.C.S. §§ 2301—2389).	Craig E. Shultz, DVM, Director (717) 772-2852
Cervidae 7 Pa. Code Chapter 18	July 2012, as proposed.	Act 190 of 2002 amended the Domestic Animal Law to require the Department to license and regulate Cervidae livestock operations. Act 51 of 2006 further amended the requirements for Cervidae livestock operations. (3 Pa.C.S. §§ 2303—2380.9).	Craig E. Shultz, DVM, Director (717) 772-2852
Animal Exhibition Sanitation 7 Pa. Code Chapter 20a	July 2012, as proposed.	Act 211 of 2002 requires the Department to enforce sanitation requirements at animal exhibitions, and to regulate as necessary to meet this requirement. (3 Pa.C.S. §§ 2501—2504).	Craig E. Shultz, DVM, Director (717) 772-2852

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Biofuels 70 Pa. Code Chapter 11	October 2012, as proposed.	Act 78 of 2008 (the Biofuel Development and In-State Production Incentive Act) is currently being amended by the legislature. The Department has proposed regulations ready for submission but, will wait to see the final version of the amended Act.	Walt Remmert (717) 787-6772
Weights and Measures Regulations 70 Pa. Code Chapters 1—101	July 2012, as proposed	This long-term project is intended to update the Department's regulations authorized by the Consolidated Weights and Measures Act.	John Dillabaugh (717) 787-6772
Harness Racing Commission 58 Pa. Code Chapters 181, 183, 185 and 186—190	July 2012, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly and address conditions which exist in harness racing that did not exist when the current regulations were originally promulgated. This regulation is a long-term project and would amend 58 Pa. Code Chapters 181, 183, 185, and 186—190, including the general authority of the Commission and provisions relating to associations licensed to conduct pari-mutuel wagering, individual licensing, licensing of officials, rules of the conduct of races, veterinary practices, equine health, and medication, wagering, due process and disciplinary action.	Jorge Augusto (717) 787-8744
Horse Racing Commission 58 Pa. Code Chapters 161, 163, 165, 167, 169, 171 and 173	July 2012, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly and address conditions which exist in thoroughbred horse racing that did not exist when the current regulations were originally promulgated. This regulation is a long-term project and would amend 58 Pa. Code Chapters 161, 163, 165, 167, 169, 171, and 173 including the general authority of the Commission and provisions relating to associations licensed to conduct pari-mutuel wagering, individual licensing, licensing of officials, rules of the conduct of races, veterinary practices, equine health and medication, wagering, due process and disciplinary action.	Jorge Augusto (717) 772-5215
Commercial Feed Rules and Regulations 7 Pa. Code Chapter 71	July 2012, as proposed.	This regulation will replace 7 Pa. Code Chapter 71 and implement provisions of 3 Pa.C.S. §§ 5101—5115 (Commercial Feed Act)	Erin Bubb (717) 772-5215
Pet Food Rules and Regulations 7 Pa. Code Chapter 72	July 2012, as proposed.	This regulation will replace 7 Pa. Code Chapter 72 and implement provisions of 3 Pa.C.S. §§ 5101—5115 (Commercial Feed Act)	Erin Bubb (717) 772-5215
Clean and Green Regulations 7 Pa. Code Chapter 137b	June 2012, as proposed.	This regulation will address statutory changes made by Act 235 of 2004, Act 88 of 2010 and Act 109 of 2010 and will otherwise update the current regulations.	Douglas Wolfgang (717) 783-3167
Agricultural Conservation Easement Purchase Program Regulations 7 Pa. Code Chapter 138e	June 2012, as proposed.	This regulation will address statutory changes made by Act 61 of 2005 and Act 46 of 2006, and will otherwise update the current regulations.	Douglas Wolfgang (717) 783-3167
PA Food Code 7 Pa. Code Chapter 46	April 2012, as proposed.	This regulation will amend 7 Pa. Code Chapter 46 to make this Chapter consistent with the Retail Food Facility Safety Act and the Food Safety Act.	Lydia Johnson (717) 787-4315

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>BANKING</b>			
Annual Assessment Regulation	Late 2012, still in formulation	Required pursuant to 17 Pa.C.S. § 503(a) and 71 P. S. § 733-204.A.	Carter D. Frantz Chief Counsel
Regulation governing continuing education under the Debt Management Services Act.	Early 2012, As proposed	Required pursuant to 63 P. S. § 2409.	Carter D. Frantz Chief Counsel
<b>BOARD OF PARDONS</b>			
No regulations being developed or considered at this date.			
<b>COMMUNITY &amp; ECONOMIC DEVELOPMENT</b>			
No regulations being developed or considered at this date.			
<b>COMMISSION ON CRIME AND DELINQUENCY</b>			
37 Pa. Code Chapter 431 Constables' Education and Training Board	April 2012, as Final	The purpose of this regulation is to eliminate any waivers of the firearms portion of the basic training course, preclude any constable under the age of 21 from participating in the firearms portion of the basic training course and to require a constable who fails a first and second examination in the basic training course bear the financial responsibility for a second or third basic training. The proposed rulemaking also eliminates the 10mm caliber firearm from the firearms training course. Recent statutory changes have necessitated updates to the regulations.	John Pfau (717) 265-8546
<b>CONSERVATION &amp; NATURAL RESOURCES</b>			
State Forests (Chapter 21)	March 2012, Publish proposed rulemaking	A number of provisions in this chapter need to be clarified and updated. The State Forest Picnic Area chapter (23) will be incorporated into this chapter to eliminate duplication and for ease of reference. Legal basis: Sections 302, 313, 502 of the Conservation & Natural Resources Act (71 P. S. §§ 1340.302, 1340.313, and 1340.502)	Matt Beaver, (717) 783-0379 Susan Wood, Esq. (717) 772-4171
State Forest Picnic Areas (Chapter 23)	March 2012, Publish proposed rulemaking	The provisions of this chapter will be incorporated into Chapter 21 (State Forests) for purposes of simplification and ease of reference. Legal basis: Sections 302, 313, 502 of the Conservation & Natural Resources Act (71 P. S. §§ 1340.302, 1340.313, and 1340.502)	Matt Beaver, (717) 783-0379 Susan Wood, Esq. (717) 772-4171
Conservation of Pennsylvania Native Wild Plants (Chapter 45)	April 2012, Publish proposed rulemaking	Major purpose of rulemaking is to update the lists of native wild plants within the classifications and change the beginning date of the ginseng harvest season from Aug. 1 to Sept. 1. Legal basis: Section 7 of the Wild Resource Conservation Act (32 P. S. § 5307); and Section 313 of the Conservation and Natural Resources Act (71 P. S. § 1340.313).	Ellen Shultzabarger (717) 214-3813 Susan Wood, Esq. (717) 772-4171
<b>CORRECTIONS</b>			
Revisions to 37 Pa. Code Chapter 93	July 2012, as proposed	The Motivational Boot Camp regulations are being revised to eliminate unnecessary staffing provisions.	Timothy Holmes (717) 731-0444
Amendments to 37 Pa. Code § 94.2	August 2012, as proposed	The inmate correspondence regulations will be revised to clarify definitions and procedures for incoming inmate mail	Randall N. Sears (717) 728-7763
Amendments to 37 Pa. Code § 94.4	July 2012, as Proposed	The Amendment will restrict the ability of individuals to purchase items from outside the institution for inmates.	Randall N. Sears (717) 728-7763

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>EDUCATION</b>			
Standards for Approved Private Schools 22 Pa. Code Chapter 171 Subchapter C	Fall 2012, as final.	These standards define the elements of Approved Private Schools and the Chartered Schools (schools for the deaf and blind). These standards contain general provisions and allowable expenses and costs. The standards are promulgated under the Authority of the Public School Code of 1949, as amended, PL 30, No. 14, March 16, 1949, P. S. §§ 1-101, et. seq.	John Tommasini (717) 783-6134
State Board of Education 22 Pa. Code Chapter 10	February 2012, as final omitted	As directed by Act 104 of 2010, the State Board of Education will promulgate new regulations that set forth a model memorandum of understanding between school entities and local police departments; establish protocol for notifying police when certain offenses occur on school property; establish protocol for emergency and non-emergency response by the police; and establish procedures and protocols for the response and handling of students with disabilities.	Karen Molchanow (717) 787-3787
State Board of Private Licensed Schools 22 Pa. Code Chapter 73	Spring 2012, as proposed.	These regulations define the requirements for obtaining licensure or registration and for operating as a Private Licensed School. The regulations also define the investigatory and hearing process for enforcement of statutory and regulatory requirements. The Board plans to update the regulations which were promulgated in 1988 to reflect inflation and to address certain issues that have arisen during that time. The regulations are promulgated under the authority of the Private Licensed Schools Act (24 P. S. §§ 6501, et. seq.)	Patricia Landis (717) 783-8228
State Board of Education 22 Pa. Code Chapter 4	September 2012, as proposed.	These regulations establish rigorous academic standards and assessments to facilitate the improvement of student achievement and to provide parents and communities a measure by which school performance can be determined. The regulations are promulgated under the authority of the Public School Code of 1949, 24 P. S. §§ 26-2603-B and 2604-B.	Karen Molchanow (717) 787-3787
<b>EMERGENCY MANAGEMENT AGENCY</b>			
Chapter 113. Volunteer Fire Company, Ambulance Service, and Rescue Squad Assistance Chapter 114 Volunteer Fire Company and Volunteer Ambulance Service Grant	June 2012, as proposed	35 Pa.C.S. 7385 (c)—The Volunteer Loan Assistance Program regulations found in 4 Pa. Code Ch. 113 (relating to volunteer fire company, ambulance service and rescue squad assistance) are hereby transferred to the commissioner from the agency. The commissioner shall fully implement and administer those regulations on or before January 12, 1996. The commissioner may be substituted for the agency throughout the regulations and the regulations may be renumbered and published in the <i>Pennsylvania Bulletin</i> as final regulations without those regulatory changes being subject to the provisions of the act of June 25, 1982 (P. L. 633, No. 181), known as the regulatory review act.	Vince Hudock (717) 651-2728
<b>ENVIRONMENTAL HEARING BOARD</b>			
PA Code Title 25 Chapter 1021 Practice and Procedure	The Environmental Hearing Board intends to propose corrections to existing rules in 2012.	The Environmental Hearing Board intends to correct an omission in the language of 25 Pa. Code § 1021.51 which was amended in 2009, and eliminate its rules pertaining to the Costs Act which has expired.	Maryanne Wesdock (412) 565-5245

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>ENVIRONMENTAL PROTECTION</b>			
Noncoal Program Noncoal Surface Mining Conservation and Reclamation Act 25 Pa. Code Chapter 77.	Fall 2012, as proposed	This rulemaking includes revisions to Chapter 77 (Noncoal Mining) that govern the licensing of mine operators and permitting of mines of minerals other than coal. Specific areas for revision include clarification of permit application requirements including hydrologic data requirements.	Bill Allen (717) 783-9580 wallen@pa.gov
Water Supply Replacement Surface Mining Conservation and Reclamation Act 25 Pa. Code Chapters 87 and 88	Summer 2012, as proposed	This rulemaking includes revisions to Chapters 87 and 88, which will clarify what is necessary to meet the coal mine operator's obligation to permanently pay the operation and maintenance costs for replacement water supplies.	Greg Shuler (717) 783-1199 gshuler@pa.gov
Remining Requirements (Subchapters F and G Revisions) Surface Mining Conservation and Reclamation Act, 25 Pa Code Chapters 86 and 88	Summer 2012, as proposed	The rulemaking includes amendments to remining requirements in Chapters 86 and 88 (Subchapters F and G) in order to reflect changes enacted in EPA regulations.	Keith Brady (717) 787-4814 kbrady@pa.gov
Federal Office of Surface Mining (OSM) Program Consistency Updates Surface Mining Conservation and Reclamation Act, 25 Pa. Codes Chapters 86, 89, and 90	Summer 2012, as proposed	The regulatory package will include amendments to clarify the definition of "mining activities" in Chapter 86 effluent limits for passive treatment systems to comply with Federal regulations; and updates to Chapter 90 coal refuse site selection regulations to comply with the revised Coal Refuse Disposal Control Act.	Bill Allen (717) 783-9580 wallen@pa.gov
Noncoal Mining Fees Noncoal Surface Mining Conservations & Reclamation Act 25 Pa Code Chapter 77	Summer 2012, as final	The rulemaking includes amendments to 25 Pa Code Chapter 77 in order to implement fees to support the Noncoal Mining Program.	Bill Allen (717) 783-9580 wallen@pa.gov
Coal Mining Permit Fees Surface Mining Conservation and Reclamation Act, 25 Pa. Code Chapter 86	Summer 2012, as final	The rulemaking increases permit application fees to support program activities.	Bill Allen (717) 783-9580 wallen@pa.gov
Areas Unsuitable for Surface Mining Surface Mining Conservation and Reclamation Act, 2 5 Pa. Code Chapter 86	Fall 2012, as proposed	The rulemaking includes amendments to Chapter 86 to designate coal seams within Big Run watershed, Graham Township, Clearfield County, as unsuitable for surface mining operations. The regulations results from a petition submitted to the Environmental Quality Board by Graham Township Supervisors, which requested that the Big Run drainage be designated as unsuitable for surface mining operations.	Geoff Lincoln (717) 783-9582 glincoln@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Handling and Use of Explosives Act of 1937; The Administrative Code of 1929; Reorganization Plan No. 2 of 1975; Reorganization Plan No. 8 of 1981; Surface Mining Conservation and Reclamation Act; and Noncoal Surface Mining Conservation and Reclamation Act 25 Pa. Code Chapter 211	Spring 2012, as proposed	The rulemaking will revise current explosive regulations to address blasting activities relating to seismic exploration. The rulemaking will also update explosives use requirements, enforcement authority and eliminate antiquated requirements.	Rick Lamkie (814) 472-1885 rlamkie@pa.gov
Oil & Gas Well Program Oil and Gas Act 25 Pa. Code Chapter 78 Subchapter C	Winter 2012, as proposed	This rulemaking includes revisions to Chapter 78 (Oil and Gas) subchapter C, regulating all surface activities associated with Oil and Gas exploration and development, including; changes to PPC planning, production fluid control, storage, disposal and containment in pits/tanks, liner standards for centralized impoundments, disposal of drill cuttings and residual wastes, secondary containment, site restoration, pipelines, water management plans, reporting releases and road spreading of brine.	Scott Perry (717) 772-2199 scperry@pa.gov
Oil & Gas Well Program Oil and Gas Act 25 Pa. Code Chapter 78 Subchapter D	Fall 2012, as proposed	The rulemaking includes revisions to Chapter 78 (Oil and Gas) Subchapter D, regulating the drilling, casing, cementing, completion, operation, production, plugging and other subsurface activities associated with Oil and Gas exploration and development, including revisions to well plugging procedures, venting, alternative methods, and to address the plugging of unconventional wellbore laterals and coal bed methane wells.	Scott Perry (717) 772-2199 scperry@pa.gov
Underground Coal Mine Safety Automated External Defibrillators Bituminous Coal Mine Safety Act 25 Pa Code Chapter 208	Spring 2012, as final	The rulemaking establishes safety standards relating to Automated External Defibrillators in underground bituminous coal mines.	Joseph Sbaffoni (724) 439-7469 jsbaffoni@pa.gov
Underground Coal Mine Safety Bituminous Coal Mine Safety Act 25 Pa Code Chapter 208	Spring 2012, as proposed	This rulemaking adopts by reference, with certain modifications, the MSHA regulations (30 CFR Part 75) for a high voltage continuous mining machine standard for underground bituminous coal mines.	Joseph Sbaffoni (724) 439-7469 jsbaffoni@pa.gov
Underground Coal Mine High Voltage Continuous Mining Machine Standards for Underground Coal Mines Bituminous Coal Mine Safety Act 25 Pa. Code Chapter 208	Fall 2012, as proposed	This rulemaking adopts by reference, with certain modifications, the MSHA regulations (30 CFR Part 75) for a high voltage continuous mining machine standard for underground bituminous coal mines.	Joseph Sbaffoni (724) 439-7469 jsbaffoni@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Underground Coal Mine Safety Maintenance of Incombustible Content of Rock Dust in Underground Coal Mines Bituminous Coal Mine Safety Act 25 Pa. Code Chapter 208	Fall 2012, as proposed	This rulemaking adopts by reference, with certain modifications, the MSHA regulations (30 CFR Part 75) for maintenance of incombustible content of rock dust in underground bituminous coal mines.	Joseph Sbaffoni (724) 439-7469 jsbaffoni@pa.gov
Water Quality Standards Review Clean Streams Law 25 Pa. Code Chapters 93 and 16	Winter 2012, as proposed	The proposed rulemaking will include revisions to the Commonwealth's water quality criteria and standards in Chapters 93 and 16 to reflect the latest scientific information and Federal guidelines for criteria development, as required by the triennial review requirements in the Federal Clean Water Act.	Tom Barron (717) 787-9637 tbarron@pa.gov
Dam Safety and Waterways Management Fees Dam Safety and Encroachments Act and Clean Streams Law 25 Pa. Code Chapter 105	Winter 2012, as proposed	The purpose of this proposed rulemaking package is to amend existing regulations at 25 Pa. Code, Chapter 105 to update existing fees and include additional fees for activities performed by the Department. The fees have not been increased since 1991.	Sidney Freyemuth (717) 772-5977 sfreyermut@pa.gov
HEDD- High Electric Demand Days Air Pollution Control Act 25 Pa. Code Chapters 121 and 129	Fall 2012, as proposed	The proposed rulemaking would amend 25 Pa Code Chapter 129 to limit emissions of nitrogen oxides (NOx) from electric generating units (EGUs) and emergency generator sets used during non-emergency periods that operate less than 1200 hours per Ozone Season and generate electricity during periods of peak electric demand, including high electric demand days (HEDD), which frequently coincide with periods of high ground-level ozone concentrations. Amendments to § 121.1 (relating to definitions) would also be made to support the proposed amendments to Chapter 129.	Susan Hoyle (717) 772-2329 shoyle@pa.gov
Sulfur Limits in Commercial Fuel Oil Air Pollution Control Act 25 Pa Code Chapters 121 and 123	Summer 2012, as final	The final rulemaking amends 25 Pa. Code § 123.22 (relating to combustion units) to lower the maximum allowed percent sulfur content in commercial fuel oil sold for and used in combustion until in this Commonwealth, to further limit the emissions of sulfur dioxide (SO <sub>2</sub> ) from these sources. Amendments to § 121.1 (relating to definitions) will also be made to support the final amendments to § 123.22. The final rulemaking will ensure consistency with the State Implementation Plan revision submitted by Pennsylvania to meet reasonable progress goals for reducing regional haze.	Susan Hoyle (717) 772-2329 shoyle@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Flexible Packaging Printing Presses and Offset Lithographic and Letterpress Printing Presses Air Pollution Control Act 25 Pa. Code Chapter 121 and 129	Summer 2012, as proposed	The proposed rulemaking would amend 25 Pa. Code Chapter 129 (relating to standards for sources) to add requirements to reduce the emissions of volatile organic compounds (VOCs) from flexible packaging printing presses and offset lithographic printing and letterpress printing presses to meet the Clean Air's "reasonably available control measures" requirement for ozone nonattainment areas. The proposal would amend §§ 129.51 and 129.67 (relating to general; and graphic arts systems) and add §§ 129.67a and 129.67b (relating to control of VOC emissions from flexible packaging printing presses; and control of VOC emissions from offset lithographic printing presses and letterpress printing presses). Amendments to § 121.1 (relating to definitions) would also be made to support the proposed amendments to Chapter 129.	Susan Hoyle (717) 772-2329 shoyle@pa.gov
Repeal of Employer Trip Reduction Air Pollution Control Act 25 Pa. Code Chapter 126, Subchapter B	Winter 2012, as final-omitted	This final omitted-rulemaking would repeal the employer trip reduction (ETR) regulations in Chapter 126, Subchapter B (relating to employer trip reduction). The ETR program was originally mandated by the 1990 Amendments of the Clean Air Act. In 1994, the PA General Assembly enacted Act 95 of 1994 suspending the implementation and enforcement of the program because of disproportionate economic costs. Congress has since enacted legislation authorizing states to implement alternative programs.	Susan Hoyle (717) 772-2329 shoyle@pa.gov
Repeal of Portable Fuel Containers Air Pollution Control Act 25 Pa. Code Chapter 130, Subchapter A	Winter 2012, as final-omitted	This final-omitted rulemaking would repeal the portable fuel container (PFC) regulations in Chapter 130, Subchapter A (relating to portable fuel containers). This regulation was promulgated at 32 Pa.B. 4819 (October 5, 2002). The United States Environmental Protection Agency subsequently adopted more stringent measures in February 2007 rendering this regulation unnecessary.	Susan Hoyle (717) 772-2329 shoyle@pa.gov
Repeal of St. Joe Resources Company Air Pollution Control Act 25 Pa. § 128.21	Winter 2012, as final-omitted	This final-omitted rulemaking would repeal the alternative compliance standard found at § 128.21 (relating to St. Joe Resources Company; Potter Township, Beaver County, Pennsylvania) Section 128.21 was promulgated at 16 Pa.B. 521 (February 22, 1986). The alternative compliance standard has been superseded by Federally enforceable permit conditions. The standard in § 128.21 is no longer applicable.	Susan Hoyle (717) 772-2329 shoyle@pa.gov
Emissions of Particulate Matter Air Pollution Control Act 25 Pa. § 139.12	Spring 2012, as proposed	The proposed rulemaking would amend 25 Pa. Code § 139.12 (relating to emissions of particulate matter) to reflect changes in Federal test method requirements. The Environmental Quality Board amended § 139.12 at 27 Pa.B. 6804 (December 27, 1997) to require source testing only for filterable particulate matter. The United States Environmental Protection Agency has revised the source of test method (Method 202) to require the testing of both filterable and condensable particulate matter for purposes of emission inventories and new source review applicability determinations. Other clarifying amendments to Chapter 139 (relating to sampling and testing) would also be proposed for timeliness of reporting requirements.	Susan Hoyle (717) 772-2329 shoyle@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Amendments for the Control of Major Sources of NO <sub>x</sub> and VOCs Air Pollution Control Act 25 Pa. Code Chapter 129	Summer 2012, as proposed	The proposed rulemaking would amend the Reasonably Available Control Technology Requirements for major NO <sub>x</sub> - and VOC-emitting stationary sources; the proposal would not apply to major VOC-emitting facilities subject to Federal Control Technique Guidelines adopted by the Board as final rulemakings.	Susan Hoyle (717) 772-2329 shoyle@pa.gov
Transport Rule NO <sub>x</sub> and SO <sub>2</sub> Trading Programs Air Pollution Control Act 25 Pa Code Chapter 145	Spring 2012, as proposed	The proposed rulemaking would add a Subchapter E to Chapter 145 to establish the Commonwealth's allowance allocation provisions for the Environmental Protection Agency (EPA) Transport Rule (TR) nitrogen oxides (NO <sub>x</sub> ) Annual Trading Program, TR NO <sub>x</sub> Ozone Season Trading Program and TR Sulfur dioxides (SO <sub>2</sub> ) Group 1 Trading Program as a means of mitigating the interstate transport of fine particulates and ozone, and their precursors, NO <sub>x</sub> and SO <sub>2</sub> . The TR identifies emission reduction responsibilities of upwind states, and also promulgates enforceable Federal Implementation Plans (FIPs) to achieve the required emission reductions in each state through cost effective and flexible requirements for power plants. Each state has the option of replacing FIPs with State rules approved as part of the State Implementation Plan (SIP). States are only allowed to change the methodology by which responsibility for achieving the required emissions reductions is allocated among subject units. The proposed rulemaking would affect fossil fuel fired electric generating units (EGUs) with a rated capacity of greater than 25 megawatts and subject to the applicability provisions of the TR in 40 CFR 97.404, 97.504, and 97.604. If adopted as a final-form regulation, the amendments will be submitted to the EPA as a revision to the SIP.	Susan Hoyle (717) 772-2329 shoyle@pa.gov
Air Quality Plan Approval and Operating Permit Fees Air Pollution Control Act 25 Pa. Code Chapters 127 and 139	Spring 2012, as proposed	The proposed rulemaking would: amend existing requirements and fees codified in 25 Pa. Code Chapter 127, Subchapter I (relating to plan approval and operating permit fees); add new categories of fees to Chapter 127, Subchapter I, to address modifications of existing plan approvals and requests for determination of whether a plan approval is required; add a new section to address fees for risk assessment applications; amend the existing emission fee paid by the owner or operator of a Title V facility; and add Subchapter D (relating to testing, auditing and monitoring fees) to Chapter 139 (relating to sampling and testing) to add new categories of fees and to establish a fee schedule to address Department-performed source testing and auditing and monitoring activities for continuous emission monitoring systems (CEMS).	Dean Van Orden (717) 783-9664 dvanorden@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Control of VOC Emissions from Miscellaneous Metal Parts and Plastic Parts Surface Coating Processes, Automobile and Light-duty Truck Assembly Surface Coating Processes and Fiberglass Boat Manufacturing Processes, and Amendments to Mobile Equipment Repair and Refinishing Air Pollution Control Act 25 Pa. Code Chapters 121 and 129	Summer 2012, as proposed	The proposed rulemaking would amend the existing surface coating regulations under 25 Pa. Code Chapter 129 (relating to standard for sources) to further replace the emissions of volatile organic compounds (VOCs) from miscellaneous metal parts and plastic parts surface coating processes, automobile and light-duty truck assembly surface coating processes and fiberglass boat manufacturing processes to meet the Clean Air Act (CAA) "reasonably available control measures" including "reasonably available control technology" (RACT), requirements for ozone nonattainment areas. The proposed rulemaking would amend the existing surface coating regulations in 25 Pa. Code § 129.75 (relating to mobile equipment repair and refinishing) to coordinate emission limits and work practice requirements of the CAA RACT for automobiles and light-duty trucks and the Ozone Transport Commission model rule requirements for motor vehicle and mobile equipment non-assembly line coating operations. Amendments to 25 Pa. Code § 121.1 (relating to definitions) would also be proposed to support amendments to Chapter 129.	Susan Hoyle (717) 772-2329 shoyle@pa.gov
Control of VOC Emissions from Industrial Cleaning Solvent Operations Air Pollution Control Act 25 Pa. Code Chapters 121 and 129	Summer 2012, as proposed	The proposed rulemaking would amend 25 Pa. Code § 121.1 (relating to definitions) and Chapter 129 (relating to standards for sources) to add requirements to reduce the emissions of volatile organic compounds (VOCs) from industrial cleaning solvent operating to meet the Clean Air Act (CAA) "reasonably available control measures" including "reasonably available control technology" (RACT), requirements for ozone nonattainment areas. The proposal would add 25 Pa. Code § 129.63a (relating to control of VOC emissions from industrial cleaning solvent operations) to adopt emission limits and work practice standards. The emission limits and work practice standards would be consistent with the recommendations of the United States Environmental Protection Agency (EPA) included in the corresponding industrial cleaning solvent Control Techniques Guidance (CTG). The EPA recommends applying the control recommendations to operations that emit at least 15 pounds per day (lb/day) of Voc prior to controls, which is consistent with the threshold level contained in many previous CTGs.	Susan Hoyle (717) 772-2329 shoyle@pa.gov
Municipal Waste regulated Medical Amendments Solid Waste Management Act 25 Pa. Code Chapter 284	Spring 2012, as proposed	This rulemaking will amend the existing Chapter 284. This will include some definitions in Chapter 271 that will be added or amended. The term infectious waste will be replaced with the term "regulated medical waste." This terminology change will be a global change. In addition to definitional changes, this proposal also includes changes to storage, transporter licensing, and manifesting requirements for regulated medical waste.	Steve Socash (717) 787-7381 ssocash@pa.gov
Residual Waste Generator Amendments Solid Waste Management Act and Waste Transportation Safety Act 25 Pa. Code Chapter 287	Fall 2012, as proposed	There proposed revisions streamlined and update biennial reporting requirements, reduce the number of generators subject to biennial reporting and annual chemical analyses requirements, and eliminate submission of annual chemical analyses. The requirement for source reduction strategies is proposed for elimination.	Steve Socash (717) 787-7381 ssocash@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Radiological Health 25 Pa Code Chapters 215—240	Fall 2012, as proposed	This rulemaking will amend Pa Code Chapters 215—240 in order to incorporate by reference Federal regulations pertaining to the security of certain radioactive material; to address new x-ray technology that is not addressed in current regulations; and to include radon revisions that are not addressed in current regulations.	Joe Melnic (717) 783-9730 jmelnic@pa.gov
<b>GENERAL SERVICES</b>			
Responsibility, 4 Pa. Code Chapter 60	Spring 2012, as proposed	This chapter will be amended to be consistent with the Procurement Code and to provide for uniform debarment and suspension procedures.	Michael C. Barrett (717) 346-9781
Committee on Construction Contract Documents, 4 Pa. Code Chapter 62	Summer 2012, as final omitted	The Procurement Code repealed the legislation creating this committee, which no longer exists.	Michael C. Barrett (717) 346-9781
Selections Committee, 4 Pa. Code Chapter 64	Summer 2012, as final omitted	These regulations should be rescinded since they have been superseded by the Commonwealth Procurement Code.	Michael C. Barrett (717) 346-9781
Emergency Construction Repairs 4 Pa. Code Chapter 67	Summer 2012, as final omitted	These regulations should be rescinded since they have been superseded by the Commonwealth Procurement Code.	Michael C. Barrett (717) 346-9781
Contract Compliance 4 Pa. Code Chapter 68, Subchapter A, Prequalification of Vendors and Non-construction Contractors	Summer 2012, as final omitted	These regulations should be rescinded since the subject matter of these rules is now covered by the directives management system.	Michael C. Barrett (717) 346-9781
Methods of Awarding Contracts, 4 Pa. Code Chapter 69	Summer 2012, as final omitted	These regulations should be rescinded since they have been superseded by the Commonwealth Procurement Code.	Michael C. Barrett (717) 346-9781
Use of the Forum 4 Pa. Code Chapter 87	Summer 2012, as final omitted	The regulations will be amended to reflect the Department's current use of a rental agreement instead of a permit and to reflect the current organizational structure.	Michael C. Barrett (717) 346-9781
Small Business 4 Pa. Code	Winter 2012, as proposed	With the Small Business Initiative Executive Order and the Veteran-Owned Business Executive Order, we need new regulations regarding certification.	Michael C. Barrett (717) 346-9781
Exercise of First Amendment Rights/ Use of Capitol Complex 4 Pa. Code Chapter 85 and 86	Winter 2012, as proposed	We need to take the existing Statement of Policy and regulation and combine them as an amended regulation if we are to sustain DGS action in regard to protestors.	Michael C. Barrett (717) 346-9781

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>HEALTH</b>			
Communicable and Non-Communicable Diseases 28 Pa. Code § 27.1 et seq.	Preparing for promulgation, no date available	These regulations provide “Disease Control Measures” creating a better system for the prevention of communicable and non-communicable diseases. Certain communicable and non-communicable diseases represent substantial public health threats because of their potential to spread or because they represent preventable health risks. The current revision reflects the fact that new diseases are always emerging. The Department’s authority to promulgate these regulations is found in the Disease Prevention Control law of 1955, 35 P. S. §§ 521.1 et seq. (the Act). Section 16(a) of the (Act 35 P. S. § 521.16 (a)) gives the Board authority to issue rules and regulations on a variety of matters related to communicable and non-communicable diseases. Section 16(b) of the Act (35 P. S. § 521.16 (b)) gives the Secretary of Health the authority to review existing regulations and make recommendations to the Board for changes that the Secretary considers to be desirable. There is also a legislative authority for specific provisions of the regulations. Administrative Code of 1929 (71 P. S. §§ 51 et seq.) (Code) Section 20102 (g) of the code (71 P. S. § 532 (g)) provides general authority for the Department to promulgate regulations.	Stephen M. Ostroff, M.D. Director of Bureau of Epidemiology Department of Health sostroff@pa.gov (717) 787-3350
<b>HOUSING FINANCE AGENCY</b>			
No regulations being developed or considered at this date.			
<b>INFRASTRUCTURE INVESTMENT AUTHORITY</b>			
25 Pa. Code §§ 963.12(a)(6) and (7) 963.13(b)(2), 963.13(c), 963.14(a), 963.15(a), 963(15)(c), 25 Pa. Code § 965.4(9), and 25 Pa. Code § 965.7.	Spring 2012, as proposed	PENNVEST recommends the following revisions: (1) Delete 25 Pa. Code § 963.12(a)(7) thereby allowing PENNVEST to provide financial assistance (loan and grant) for costs associated with the extraction for profit of minerals or other resources from wastewater of sludge whether the project is sponsored by a public or private actor. (2) Amend 25 Pa. Code § 963.13(c) by revising the section to provide for a amortization of advance funding loans with a term of 59 months of interest only and repayment on principal and interest on the 60th month. (3) Amend 25 Pa. Code § 963.18 increasing the current threshold for prior written approval of change orders from \$25,000 to \$50,000. (4) Amend 25 Pa. Code § 963.15(a) by revising the first sentence to provide for a change in the normal loan term to allow 3 years of interest only prior to principal amortization. (5) Amend 25 Pa. Code § 963.15(c)(5) to provide that maximum interest rates on loans shall be determined based upon the unemployment rate for the applicable county in the most recent calendar year for which data has been finalized as of the application cutoff date. (6) Amend 25 Pa. Code § 963.4(9) to allow for eligible land costs under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. (7) Amend 25 Pa. Code § 965.7 to eliminate the requirement for a second opinion project review if the applicant is able to prove to the satisfaction of PENNVEST that no alternative methodologies are available to reduce project costs for projects with construction cost plus contingency in excess of \$15 million.	Shawn W. Weis (717) 783-6776

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>INSURANCE</b>			
No regulations being developed or considered at this date.			
<b>LABOR AND INDUSTRY</b>			
Uniform Construction Code, Title 34, Part XIV, Bureau of Occupational and Industrial Safety	Fall 2012, Submit proposed rulemaking	Adopt updates accessibility requirements (Chapter 11 and Appendix E of the International Building Code) as required by the Pennsylvania Construction Code Act.	Edward Leister (717) 783-6304
Uniform Construction Code, Title 34, Part XIV, Bureau of Occupational and Industrial Safety	Fall 2012, Submit final-omitted rulemaking	Adopted undated provisions of the International Code Council Codes as directed by the Uniform Construction Code Review and Advisory Council, in accordance with the Pennsylvania Construction Code Act.	Edward Leister (717) 783-6304
Flammable and Combustible Liquids, Title 37, Part I, Bureau of Occupational and Industrial Safety	Fall 2012, Submit proposed rulemaking	Update the requirements for unattended self-service stations and adopt requirements for storage and dispensing of compress natural gas as vehicular fuel.	Edward Leister (717) 783-6304
Boilers and Unfired Pressure Vessels, Title 34, Chapter 3a, Bureau of Occupational and Industrial Safety	Summer 2012, Submit proposed rulemaking	Update the codes adopted to the current editions.	Edward Leister (717) 783-6304
Unemployment Compensation, Title 34, Chapter 65, Office of Unemployment Compensation Benefits	Winter 2012, Submitted Proposal Rulemaking	Implement active search for work and update refusal of work regulation	Sean Creegan (717) 787-4186
Unemployment Compensation, Title 34, Chapter 101, Board of Review	Winter 2012, Submit final-omitted in	Delete language re distance requirement in telephone regulation to conform with Act 6 of 2011	Gerard Mackarevich (717) 783-1232
Bureau of Labor Law Compliance, Title 34, Chapter 231 Minimum Wage	Summer 2012, Submit final form rulemaking with proposed rulemaking omitted	Rescind expired Food-Service Employee Incentive Program	Rich Lengler (717) 787-4186
Bureau of Labor Law Compliance, Title 34, Part XII, Chapter 225, Prohibition of Excessive Overtime in Health Care Act	Winter 2012 Submit proposed rulemaking	Regulations to establish a complaint and hearing process	Karen Galli (717) 787-4186
Bureau of Labor Law Compliance, Title 34, Chapters 83 and 84, Apprentices	Spring 2012, Submit proposed rulemaking	Amend regulations to reflect Federal requirements.	Rich Lengler (717) 787-4186
Bureau of PENNSAFE Title 34, Chapters 301—323, Worker and Community Right to Know	December 2012, Submit proposed rulemaking	Amend the PA Hazardous Substance List	Thomas Ward, Jr. (717) 783-1826

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Office of Deaf and Hard of Hearing, Title 34, Chapter 501 Registration of Sign Language Interpreters and Transliterators	Fall 2012, Submit Proposed rulemaking	Amend regulations to be consistent with amendments to Sign Language Interpreter and Transliterators State Registration Act, 63 P. S. §§ 1725.1—1725.11, that were enacted in November 2010.	Sharon Behun (717) 783-4912
Bureau of Labor Law Compliance, Title 3, Chapter 231, Minimum Wage	Winter of 2012, Submit proposed rulemaking	Update regulations to be consistent with Federal regulations changes.	Richard Lengler (717) 787-4186
Workers' Compensation Appeal Board (Board), Title 34, Chapter 111, Special Rules of Administrative and Procedure Before the Board	December 2012, Submit proposed rulemaking	Revise regulations to reflect evolving procedures and technological changes.	Commissioner Alfonso Frioni, Jr. (412) 531-2680
Office of Adjudication, Title 34, Chapter 131, Special Rules of Administrative Practice and Procedure Before the Workers' Compensation Judges	December 2012, Submit proposed rulemaking	Revise regulations to reflect evolving procedures and technological changes.	Deputy Secretary Elizabeth Crum (717) 787-5082
<b>MILITARY AND VETERANS AFFAIRS</b>			
No regulations being developed or considered at this date.			
<b>MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION</b>			
No regulations being developed or considered at this date.			
<b>PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM</b>			
No regulations being developed or considered at this time.			
<b>PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY</b>			
22 Pa. Code Chapter 121 Student Financial Aid	June 2012, as Proposed	These regulations have not been updated in some time. The revisions seek to increase the transparency in regard to the processes used for financial assistance determinations.	Christine Zuzack (717) 720-2368
<b>PROBATION AND PAROLE</b>			
Revision to 37 Pa. Code §§ 63, 65, 67, 69, 71, 73, 75, 77 "Board of Probation and Parole"	Continues to be worked on in FY 2012	Updates to incorporate recent changes to Title 61 and emphasis on evidence based practices	Linda Laub, Acting Chief Counsel (717) 787-8126
Addition of a section to 37 Pa. Code Part II. "Board of Probation and Parole"	Continues to be worked on in FY 2012.	Addition to address urinalysis collection as mandated by 61 Pa.C.S. § 6137(e).	Colleen Fickel, Director, Central Services, PBPP (717) 787-5699 x 292

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
37 Pa. Code, Chapter 79 The County Probation and Parole Officers Firearms Education and Training Law 61 P. S. § 332.5(13) requires the Commission to “make rules and regulations and to perform other duties as may be reasonably necessary or appropriate to implement the training program for county probation and parole officers.”	Expected to be submitted to IRRC by the end of 2012	Add new sections relating to “Break in Service” and “Weapons Change.”	Todd Burns, Executive Director, FETC (717) 787-5699 x 389

**PUBLIC SCHOOL EMPLOYEES’ RETIREMENT SYSTEM**

No regulations being developed or considered at this time.

**PUBLIC WELFARE**

Subsidized Child Care Eligibility 55 Pa. Code Chapter 3041	March 2012, as final omitted	This regulation amends the definition of self-employment, repeals subsidized child care special eligibility for children enrolled in a prekindergarten program and amends copayment requirements for school-age child care subsidies. This regulation is being promulgated under the authority of Act 2011-22.	Angie Logan (717) 772-4141
Subsidized Child Care Hearings, Overpayments and Absence Changes 55 Pa. Code Chapter 3041	April 2012, as final omitted	This regulation will disqualify a parent or caretaker from participation in the subsidy program if the parent signs a waiver of an administrative disqualification hearing; require the eligibility agency to refer cases of provider fraud to the Office of Inspector General; codify the overpayment notices process; and clarify the regulation related to families qualified for special eligibility in the Head Start expansion program. Changes will also include suspending payment after five days of absence, end payment of subsidy 30 days after an involuntary job loss, while allowing eligibility to continue up to 60 days after the loss of employment and establish a cap on the number of annual paid absences. This regulation is being promulgated under the authority of Act 2011-22.	Angie Logan (717) 772-4141
Subsidized Child Care Absence Changes 55 Pa. Code Chapter 168	April 2012, As final omitted	Changes will include suspending payment after five days of absence and establishing a cap on the number of annual paid absences. This regulation is being promulgated under the authority of Act 2011-22.	Angie Logan (717) 772-4141
Office of Developmental Programs Home and Community Based Services 55 Pa. Code Chapter 51	April 2012, as final-omitted	This regulation established payment rates, fee schedules and payment methodology for home and community-based services and provider qualifications for providers in the Adult Autism, Consolidated and Person/Family Directed Support waiver program under Act 2011-22.	Angie Logan (717) 772-4141
Office of Developmental Programs ICF/MR Programs 55 Pa. Code Chapter 6211	April 2012, as final-omitted	This regulation will revise the Department payment methodologies, provider cost report requirements and update definitions for private ICF/MR programs. This regulation is being promulgated under the authority of Act 2011-22.	Angie Logan (717) 772-4141

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Revisions to the Special Allowance for Supportive Services Requirement Road to Economic Self-sufficiency through Employment and Training (RESET) Program 55 Pa. Code Chapter 165	April 2012, as final omitted	This final-omitted rulemaking eliminates several types of special allowances, combines public and private transportation related special allowances into one category, and reduces the maximum combined annual limit for transportation from \$3,000 to \$1,500. This final omitted rulemaking also eliminated the motor vehicle insurance special allowance. In addition, the lifetime limit for other work, education and training related allowances is reduced from \$2,000 to \$1,000. This regulation is being promulgated under the authority of Act 2011-22.	Angie Logan (717) 772-4141
State Supplementary Payment Levels 55 Pa. Code Chapter 299	April 2012, as final-omitted	The purpose of this final-omitted rulemaking is to codify the SSP levels in the text of 55 Pa. Code § 299.37 and to rescind Appendix A (relating to SSP payment levels). This regulation is being promulgated under the authority of Act 2011-22.	Angie Logan (717) 772-4141
Program Certification 55 Pa. Code Chapters 101, 105, 107, 108, 109, 145, and 148	June 2012, As proposed	The purpose of this proposed rulemaking is to clarify and update Title 55 of the Pennsylvania Code. This proposed regulation will remove references to agencies and acronyms that no longer exist and ensures that all revisions comply with State and Federal law and policy.	Angie Logan (717) 772-4141
Revisions to Restitution and Disqualification Policy 55 Pa. Code Chapter 255	June 2012, As proposed	The purpose of this proposed rulemaking is to clarify restitution and disqualification policy to comply with State and Federal Law and Policy.	Angie Logan (717) 772-4141
Residential Treatment Facilities (FTF) 55 Pa. Code Chapters 31, 1157, 1165	June 2012, as final-form	This regulation codifies coverage for mental health services to children under 21 years of age that are provided in a residential treatment facility.	Angie Logan (717) 772-4141
Psychiatric Rehabilitation Services 55 Pa. Code Chapter 5230	April 2012, as final form	This regulation promulgates the minimum standards for the delivery of Psychiatric Rehabilitation Services (PRS) for adults. PRS are therapeutic rehabilitation services for individuals with serious mental illness that increase competence in normal life activities and allow individuals to pursue life goals with the greatest possible level of independence.	Angie Logan (717) 772-4141
Inpatient Hospital Services 55 Pa. Code Chapter 1163	April 2012, final-omitted	This final-omitted rulemaking amends current MA regulations at 55 Pa. Code, Chapter 1163, Subchapter A, to eliminate separate payment for normal newborn care for inpatient acute general hospitals. Normal newborn care will be covered as part of the mother's obstetrical delivery APR-DRG payment. The regulations also amend payment policy for readmissions to an acute care general hospital paid through DRG to increase the readmission time frame for review from within 7 days to within 30 days of discharge, as specified at § 443.9 of the Public Welfare Code. This regulation is being promulgated under the authority of Act 2011-22.	Angie Logan (717) 772-4141

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Medical Assistance Copayment Changes 55 Pa. Code Chapter 1101	April 2012, as final-omitted	The purpose of this final-omitted regulation is to eliminate excess copayment reimbursement, to update nominal sliding scale MA copayment amounts and allow adjustments to the sliding scale copayment amounts for publication of notice in the <i>Pennsylvania Bulletin</i> , and to apply a copayment for nonemergency medical transportation paratransit services. Additionally, § 1101.63 is amended to make technical corrections to the chapter to reflect and clarify copayment exclusions currently in effect under the MA program. This regulation is being promulgated under the authority of Act 2011-22.	Angie Logan (717) 772-4141
Pharmacy Benefit Package Change 55 Pa. Code Chapter 1121	June 2012, as final-omitted	Act 22 of 2011 requires the Department to establish benefit packages for pharmacy services for medical assistance recipients 21 years of age or older, and any exceptions to such benefit packages as the Department determines are appropriate during state fiscal year 2011-2012. This regulation package is codifying the pharmacy benefit package changes which were published in the Pharmacy Benefit Package notice at 41 Pa.B. 6455 (December 3, 2011).	Angie Logan (717) 772-4141
Dental Benefits Package Change 55 Pa. Code Chapter 1149	June 2012, as final-omitted	Act 22 of 2011 requires the Department to establish benefit packages for dental services for medical assistance recipients 21 years of age or older, and any exceptions to such benefit packages as the Department determines are appropriate during state fiscal year 2011-2012. This regulation package is codifying the dental package changes which were published in the Dental Benefit Package notice at 41 Pa.B. 5133 (September 24, 2011).	Angie Logan (717) 772-4141
Payment for Nursing Facility Services Provided by Special Rehabilitation Nursing Facilities; Change in Methods and Standards of Setting Payment Rates. 55 Pa. Code Chapter 1187	July 2012, as proposed	This change in rate methodology will allow the Commonwealth to provide payments that reflect the type of services provided by the initial four Special Rehabilitation Nursing Facilities and eliminated existing litigation challenging the adequacy of the case-mix per diem payment rates for facilities in peer group 13.	Angie Logan (717) 772-4141
Long Term Living Home and Community Based Services 55 Pa. Code Chapter 52	April 2012, as final-omitted	The regulation will establish provider qualifications and payment provisions for providers rendering services under the Aging, Attendant Care, COMM CARE, Independence and OBRA Home and Community Based Service waivers and the Act 150 program. This regulation is being promulgated under the authority of Act 2011-22.	Angie Logan (717) 772-4141
Appeal and Fair Hearing and Administrative Disqualification Hearings 55 Pa. Code Chapter 275	July 2012, as proposed	This regulation will update definitions, streamline administrative practices, and incorporate hearing procedures that will support efficiency in the hearing and appeals process.	Angie Logan (717) 772-4141
Medical Assistance Provider Appeal Procedures 55 Pa. Code Chapter 41	July 2012, as proposed	This regulation will clarify procedural and substantive matters related to provider appeals including the filing and post hearing practices for provider appeals.	Angie Logan (717) 772-4141

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Administrative of County Children and Youth Programs 55 Pa. Code Chapter 3130	December 2012, as proposed	This regulation incorporates the amendments to the Juvenile Act as a result of Act 126 of 1998 and the Federal regulations of Title IV-B and Title IV-E funding for child welfare services for children in their own homes and for children receiving placement services. Major changes include permanent hearings and the matters to be determined, requirements related to reasonable efforts including aggravated circumstances contrary to the welfare and best interests and redefining permanency goals for children.	Angie Logan (717) 772-4141
Payment for Child Care 55 Pa. Code Chapter 287	December 2012, as proposed	Chapter 287 will be rescinded as it no longer reflects current policy. Chapter 3140 (relating to planning and financial reimbursement requirements for county children and youth social service programs) already addresses the current determination requirements of TANF-relatedness and Medical Assistance eligibility for children placed by county children and youth agencies.	Angie Logan (717) 772-4141
Planning and Financial Reimbursement requirements for County Children and Youth Social Service Programs	December 2012, as proposed	This regulation provides the requirements for reimbursement for services to county children and youth agencies. The regulations are in need of revision to ensure consistency with Federal requirements and policy to ensure the validity of state and Federal claims.	Angie Logan (717) 772-4141
<b>REVENUE</b>			
Amendments to Estates and Trusts—Personal Income Tax Regulations 61 Pa. Code Chapters 101, 103, 105, and 117	July 2012, as proposed	The Department is promulgating this regulation to codify the Department's policy for the taxation of estates and trusts in the Commonwealth and to provide clear instructions for taxpayers regarding reporting requirements.	Douglas Berguson (717) 346-4633
Amended Returns—Personal Income Tax Regulations 61 Pa. Code Chapters 117, 119, and 121	April 2012, as proposed	The Department is promulgating this regulation to clarify the Department's policy on Amended Returns for Pa. PIT and replace outdated language. In addition, the regulation will provide clear instructions for taxpayers regarding petitions for refunds.	Douglas Berguson (717) 346-4633
Consolidation of Administrative Appeals under the Board of Appeals 61 Pa. Code Chapters 7 and 901	April 2012, as proposed	The Department is proposing regulations to consolidate the administrative appeals under the Board of Appeals and streamline the administrative appeals process.	Douglas Berguson (717) 346-4633
Amendments to Realty Transfer Tax Regulations 61 Pa. Code Chapter 91	Proposed Regulation published at 41 Pa.B. 6220 (November 19, 2011) December 2012, as final	Amendments to the Realty Transfer Tax regulations are being proposed to improve the clarity and effectiveness of the regulations.	Douglas Berguson (717) 346-4633
Amendments to Local Option Small Games of Chance 61 Pa. Code Chapter 901	Proposed regulation published at 41 Pa.B. 4638 (August 27, 2011) December 2012, as final	The Department is proposing revisions to improve the clarity and effectiveness of the regulations relating to games of chance.	Douglas Berguson (717) 346-4633

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
General Provisions Application of Payments 61 Pa. Code Chapter 5a	June 2012, as proposed	The Department is promulgating this regulation to clarify the provisions of the Taxpayers' Bill of Rights and provide a procedure for the application of a payment received from the taxpayer to tax liability owned the Department	Douglas Berguson (717) 346-4633
<b>SECURITIES COMMISSION</b>			
No regulations being developed or considered at this time.			
<b>STATE</b>			
Bureau of Professional and Occupational Affairs  —Schedule of Civil Penalties for violations of the Clean Indoor Air Act— 49 Pa. Code Chapter 43b. (16-46)  —Telephonic Testimony— 49 Pa. Code Chapter 43b. (number not yet assigned)  —Recording Devices— 49 Pa. Code, §§ 43b.101 and 43b.102 (16A-45)	Spring 2012, as Final.  Summer 2012, as Proposed.  Fall 2012, as Proposed.	This regulation would create a schedule of civil penalties for violations of the Act of June 13, 2008 (P. L. 182, No. 27), known as the Clean Indoor Air Act. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a), authorizes the Commissioner to set forth schedules of civil penalties. Section 5(b)(1)(ii) of the Clean Indoor Air Act, 35 P. S. § 637.5(b)(1)(ii), authorizes the Bureau to enforce the act.  This proposed rulemaking would provide rules for the admission of testimony received by telephone at hearings conducted by boards/commissioners or hearing examiners. Statutory Authority: Section 3 of the Commissioner of Professional and Occupational to promulgate regulations setting forth the procedural rules to be followed in the conduct of hearings in disciplinary matters before a licensing board or commission, after consultation with the licensing boards and commissions.  This proposed rulemaking would provide rules for the use of electronic (audio and visual) recording devices during meetings of the boards and commissions within the Department of State for which the Bureau of Professional and Occupational Affairs provides administrative support. Statutory Authority: Sections 710 and 711 of the Sunshine Act, Act of October 15, 1998 (P. L. 179, No. 93) authorizes the adoption of rules and regulations governing the use of recording devices in public meetings.	Cynthia K. Montgomery (717) 783-7200

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>State Board of Accountancy</p> <p>—Continuing Education— 49 Pa. Code §§ 11.61—11.69a (16A-5511)</p> <p>—General Revisions— 49 Pa. Code Chapter 11 (number not yet assigned)</p> <p>—Civil Penalty Schedule— Accountants— 49 Pa. Code § 43b.10a. (16-48)</p>	<p>Spring 2012, as Final.</p> <p>Summer 2012, as Proposed.</p> <p>Spring 2012, as Final.</p>	<p>The regulation would amend continuing professional education requirements for licensed certified public accountants and public accountants. Statutory Authority: Section 3 of the C.P.A. Law, 63 P. S. § 9.3.</p> <p>This proposed rulemaking would implement the amendments to the CPA Law made by the Act of July 9, 2008 (P. L. 954, No. 73). Statutory Authority: Section 3 of the C.P.A. Law, 63 P. S. § 9.3.</p> <p>This regulation would adopt a schedule of civil penalties for violation of the continuing education regulations of the Board. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a), authorizes the Commissioner of Professional and Occupational Affairs to set forth schedules of civil penalties, with the approval of the Board.</p>	<p>Sara Fox (717) 783-1404</p>
<p>State Architects Licensure Board</p> <p>—Experienced Requirement— 49 Pa. Code §§ 9.41 and 9.46 (16A-4120)</p>	<p>Summer 2012, as Proposed.</p>	<p>This proposed rulemaking would clarify that the experience requirement must be completed as a condition of licensure rather than as a condition of admittance to the licensing examination and is sufficient that an examination candidate has begun acquiring qualifying experience. Statutory Authority: Section 6(a) and (d) of the Architects Licensure Law, 63 P. S. § 34.6(a) and (b).</p>	<p>Penny Walker (717) 783-3397</p>
<p>State Athletic Commission</p> <p>—Mixed martial arts update— 58 Pa. Code § 28.30 (16-53)</p>	<p>Summer 2012, as proposed</p>	<p>The proposed rulemaking would alter the Commission's current MMA regulations to permit amateur contestants to petition to strike at an opponent's head when on the ground after at least four amateur bouts. Statutory Authority: Sections 103(b) and 501 of the State Athletic Code, 5 Pa.C.S. § 103(b)(1), authorizes the Commission to promulgate regulations regarding professional and amateur boxing contests and exhibitions.</p>	<p>Martha Brown (717) 783-0736</p>
<p>State Board of Auctioneer Examiners</p> <p>—Schedule of Civil Penalties— 49 Pa. Code § 43b.12a (16A-648)</p>	<p>Spring 2012, as proposed</p>	<p>The proposed rulemaking would make updates to the current schedule of civil penalties, as requested by the Board. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a), authorizes the Commissioner of Professional and Occupational Affairs to set forth schedules of civil penalties.</p>	<p>Terri Kocher (717) 783-3397</p>

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>State Board of Barber Examiners</p> <p>—Fees— 49 Pa. Code § 3.103 (16A-428)</p> <p>—General Revisions— 49 Pa. Code Chapter 3 (16A-429)</p>	<p>Spring 2012, as Proposed.</p> <p>Fall 2012, as proposed</p>	<p>The proposed rulemaking would increase biennial renewal fees and fees for other board services. Statutory Authority: Section 14 of the Barbers License Law, 63 P. S. § 564.</p> <p>The proposed rulemaking would update the regulations for barber managers, temporary student licenses, barber shops and schools of barbering. Statutory Authority: Section 10 of the Barbers License Law, 63 P. S. § 560</p>	<p>Kelly Diller (717) 783-3402</p>
<p>State Board of Chiropractic</p> <p>—Chiropractic specialties— 49 Pa. Code Ch. 5 (16A-4312)</p> <p>Review of Chiropractic Treatment— 49 Pa. Code Chapter 5 (16A-4315)</p> <p>—Assistance of Unlicensed Supportive Personnel— 49 Pa. Code, Chapter 5 (16A-4316)</p> <p>—Licensure by Reciprocity— 49 Pa. Code § 5.13 (16A-4320)</p> <p>—Volunteer license— 49 Pa. Code § 5.20 (16A-4321)</p>	<p>Spring 2012, as Proposed</p> <p>Spring 2012, as Final.</p> <p>Spring 2012, as Final.</p> <p>Spring 2012, as Final.</p> <p>Spring 2012, as Final (Proposed-omitted).</p>	<p>The Chiropractic Practice Act prohibits licensees from holding themselves out as specialists unless they possess a post-graduate certification in that specialty. This proposed rulemaking would identify the certifications acceptable to the Board. Statutory Authority: Section 302(3) of the Chiropractic Practice Act, 63 P. S. § 625.302(3).</p> <p>This rulemaking would establish standards for chiropractors that engage in chiropractic peer review. Statutory Authority: Section 302(3) of the Chiropractic Practice Act, 63 P. S. § 625.302(3).</p> <p>This regulation would establish standards for the delegation of tasks to unlicensed supportive personnel. Statutory Authority: Sections 302(3) and 601 of the Chiropractic Practice Act, 63 P. S. §§ 624.302(3) and 625.601.</p> <p>This regulation would provide a revised method of licensing out-of-state chiropractors by reciprocity. Statutory Authority: Sections 302(3) and 504 of the Chiropractic Practice Act, 63 P. S. §§ 625.302(3) and 625.504.</p> <p>This regulation would amend the volunteer license regulations to the amendments to the Volunteer Health Services Act under Act 58 of 2002. Statutory Authority: Section 302 of the Chiropractic Practice Act, 63 P. S. § 625.302; and section 5 of the Volunteer Health Services Act, 35 P. S. § 449.45.</p>	<p>Mary Sue Ferster (717) 783-7155</p>
<p>Corporation Bureau —UCC Revised Article 9—(16-35)</p>	<p>Fall 2012, as Proposed.</p>	<p>This proposed rulemaking would adopt (with some revisions) the Model rules promulgated by the International Association of Corporate Administrators, which call for the delivery of filings by electronic means and acceptance of credit card payments. Statutory Authority: Section 9526 of the Uniform Commercial Code Modernization Act of 2001, 13 Pa.C.S. § 9526.</p>	<p>Martha Brown (717) 787-6802</p>

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>State Board of Cosmetology</p> <p>—Fees— 49 Pa. Code § 7.2 (16A-4515)</p> <p>—Sanitation— 49 Pa. Code Chapter 7 (16A-4516)</p> <p>—Schedule of Civil Penalties— 49 Pa. Code Chapter 43b, § 43b.5. (number not yet assigned)</p>	<p>Spring 2012, as Proposed.</p> <p>Fall 2012, as Proposed.</p> <p>Spring 2012, as Proposed.</p>	<p>The proposed regulation would increase biennial renewal fees for all licensee classifications and would increase certain application fees where the current fees have been determined to be inadequate. Statutory Authority: Section 16(d) of the Beauty Culture Law, 63 P. S. § 522(d), requires the Board to increase fees by regulation to meet or exceed projected expenditures if the revenues raised by fees, fines and civil penalties are not sufficient to match expenditures over a 2-year period.</p> <p>This proposed rulemaking would update the Board's regulations on sanitation to conform to modern standards within the profession. Statutory Authority: Sections 11 and 14 of the Act of May 3, 1933 (P. L. 242, No. 86), commonly referred to as the Beauty Culture Law, 63 P. S. §§ 517 and 520.</p> <p>This proposed rulemaking would amend the schedule of civil penalties for the State Board of Cosmetology to implement Act 48 civil penalties for failure of a school to submit quarterly reports. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).</p>	<p>Kelly Diller (717) 783-7130</p>
<p>State Board of Dentistry</p> <p>—Anesthesia Update— 49 Pa. Code, Subchapter E, §§ 33.331—33.342 (16A-4621)</p> <p>—EFDA Scope of Practice— 49 Pa. Code § 33.205a. (16A-4624)</p> <p>—Volunteer License— 49 Pa. Code § 33.110 (Number not yet assigned)</p>	<p>Spring 2012, as Proposed.</p> <p>Spring 2012, as Final.</p> <p>Spring 2012, as Final (proposed-omitted).</p>	<p>This proposed rulemaking would update the standards for the administration of general anesthesia, deep sedation, moderate sedation, minimal sedation and nitrous oxide/oxygen analgesia in dental offices. Statutory Authority: Sections 3(o) and 11.2 of the Dental Law, 63 P. S. §§ 122(o) and 130c.</p> <p>This regulation implements the act of April 29, 2010 (P. L. 176, No. 19), which amended the Dental Law to expand the scope of practice for expanded function dental assistants. Statutory Authority: The proposed rulemaking is authorized by section 4 of the act of April 29, 2010 (P. L. 176, No. 19), which requires the Board to promulgate regulations within 18 months of its effective date (June 28, 2010); and by section 3(d.1) and (o) of the Dental Law (act), 63 P. S. § 122(d.1) and (o).</p> <p>This regulation would amend the current volunteer license regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002. Statutory Authority: Section 3(o) of the Dental Law, 63 P. S. § 122(o).</p>	<p>Lisa Burns (717) 783-7162</p>

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>State Registration Board for Professional Engineers, Land Surveyors and Geologists</p> <p>—General Revisions— 49 Pa. Code Chapter 37 (16A-479)</p> <p>—Qualifications for Licensure— 49 Pa. Code Chapter 37 (16A-4711)</p>	<p>Fall 2012, as Proposed.</p> <p>Fall 2012, as Final.</p>	<p>The proposed rulemaking would clarify education and experience requirements for regular and “grandfathered” candidates for examination and licensure; revise categories of acceptable professional references for candidates; update the branches of engineering for which license examinations are offered; prescribe standards relating to the use of an electronic seal and signature; clarify criteria for approval of fictitious and corporate names that use variations of professional titles; eliminate unnecessary administrative requirements; and make editorial changes. Statutory Authority: Section 4 of the Engineer, Land Surveyor and Geologist Registration Law, 63 P. S. § 151.</p> <p>The regulation implements Act 25 of 2010, to provide for the certification of geologists-in-training, and to update the board’s regulations concerning the licensure process for engineers and land surveyors. Statutory Authority: Section 4(l) of the Engineer, Land Surveyor and Geologist Registration Law, 63 P. S. § 151(l).</p>	<p>DeAndra Burger (717) 783-7049</p>
<p>—State Registration Board for Professional Engineers, Land Surveyors and Geologists—</p> <p>Schedule of Civil Penalties—Engineers, Land Surveyors and Geologists— 49 Pa. Code Chapter 43b. (16A-54)</p>	<p>Spring 2012, as Final.</p>	<p>The regulation would make necessary corrections to schedule of civil penalties relating to unlicensed practice and practice on a lapsed license required by the Commonwealth Court’s decision in <i>Evans v. Land Surveyors and Geologists</i>, 15 A.3d 99 (Pa. Cmwlth. 2011). Statutory Authority: Section 5(a) of the act of July 2, 1993 (P. L. 345, No. 48), 63 P. S. § 2205(a).</p>	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>State Board of Funeral Directors</p> <p>General Revisions— 49 Pa. Code Chapter 13 (Number not yet assigned)</p> <p>Renewal; Continuing Education Enforcement— 49 Pa. Code Chapter 13 (16A-4819)</p> <p>Schedule of Civil Penalties— Funeral Directors 49 Pa. Code § 43b.6 (16A-4820)</p>	<p>Fall 2012, as Proposed</p> <p>Fall 2012, as Proposed</p> <p>Fall 2012, as Proposed</p>	<p>The proposed rulemaking would update the Board's regulations related to advertising, application procedures, facility requirements, qualifications, and supervisor responsibilities. Statutory Authority: Section 16 (a) of the Funeral Director Law, 63 P. S. § 479.16(a).</p> <p>This proposed rulemaking would update and clarify the Board's regulations relating to renewal of licenses and enforcement of continuing education. Statutory Authority: Sections 10(b)(1) and 16(a) of the Funeral Director Law, 63 P. S. §§ 479.10(b)(1) and 479.16(a).</p> <p>This proposed regulation would establish a schedule of civil penalties for continuing education enforcement. Statutory Authority: Section 5(a) of the act of July 2, 1993 (P. L. 345, No. 48), 63 P. S. § 2205(a).</p>	<p>Heidy Weirich (717) 783-3397</p>
<p>State Board of Landscape Architects</p> <p>—Statutorily Mandated Amendments— 49 Pa. Code Chapter 15 (16A-6110)</p> <p>—General Revisions— 49 Pa. Code Chapter 15 (16A-6111)</p> <p>—Schedule of Civil Penalties— Landscape Architects 49 Pa. Code Chapter 43b. (16A-6120)</p> <p>—Electronic Seals and Signing— 49 Pa. Code Chapter 15 (16A-6121)</p>	<p>Spring 2012, as Final (proposed omitted).</p> <p>Spring 2012, as Proposed</p> <p>Spring 2012, as Proposed.</p> <p>Fall 2012, as proposed</p>	<p>This regulation would implement the act of July 17, 2009 (P. L. 94, No. 24). Statutory Authority: Section 4(9) of the Landscape Architects' Registration Law, 63 P. S. § 904(9).</p> <p>This proposed rulemaking implements updates to current practices of the Board with respect to qualifications and experience, examinations and continuing education. Statutory Authority: Section 4 of the Landscape Architects' Registration Law, 63 P. S. § 904.</p> <p>This proposed rulemaking would adopt a schedule of civil penalties for unlicensed practice and other violations of the Landscape Architects Registration Law. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a), authorizes the Commissioner of Professional and Occupational Affairs to set forth schedules of civil penalties, with the approval of the Board.</p> <p>This proposed rulemaking will implement rules on electronic seals and signing from other design professional boards in Pennsylvania and other states. Statutory Authority: Sections 4 and 9 of the Landscape Architects' Registration Law, 63 P. S. §§ 904 and 909.</p>	<p>Terrie Kocher (717) 772-8528</p>

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Medicine  —Mcare Update— 49 Pa. Code Chapters 16 and 17 (16A-4925)	Spring 2012, as Final (proposed-omitted)	The regulation deletes outdated references to the repealed Health Care Services Malpractice Act, 40 P. S. §§ 1301.101—1301.1006, and replaces it with references to the Medical Care Availability and Reduction of Error (Mcare) Act, 40 P. S. §§ 1303.101—1303.910. Statutory Authority: Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8, authorizes the Board to promulgate regulations that are reasonably necessary to carry out the purposes of the Act.	Tammy Dougherty (717) 783-1400
—Use of Medical Devices and Lasers— 49 Pa. Code Chapter 16 (16A-4927)	Spring 2012, as Proposed.	The proposed rulemaking is intended to clarify the requirements of the use and delegation of the use of medical devices and medical lasers. Statutory Authority: Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8	
—Behavior Specialists— 49 Pa. Code Chapter 18 (16A-4929)	Spring 2012, as Final.	The regulation implements the licensure or certification of behavior specialists as required by the Act of July 9, 2008 (P. L. 885, No. 62). Statutory Authority: Section 3(g) of the Act of July 9, 2008 (P. L. 885, No. 62) requires the Board, in consultation with the Department of Public Welfare, to promulgate regulations providing for the licensure or certification of behavior specialists.	
—Licensure of Respiratory Therapists and Physician Assistants— 49 Pa. Code Chapter 18 (16A-4930)	Spring 2012, as Proposed.	The proposed rulemaking would implement the amendments made to the Medical Practice Act by the Act of July 4, 2008 (P. L. 580, No. 45) relating to licensure of respiratory therapists and physician assistants. Statutory authority: Section 8 of the Act of July 4, 2008 (P. L. 580, No. 45) requires the Board and the State Board of Osteopathic Medicine to jointly promulgate regulations to implement the amendments.	
—Perfusionists— 49 Pa. Code Chapter 18, Subchapter J. (16A-4931)	Spring 2012, as Proposed.	The regulation would set forth the requirements for licensure of perfusionists. Statutory Authority: Section 4 of the Act of June 11, 2008 (P. L. 154 No. 19) requires the Board to promulgate regulations to implement licensure of perfusionists within 18 months of the effective date. The act was effective on August 10, 2008.	
—Certified Midwives— 49 Pa. Code Chapter 18 (16A-4932)	Fall 2012, as Proposed.	The proposed rulemaking would provide for the licensure of “certified” midwives as suggested by the Commonwealth Court’s decision in <i>Goslin v. State Board of Medicine</i> , 949 A.2d 372. Statutory Authority: Sections 1 and 2 of the Midwife Registration Law of 1929, 63 P. S. §§ 171 and 172, and section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8, make it unlawful to practice as a midwife without a certificate from the Medical Board and authorize the Board to issue rules and regulations as may be necessary for the examination, licensing, and proper conduct of the practice of midwifery by midwives.	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Medicine (cont'd)			
—Prescribing— 49 Pa. Code § 16.92 (16A-4933)	Spring 2012, as Proposed	The proposed rulemaking would rewrite, simplify and update the Board's regulations relating to prescribing controlled substances and other drugs of abuse. Statutory Authority: Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8.	
—Genetic Counselors— 49 Pa. Code Chapter 18 (number not yet assigned)	Summer 2012, as Proposed	This proposed rulemaking would implement the act of December 22, 2011 (P. L. __, No. 125) relating to the licensure of genetic counselors. Statutory Authority: Section 3 of Act 125 of 2011 requires the Board to promulgate regulations within 12 months. Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8, provides the general regulatory powers of the Board	
—Licensure of Athletic Trainers— 49 Pa. Code Chapter 18, Subchapter H (number not yet assigned)	Summer 2012, as Final (proposed-omitted)	This regulation is required to amend the Board's regulations regarding athletic trainers to refer to "licensure" rather than "certification as amended by the act of December 22, 2011 (P. L. _ No. 124). Statutory Authority: Section 8 of the Medical Practice Act of 1985. 63 P. S. § 422.8.	
—Schedule of Civil Penalties— 49 Pa. Code, § 43b.20. (number not yet assigned)	Fall 2012, as Proposed.	This proposed rulemaking would amend the schedule of civil penalties for the State Board of Medicine to implement Act 48 civil penalties for practicing on a lapsed license and for continuing education violations. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	
—Volunteer Licenses— 49 Pa. Code Chapter 16 (16A-4934)	Spring 2012, as Final (proposed-omitted)	This regulation will amend the volunteer license regulations to conform to amendments to the Volunteer Health Services Act (Acts 29 of 2007 and 58 of 2002). Statutory Authority: Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8.	
Navigation Commission of the Delaware River and its Navigable Tributaries			
—General Revisions— 4 Pa. Code §§ 405.7, 405.8, and 405.12 (16A-663)	Spring 2012, as Proposed	The proposed rulemaking would require all currently licensed pilots to hold and maintain an active Federal first class pilot's license and endorsement of the routes to be traversed. Statutory Authority: Section 4 of the Act of March 29, 1803 (P. L. 542), 55 P. S. § 31, and section 2504-B(4) of the Administrative Code of 1929, 71 P. S. § 670.2(4)	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Nursing			
—LPN / IV Therapy— 49 Pa. Code § 21.145 (16A-5122)	Spring 2012, as Final.	This regulation addresses the LPN's role in working with peripherally inserted central catheters (PICC lines). Statutory Authority: Section 17.6 of the Practical Nurse Law, 63 P. S. § 667.6.	Cindy Miller (717) 783-7142
—Application Procedures— 49 Pa. Code § 21.151 (16A-5134)	Summer 2012, as Proposed	The proposed rulemaking would provide for admission to the practical nurse exam for applicants who have graduated from a foreign practical nursing program that is equivalent to an LPN education program of study required in this Commonwealth at the time the program was completed as determined by the Commission on Graduate of Foreign Nursing Schools (CGFNS). Statutory Authority: Sections 5 and 17.6 of the Practical Nurse Law, 63 P. S. §§ 655 and 667.6.	
—Reactivation/ Re-licensure after Lapse— 49 Pa. Code Chapter 21 (16A-5135)	Fall 2012, as Proposed	This proposed rulemaking would set standards for the reactivation/re-licensure of nurses whose licenses have lapsed for a significant period of time. Statutory Authority: Sections 2.1 and 11 of the Professional Nursing Law, 63 P. S. §§ 212.1 and 221; and sections 13.1 and 17.6 of the Practical Nurse Law, 63 P. S. §§ 663.1 and 667.6, authorize the Board to regulate the renewal of expired or inactive licenses and to promulgate regulations generally.	
—Out of State Nursing Education Programs using Pennsylvania Clinical Sites— 49 Pa. Code Chapter 21 (16A-5137)	Summer 2012, as Proposed	This proposed rulemaking would require out of state educational programs that intend to place nursing students in Pennsylvania facilities for clinical education with a Pennsylvania licensed nurse preceptor to apply to the Board for permission to utilize the clinical site. This same requirement is placed on Pennsylvania nursing education programs. Statutory Authority: Section 6.1 of the Professional Nursing Law, 63 P. S. § 216.1 and Section 9 of the Practical Nurse Law, 63 P. S. § 659.	
—Fees for Nursing Education Programs— 49 Pa. Code Chapter 21 (number not yet assigned)	Spring 2012, as Proposed.	This proposed rulemaking is necessary to set fees for the approval of nursing education programs. Statutory Authority: Section 11.2 of the Professional Nursing Law, 63 P. S. § 221.2, and Section 17.5 of the Practical Nursing Law, 63 P. S. § 667.5, set forth the authority to the setting of fees by regulation. Section 6.2 of the Professional Nursing Law, 63 P. S. § 216.2, provides the Board's authority to approve nursing education programs. Sections 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k) and 17.6 of the Practical Nursing Law, 63 P. S. § 667.6, provide the general rulemaking authority of the Board.	
—Volunteer License— 49 Pa. Code Chapter 21, Subchapter F, §§ 21.601—21.607. (number not yet assigned)	Spring 2012, as Final (Proposed-omitted).	This regulation would amend the volunteer license regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002. Statutory Authority: Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>State Board of Examiners of Nursing Home Administrators</p> <p>—Sexual Misconduct— 49 Pa. Code §§ 39.1 and 39.9 (16A-6211)</p> <p>—Continued Competence— 49 Pa. Code Chapter 39 (16A-6213)</p> <p>Schedule of Civil Penalties— 49 Pa. Code Chapter 43b, § 43b.17 (number not yet assigned)</p>	<p>Summer 2012, as Proposed.</p> <p>Spring 2012, as Proposed</p> <p>Summer 2012, as Proposed.</p>	<p>This proposed rulemaking would add sexual abuse, sexual misconduct and sexual harassment as offenses for which a nursing home administrator's license may be disciplined. Statutory Authority: Sections 4(c) and 6(g) of the Nursing Home Administrators Licensure Act, 63 P. S. §§ 1104(c) and 1106(g).</p> <p>This proposed rulemaking would provide the requirements for demonstrating continued competence when reactivating a license that has been inactive for more than 5 years. Statutory Authority: Section 4(a)(4), (9) and (c) of the Nursing Home Administrators Licensure Act, 63 P. S. § 1104(a)(4), (9) and (c).</p> <p>This proposed rulemaking would amend the schedule of civil penalties for the State Board of Examiners of Nursing Home Administrators to implement Act 48 civil penalties for continuing education violations. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).</p>	<p>Chris Stuckey (717) 783-7155</p>
<p>State Board of Occupational Therapy Education and Licensure</p> <p>—Continued Competency— 49 Pa. Code §§ 42.50—42.58 (16A-677)</p> <p>—Referrals by Certified Registered Nurses Practitioners and Physician Assistants— 49 Pa. Code Chapter 42 (16A-678)</p>	<p>Spring 2012, as Final.</p> <p>Spring 2012, as Final (Proposed omitted)</p>	<p>The proposed rulemaking would implement section 15(a) of the Occupational Therapy Practice Act, 63 P. S. § 1515(a), which authorizes the board to establish additional requirements for the license renewal designed to assure continued competency. Statutory Authority: Section 5(b) of the Occupational Therapy Practice Act, 63 P. S. § 1505(b).</p> <p>The regulation would conform the board's regulations with changes made by Act 48 of 2007 and Act 45 of 2008, which permit CRNPs and Physician Assistants to make referrals to Occupational Therapists. Statutory Authority: Section 5(b) of the Occupational Therapy Practice Act, 63 P. S. § 1505(b).</p>	<p>Judy Harner (717) 783-1389</p>

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>State Board of Occupational Therapy Education and Licensure (cont'd)</p> <p>—Child Abuse Reporting Requirements— 49 Pa. Code Chapter 42 (16A-679)</p> <p>—Code of Ethics— 49 Pa. Code § 42.24 (16A-6710)</p>	<p>Spring 2012, as Final (proposed omitted)</p> <p>Spring 2012, as Proposed</p>	<p>This regulation updates the Board's regulations on mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL). 23 P. S. 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL requires the Board to promulgate regulations consistent with the CPSL; Section (5)(b) of the Occupational Therapy Practice Act, 63 P. S. § 1505(b) directs the Board to adopt regulations consistent with law.</p> <p>This proposed rulemaking would update and amend the Board's existing code of ethics to adopt the AOTA ethics standards. Statutory Authority: Section (5)(b) of the Occupational Therapy Practice Act, 63 P. S. § 1505(b).</p>	
<p>State Board of Optometry</p> <p>—Continuing Education— 49 Pa. Code §§ 23.81 and 23.82. (16A-5213)</p> <p>Schedule of Civil Penalties— Optometrists 49 Pa. Code Chapter 43b (16A-5212)</p> <p>—Volunteer License— 49 Pa. Code § 23.26 (16A-5214)</p>	<p>Fall 2012, as Proposed</p> <p>Summer 2012, as Proposed.</p> <p>Spring 2012, as Final (Proposed-omitted).</p>	<p>This proposed regulation would update the Board's regulations to conform to current practices. Statutory Authority: Sections 5(a) of Act 48 of 1993, 63 P. S. § 2205(a), authorizes the Commissioner to set forth schedules of civil penalties.</p> <p>This proposed regulation would adopt a schedule of civil penalties for continuing education violations. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a), authorizes the Commissioner to set forth schedules of civil penalties.</p> <p>This regulation would amend the Board's volunteer license regulations to conform to amendments to the Volunteer Health Services Statutory Authority: Section 3(b)(14) of the Optometric Practice and Licensure Act, 63 P. S. § 244.3(b)(14).</p>	<p>Mary Sue Ferster (717) 783-7155</p>

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Osteopathic Medicine			
—Miscellaneous Provisions— 49 Pa. Code Chapter 25 (16A-5319)	Spring 2012, as Final (proposed omitted)	This regulation would implement Act 46 of 2007. Statutory Authority: Section 10(h) of the Osteopathic Medical Practice Act (Act), 63 P. S. § 271.10(h), authorizes the Board to establish rules and regulations relating to physician assistants; and section 16 of the Act, 63 P. S. § 271.16, authorizes the Board to adopt regulations as are reasonably necessary to carry out the purposes of the Act.	Tammy Dougherty (717) 783-4858
—Perfusionists— 49 Pa. Code Chapter 25 (16A-5320)	Spring 2012, as Proposed	This regulation would set forth the requirements for licensure of perfusionists. Statutory Authority: Section 4 of the Act of June 11, 2008 (P.L 161, No. 20) requires the Board to promulgate regulations to implement licensure of perfusionists.	
—Licensure of Respiratory Therapists and Physician Assistants— 49 Pa. Code Chapter 25 (16A-5321)	Spring 2012, as Proposed.	The proposed rulemaking implements the amendments made to the Osteopathic Medical Practice Act by the Act of July 4, 2008 (P. L. 589, No. 46) relating to licensure of respiratory therapists and physician assistants. Statutory Authority: Section 8 of the Act of July 4, 2008 (P. L. 589, No. 46) requires the Board and the State Board of Medicine to jointly promulgate regulations to implement the amendments.	
—Volunteer License— 49 Pa. Code §§ 25.601—25.607. (16A-5323)	Spring 2012, as Final (proposed omitted)	This regulation would amend the Board's volunteer license regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002 and Act 29 of 2007. Statutory Authority: Section 16 of the Osteopathic Medicine Act, 63 P. S. § 271.16.	
—Genetic Counselors— 49 Pa. Code Chapter 25 (number not yet assigned)	Summer 2012, as Proposed	This proposed rulemaking would implement the act of December 22, 2011 (P. L. __, No. 126) relating to the licensure of genetic counselors. Statutory Authority: Section 3 of Act 126 of 2011 requires the Board to promulgate regulations within 12 months. Section 16 of the Osteopathic Medicine Practice Act, 63 P. S. § 271.16, provides the general regulatory powers of the Board.	
—Licensure of Athletic Trainers— 49 Pa. Code Chapter 25, Subchapter M (number not yet assigned)	Summer 2012, as Final (proposed omitted)	This regulation is required to amend the Board's regulations regarding athletic trainers to refer to "licensure" rather than "certification" as amended by the act of December 22, 2011 (P. L. __, No. 123). Statutory Authority: Section 16 of the Osteopathic Medicine Practice Act, 63 P. S. § 271.16.	
—Schedule of Civil Penalties— 49 Pa Code Chapter 43b. (number not yet assigned)	Summer 2012, as Proposed	This proposed rulemaking would establish a schedule of civil penalties for the State Board of Osteopathic Medicine to implement Act 48 civil penalties for failure to report complaints filed against an osteopathic physician in the medical professional liability action. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Pharmacy  —Compounding Practices— 49 Pa. Code Chapter 27 (16A-5419)	Summer 2012, as Proposed	This proposed rulemaking would establish standards for the compounding of drugs by pharmacists. Statutory Authority: Section 6(k)(9) of the Pharmacy Act, 63 P. S. § 390-6(k)(9) grants the authority to promulgate rules and regulations to effectuate the purposes of the act. Section 2 of the Pharmacy Act, 63 P. S. § 390-2(11) defines the practice of pharmacy to include the compounding of drugs.	Melanie Zimmerman (717) 783-7156
—Cancer Drug Repository Program— 49 Pa. Code Chapter 27 (16A-5423)	Fall 2012, as Final	The regulation would establish the eligibility criteria, standards and procedures for the administration of a cancer drug repository program. Statutory authority: Section 7 of the Act of May 13, 2008 (P. L. 139, No. 14), known as the Cancer Drug Repository Program Act, requires the Board to promulgate regulations to carry out the purposes of the act.	
—Pharmacy Internship— 49 Pa. Code Chapter 27 (16A-5424)	Spring 2012, as Proposed.	This proposed rulemaking would update the Board's regulations relating to the pharmacy internship required under section 3 of the Pharmacy Act. Statutory Authority: Section 3 of the Pharmacy Act, 63 P. S. § 390-3(c) requires the Board to establish by regulation the internship requirements which must be satisfactorily completed prior to issuance of a pharmacist license.	
—Collaborative Management of Drug Therapy— 49 Pa. Code Chapter 27 (16A-5425)	Spring 2012, as Proposed	This proposed rulemaking would implement Act 29 of 2010, which provides for collaborative drug therapy management between a pharmacist and a licensed physician. Statutory Authority: Section 5 of the act of June 1, 2010 (P. L. 201, No. 29) requires the Board to promulgate regulations to implement Act 29 within 18 months of its effective date.	
—Emergency Preparedness— 49 Pa. Code Chapter 27 (16A-5426)	Fall 2012, as Proposed	The proposed rulemaking would establish procedures and standards for the operation of remote emergency pharmacies in the event of an emergency caused by a natural or manmade disaster or any other exceptional situation that causes an extraordinary demand for pharmacy services. Statutory Authority: Section 6(k)(9) of the Pharmacy Act, 63 P. S. § 390-6(k)(9).	
—General Revisions to Standards of Practice— 49 Pa. Code § 27.18 (16A-5427)	Fall 2012, as Proposed	This proposed rulemaking would update the Board's regulations relating to standards of practice for pharmacists. Statutory Authority: Section 6(k)(9) of the Pharmacy Act, 63 P. S. § 390-6(k)(9).	
—Correctional Facility Drug Redistribution— 49 Pa. Code Chapter 27 (number not yet assigned)	Spring 2012, as Proposed.	This proposed rulemaking is required to conform the Board's regulations to the act of July 9, 2010 (P. L. 457, No. 59), which permits a vendor pharmacy to redistribute drugs returned by a correctional facility to other correctional facilities. Statutory Authority: Section 6(k)(9) of the Pharmacy Act, 63 P. S. § 390-6(k)(9).	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>State Board of Pharmacy (cont'd)</p> <p>—Electronic Prescribing of Controlled Substances— 49 Pa. Code Chapter 27 (number not yet assigned)</p> <p>—Schedule of Civil Penalties— 49 Pa. Code § 43b.7 (number not yet assigned)</p>	<p>Spring 2012, as Final (proposed omitted)</p> <p>Spring 2012, as Proposed.</p>	<p>This regulation is intended to establish standards for pharmacies and pharmacists to receive dispense and archive electronic prescriptions for controlled substances to comport with recent regulations promulgated by the Federal Drug Enforcement Agency. Statutory Authority: Section 6(k)(9) of the Pharmacy Act, 63 P. S. § 390-6(k)(9).</p> <p>This proposed rulemaking would amend the schedule of civil penalties for the State Board of Pharmacy to implement Act 48 civil penalties for continuing education violations. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).</p>	
<p>State Board of Physical Therapy</p> <p>—Act 38 Revisions— 49 Pa. Code Chapter 40 (16A-6514)</p> <p>—Schedule of Civil Penalties— 49 Pa. Code Chapter 43b. (number not yet assigned)</p>	<p>Spring 2012, as Final.</p> <p>Spring 2012, as Proposed.</p>	<p>The regulation implements the amendments to the Physical Therapy Practice Act made by the Act of July 4, 2008 (P. L. 293, No. 38). Statutory authority: Section 16 of the Act of July 4, 2008 (P. L. 293, No. 38) requires the Board to promulgate regulations to implement the amendments and additions of that act within 18 months of the effective date. The act is effective on October 2, 2008.</p> <p>This proposed rulemaking would establish a schedule of civil penalties for the State Board of Physical Therapy to implement Act 48 civil penalties for practicing on a lapsed license. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).</p>	<p>Michelle Roberts (717) 783-7134</p>
<p>State Board of Podiatry</p> <p>—Certificate of Authority to Perform Acupuncture— 49 Pa. Code Chapter 29 (16A-449)</p> <p>—Schedule of Civil Penalties— Podiatrists 49 Pa. Code Chapter 43b (Number not yet assigned)</p> <p>—Volunteer License— 49 Pa. Code § 29.55 (16A-4411)</p>	<p>Spring 2012, as Proposed.</p> <p>Spring 2012, as Proposed.</p> <p>Spring 2012, as Final (Proposed-omitted).</p>	<p>This proposed rulemaking would establish the fees and regulate the practice of acupuncture by podiatrists under the Acupuncture Registration Act. Statutory Authority: Section 3 of the Acupuncture Registration Act, 63 P. S. § 1803.</p> <p>This proposed regulation would adopt a schedule of civil penalties for continuing education violations. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a), authorizes the Commissioner to set forth schedules of civil penalties.</p> <p>This regulation would amend the Board's volunteer license regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002. Statutory Authority: Section 15 of the Podiatry Practice Act, 63 P. S. § 42.15.</p>	<p>Tammy Dougherty (717) 783-4858</p>

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Psychology			
—Continuing Education— 49 Pa. Code § 41.59 (16A-6317)	Spring 2012, as Proposed.	This proposed rulemaking would amend the Board's continuing education requirements regarding home study, instruction and carry over. Statutory Authority: Section 15 of the Professional Psychologists Practice Act, 63 P. S. § 1215.	Chris Stuckey (717) 783-7155
—Code of Ethics— 49 Pa. Code § 41.61 (16A-6318)	Spring 2012, as Proposed.	This proposed rulemaking would update the Board's Code of Conduct so that it would be in line with changes to the American Psychological Association and the Association of State and Provincial Psychology Boards. Statutory Authority: Section 3.2(2) of the Professional Psychologists Practice Act, 63 P. S. § 1203.2(2).	
—Education— 49 Pa. Code § 41.31 (16A-6320)	Spring 2012, as Proposed.	This proposed rulemaking would clarify the education and examination requirements. Statutory Authority: Section 3.2(2) of the Professional Psychologists Practice Act, 63 P. S. § 1203.2(2).	
—Part-time Experience— 49 Pa. Code § 41.31 (16A-6321)	Spring 2012, as Proposed	The proposed rulemaking would clarify the requirements for part-time experience. Statutory Authority: Section 3.2(2) of the Professional Psychologists Practice Act, 63 P. S. § 1203.2(2).	
—Child Abuse Reporting Requirements— 49 Pa. Code Chapter 41 (16A-6322)	Spring 2012, as Final (proposed omitted)	This regulation would amend the Board's regulations to conform to changes made to the Child Protective Services Act. Statutory Authority: Section 6383(b)(2) of the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2) and section 3.2(2) of the Professional Psychologists Practice Act, 63 P. S. § 1203.2(2).	
State Board of Certified Real Estate Appraisers			
Continuing Education Enforcement— 49 Pa. Code §§ 36.41 and 36.241. (16A-7016)	Spring 2012, as Proposed.	The proposed rulemaking establishes procedures for the enforcement of noncompliance with continuing education requirements. Statutory Authority: Section 5(2) of the Real Estate Appraisers Certification Act, 63 P. S. § 457.5(2).	Heidy Weirich (717) 783-4866
Schedule of Civil Penalties— Real Estate Appraisers— 49 Pa. Code § 43b.15a (number not yet assigned)	Spring 2012, as Proposed.	The proposed rulemaking will codify and amend the Board's current schedule of civil penalties statement of policy. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a), authorizes the Commissioner to set forth schedules of civil penalties, with the approval of the Board.	
Certified Pennsylvania Evaluators— 49 Pa. Code § 36.265 (16A-7018)	Fall 2012, as Proposed	This proposed rulemaking would revise requirements for the use of certificate number and title for Certified Pennsylvania Evaluators to make the regulation consistent with standards of USPAP, the International Association of Assessment Officers and existing practice in county assessment offices. Statutory Authority: Section 3 of the Assessors Certification Act, 63 P. S. § 458.3.	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>State Real Estate Commission</p> <p>—Education— 49 Pa. Code §§ 35.384 and 35.385. (16A-5613)</p> <p>—Advertising and Solicitation— 49 Pa. Code § 35.305 (16A-5620)</p> <p>—Escrow Requirements— 49 Pa. Code Chapter 35 (16A-5622)</p> <p>—Schedule of Civil Penalties— 49 Pa. Code § 43b.8 (16A-5623)</p>	<p>Spring 2012, as Final.</p> <p>Spring 2012, as Proposed.</p> <p>Spring 2012, as Proposed</p> <p>Spring 2012, as Proposed.</p>	<p>This regulation would require new licensees to complete a mandatory 14-hour post-licensure course in lieu of their continuing education. Statutory Authority: Sections 404 and 404.1 of the Real Estate Licensing and Registration Act, 63 P. S. §§ 455.404 and 455.404a.</p> <p>The proposed rulemaking would require licensees to advertise or otherwise hold themselves out to the public only under the name listed on their licenses. Statutory Authority: Section 404 of the Real Estate Licensing and Registration Act, 63 P. S. § 455.404.</p> <p>This proposed rulemaking would establish additional escrow requirements consistent with the changes made by Act 14 of 2009. Statutory Authority: Section 404 of the Real Estate Licensing and Registration Act, 63 P. S. § 455.404</p> <p>This proposed rulemaking would amend the schedule of civil penalties for the State Real Estate Commission to implement Act 48 civil penalties for continuing education violations. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).</p>	<p>Patricia Ridley (717) 783-3658</p>
<p>State Board of Social Workers, Marriage and Family Therapists and Professional Counselors</p> <p>—Schedule of Civil Penalties— 49 Pa. Code Chapter 43b. (16A-6917)</p> <p>—Continuing Education Audit and Enforcement— 49 Pa. Code Chapters 47—49 (16A-6918)</p> <p>—General Revisions— 49 Pa. Code Chapters 47—49 (number not yet assigned)</p>	<p>Spring 2012, as Proposed</p> <p>Spring 2012, as Proposed</p> <p>Fall 2012, as Proposed.</p>	<p>This proposed rulemaking would establish a schedule of civil penalties for the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors to implement Act 48 civil penalties for practicing without a licenses or practicing on a lapsed license. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).</p> <p>This proposed rulemaking would establish provisions for the enforcement of the continuing education requirements for licenses social workers, licenses clinical social workers, licenses marriage and family therapists and licenses professional counselors. Statutory Authority: Section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906(2).</p> <p>This proposed rulemaking will eliminate outdated regulations, and update existing regulations to comport with current standards of the profession and current practices of the Board. Statutory Authority: Section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906(2).</p>	<p>Sandra Matter (717) 783-1389</p>

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>State Board of Examiners in Speech-Language and Hearing</p> <p>—General Revisions— 49 Pa. Code Chapter 45. (16A-6803)</p> <p>—Continuing Education and Waivers— 49 Pa. Code Chapter 45 (Number not yet assigned)</p>	<p>Spring 2012, as Proposed.</p> <p>Spring 2012, as Proposed</p>	<p>This proposed rulemaking would update of the regulations of the Board to delete or amend outdated regulations. Statutory Authority: Section 5(2) of the Speech-Language and Hearing Licensure Act, 63 P. S. § 1705(2).</p> <p>This proposed rulemaking is intended to delete an outdated grandfathering provision and clarify the continuing education regulations for licensees who hold more than one license issues by the Board. Statutory Authority: Section 5(2) of the Speech-Language and Hearing Licensure Act, 63 P. S. § 1705(2).</p>	<p>Sandra Matter (717) 783-1389</p>
<p>State Board of Vehicle Manufacturers, Dealers and Salespersons</p> <p>—Salesperson License— 49 Pa. Code Chapter 19 (16A-609)</p>	<p>Spring 2012, as Proposed.</p>	<p>This proposed rulemaking would clarify and update the requirements for salespersons in order to permit salespersons to sell at other locations of the same dealer. Statutory Authority: Section 4(9) of the Board of Vehicles Act, 63 P. S. § 818.4(9).</p>	<p>Janice Cline (717) 783-1697</p>
<p>State Board of Veterinary Medicine</p> <p>—Dental Procedures— 49 Pa. Code Chapter 31 (16A-5718)</p> <p>—Facilities— 49 Pa. Code Chapter 31 (16A-5720)</p> <p>—Professional Conduct; Notice of Animal Supervision— 49 Pa. Code § 31.21 (16A-5725)</p>	<p>Spring 2012, as Final.</p> <p>Fall 2012, as Proposed.</p> <p>Spring 2012, as Final.</p>	<p>This regulation would address issues relating to veterinary dentistry. Statutory Authority: Section 5 of the Veterinary Medicine Practice Act, 63 P. S. § 485.5.</p> <p>This proposed rulemaking would establish standards for and require registration of veterinary facilities. Statutory Authority: Sections 5 and 27 of the Veterinary Medicine Practice Act, 63 P. S. §§ 485.5 and 485.27.</p> <p>The regulation would amend the Rules of Professional Conduct for veterinarians to require notice regarding the hours and level of supervision whenever an animal is under the care and custody of the veterinarian's facility. Statutory Authority: Section 5(1) and (2) of the Veterinary Medicine Practice Act (Act) (63 P. S. § 485.5(1) and (2))</p>	<p>Michelle Roberts (717) 783-7134</p>

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>STATE EMPLOYEES' RETIREMENT SYSTEM</b>			
4 Pa. Code § 249.53. Exemption from execution; assignment of rights. (This would delete State Employees' Credit Union payment language.)	While this has been proceeding consistent with the CDL and requirements of 4 Pa. Code § 247.11, further action is deferred pending deletion of the corresponding statutory section.	This is obsolete. No credit union currently meets the statutory requirements and it is unlikely that any new ones will. A corresponding statutory amendment is also being considered.	Brian McDonough, Esq. (717) 787-7317  Robert Gentzel (717) 787-9657  David Durbin (717) 783-7210
<b>STATE POLICE</b>			
No regulations being developed or considered at this date.			
<b>STATE SYSTEM OF HIGHER EDUCATION</b>			
No regulations being developed or considered at this date.			
<b>TRANSPORTATION</b>			
43—Temporary Registration Cards and Plates  67 Pa. Code Chapter 43	March 2012, as proposed	Act 152 of 2002 enacted legislation (requiring contracts for all messenger and agent services) that supersedes several facets of this regulation. Based on the legislation, any reference to bond, hearings, written warnings, suspensions, revocations or fines will be removed from the regulation, as these items are now addressed in the required contracts.	Andy Cleaver (717) 787-2171
21—Odometer Read Disclosure Statements  67 Pa. Code Chapter 21	Completed, October 2011	Changes needed to bring the regulation current with the Vehicle Code to specify the age at which a vehicle becomes exempt from odometer disclosure.	Andy Cleaver (717) 787-2171
175—Vehicle Equipment and Inspection  67 Pa. Code Chapter 175	December 2012, As proposed	Many changes are needed to bring the regulations in line with changes in the Vehicle Code. Other changes are being proposed to add convenience for customers, to update forms and processes, to accommodate changes in vehicle technology and to implement an initiative to update recertification requirements for safety inspectors and electronic recordkeeping of vehicle safety inspection findings.	Kristen Singer (717) 787-2171
23—Delivery of Certificates of Title  67 Pa. Code Chapter 23	March 2012, Published for public comment	The method of title delivery has changed due to the electronic lien and title program (75 Pa.C.S. § 1151). This Chapter needs to be updated to reflect the ability to transmit titles with liens electronically, rather than by mail.	Andy Cleaver (717) 787-2171
17—Authorization to Verify ID Numbers  67 Pa. Code Chapter 17	December 2012, as proposed	Changes are needed to document the Vehicle Identification Number (VIN) verification process. The VIN verification process is not currently documented in either the Vehicle Code or in regulations.	Andy Cleaver (717) 787-2171
84—Dual Control Learner's Permit  67 Pa. Code Chapter 84	December 2012, As proposed	The regulation is being updated to clarify the requirements for issuing a dual control learner's permit.	Rich Kirkpatrick (717) 783-5958
255—Messenger Services  67 Pa. Code Chapter 255	March 2012, as proposed	Act 152 of 2002 enacted legislation (requiring contracts for all messenger and agent services) that supersedes several facets of this regulation. Based on the legislation, any reference to bond, hearings, written warnings, suspensions, revocations, or fines will be removed from the regulation as these items are now addressed in the required contracts.	Andy Cleaver (717) 787-2171

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Chapter 427—Public Transportation (Act 44 of 2008)	March 2012, Published for public comment	Act 44 of 2008, Chapter 15, Sustainable Mobility Options, authorizes almost all public transportation funding programs for the Commonwealth. The legislation requires the Department to develop regulations for several sections of the legislation. The temporary regulations were published in the <i>Pennsylvania Bulletin</i> on July 18, 2011. Permanent regulations were published on November 12, 2011. As of December 13, 2011, no comments were received. IRRC has 30 additional days for comments and questions.	LaVerne Collins (717) 787-1214
Chapter 101, Authorizing Appropriately Attired Persons to Direct, Control, or Regulate Traffic	November 2012, as proposed	The proposed regulation change is needed to be consistent with a Federal Highway Administration rule making (23 CFR Part 634: “Worker Visibility Rule”—issued November 24, 2008).	Matt Briggs (717) 783-6268

[Pa.B. Doc. No. 12-262. Filed for public inspection February 10, 2012, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Meeting Scheduled

The Health Care Cost Containment Council (Council) has scheduled a meeting of the Payment Data Advisory Group on Tuesday, February 14, 2012, from 1 to 3 p.m.

The meeting will be held at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons in need of accommodation due to a disability who wish to attend the meeting should contact Reneé Greenawalt, (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

JOE MARTIN,  
*Executive Director*

[Pa.B. Doc. No. 12-263. Filed for public inspection February 10, 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, January 26, 2012, and announced the following:

*Action Taken—Regulations Approved:*

Pennsylvania Gaming Control Board #125-137: Table Game Equipment (deletes temporary 58 Pa. Code Chapter 523 and adds permanent Chapter 603a)

### Approval Order

Public Meeting held  
January 26, 2012

*Commissioners Voting:* Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; Arthur Coccodrilli; John F. Mizner, Esq., abstained; Lawrence J. Tabas, Esq.

*Pennsylvania Gaming Control Board—  
Table Game Equipment;  
Regulation No. 125-137 (#2884)*

On December 21, 2010, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Gaming Control Board (Board). This rulemaking deletes temporary 58 Pa. Code Chapter 523 and adds permanent Chapter 603a, pertaining to table game equipment. The proposed regulation was published in the January 8, 2011 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on December 13, 2011.

This rulemaking rescinds a chapter of the Board’s temporary table game regulations pertaining to table game equipment and replaces it with a permanent chapter.

We have determined this regulation is consistent with the statutory authority of the Board (4 Pa.C.S. § 1202(b)(30)) 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. 12-264. Filed for public inspection February 10, 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 the Commission's web site, [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

#### *Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
57-273	Pennsylvania Public Utility Commission Default Service Regulations	1/27/12	3/15/12

#### *Final-Omit*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
6-325	State Board of Education Safe Schools	1/26/12	3/15/12

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 12-265. Filed for public inspection February 10, 2012, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Approval to Acquire Control of PennCommonwealth Casualty of America Corporation

BrickStreet Mutual Insurance Company has filed an application for approval to acquire control of PennCommonwealth Casualty of America Corporation, a domestic stock casualty insurance company. The filing was made under Article XIV of The Insurance Holding Company Law of 1921 (40 P. S. §§ 991.1401—991.1413).

Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 14 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or [syerger@pa.gov](mailto:syerger@pa.gov).

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 12-266. Filed for public inspection February 10, 2012, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Eligible Telecommunications Carriers; Universal Low Income Support

The Pennsylvania Public Utility Commission (Commission) invites comment on the following pending wireless carrier's petition for designation as eligible telecommunications carriers (ETC) for purposes of Federal universal service low income support:

US Connect, LLC, d/b/a US Connect Wireless, LLC petition for limited designation as eligible telecommunications carrier—Doc. No. P-2011-2276795

The Commission, at its July 29, 2010, public meeting adopted a final policy statement on ETC designation and ETC annual recertification and reporting requirements for all telecommunications carriers. This notice informs telecommunications providers and interested parties that the Commission intends to act on the previously-referenced ETC petition pending before the Commission.

Interested parties are invited to file comments at the relevant docket numbers within 20 days of publication of this notice. Reply comments of the carrier are due within 10 days thereafter. Interested parties may review the pending petitions at the Commission web site <http://puc.state.pa.us/> or hard copies are available for a fee by means of written request to the Secretary of the Commission, Pennsylvania Public Utility Commission, Rosemary Chiavetta, Secretary, P. O. Box 3265, Harrisburg, PA 17105-3265.

The contact for questions regarding this notice is Rhonda L. Daviston, Assistant Counsel, Law Bureau, (717) 787-6166.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-267. Filed for public inspection February 10, 2012, 9:00 a.m.]

### General Rule Transaction

**A-2012-2285883 and A-2012-2285884. XO Communications Services, Inc. and Nextlink Wireless.** Application for approval of a general rule transaction under 52 Pa. Code § 63.325 (relating to Commission approval of a pro forma transaction subject to 66 Pa.C.S. §§ 1102(a)(3) and 1103) for pro forma change in ownership involving XO Communications Services, Inc. and Nextlink Wireless.

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 February 27, 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, on the Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us), and at the applicant's business address.

*Applicant:* XO Communications Services, Inc. and Nextlink Wireless, Inc.

*Through and By Counsel:* Brad E. Mutschelknaus, Esquire, Randall W. Sifers, Esquire, Winafred Brantl, Esquire, Kelley, Drye & Warren, LLP, 3050 K Street, NW Suite 400, Washington, DC 20007

Renardo L. Hicks, Esquire, R.L. Hicks & Associates, 17 North Second Street, 16th Floor, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-268. Filed for public inspection February 10, 2012, 9:00 a.m.]

### Internal Reorganization

**A-2012-2286067. Voiccom Telecommunications, LLC and ACG Telecom, LLC.** Joint application of Voiccom Telecommunications, LLC and ACG Telecom, LLC for approval of an internal reorganization.

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 February 27, 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, on the Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us), and at the applicant's business address.

*Applicant:* Voiccom Telecommunications, LLC

*Through and By Counsel:* Charles A. Hudak, Esquire, Jon C. Martin, Esquire, Friend, Hudak & Harris, LLP, Three Ravinia Drive, Suite 1450, Atlanta, GA 30346

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-269. Filed for public inspection February 10, 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 February 27, 2012. Documents filed in support of the applications are available for inspection and copying at the Office of the

Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.**

**A-2011-2264786. David Hayrapetyan, t/a Chip N Dale Limousine** (10075 Sandmeyer Lane, Suite D, Philadelphia, Philadelphia County, PA 19116)—for the right to begin to transport, as a common carrier, persons in limousine service, between points in Pennsylvania, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

**A-2011-2266299. Janet Esh** (5292 Denlinger Road, Gap, Lancaster County, PA 17527)—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, between points in the Counties of Berks, Dauphin, Lancaster, Lebanon, Perry and York, and return.

**A-2011-2278262. Penn Trans Shuttle, LLC** (2200 Washington Lane, Huntingdon Valley, Philadelphia County, PA 19006)—persons in paratransit service, from points in the Counties of Bucks, Delaware and Montgomery, and from the City and County of Philadelphia, to points in Pennsylvania, and return. *Attorney:* David P. Temple, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

**A-2011-2278276. Gulfstream Ambulance, LLC** (11301 Norcom Road, Philadelphia, PA 19154)—persons in paratransit service, from points in the Counties of Bucks, Chester, Delaware, Lehigh, Montgomery, Northampton and in the City and County of Philadelphia, to points in Pennsylvania, and return.

Subject to the following conditions:

That transportation is only provided to persons requiring transportation in wheelchair and stretcher vans, persons whose personal convictions prevent them from owning or operating motor vehicles, or to persons requiring transportation to any Federal, State or county correctional facility in Pennsylvania.

**A-2011-2279231. Stat Medical Transport, LLC** (740 Burmont Road, Drexel Hill, Delaware County, PA 19026)—persons in paratransit service, from points in the County of Delaware, and in the City and County of Philadelphia, to points in Pennsylvania, and return. *Attorney:* David P. Temple, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.**

**A-2011-2262977. Good Samaritan Limousine Service II, Inc.** (5004 Mountain Ridge Lane, Harrisburg, Dauphin County, PA 17112)—for right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in the Counties of York, Adams and Lancaster, and from points in said Counties, to points in Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority, which is to be a transfer of all the rights from A-00121679 issued to Good Samaritan Limousine Service, Inc.

**Applications of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under each application.**

**A-2011-2278094. Ace Transit Management, LLC** (1532-A Marcey Place, Philadelphia, PA 19115)—persons in limousine service, from points in Bucks, Chester, Delaware, Lancaster, Lehigh and Montgomery Counties, to points in Pennsylvania, and return, excluding areas under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* David P. Temple, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

**A-2011-2278094. Transportation Management Services, Inc., t/a Lenzner Coach Lines** (110 Lenzner Court, Sewickley, PA 15143)—persons in airport transfer service from the Philadelphia International Airport, located in the City and County of Philadelphia and the Township of Tinicum in Delaware County, to the Pittsburgh International Airport located in the Township of Moon in Allegheny County, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* David H. Coburn, Steptoe & Johnson, LLP, 1330 Connecticut Avenue NW, Washington, DC 20036.

**A-2011-2279146. Baldwin Limousines, Inc.** (308 Michele Lane, Bartonsville, Monroe County, PA 18321)—persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in Monroe County, to points in Pennsylvania, and return, 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 by transfer of rights as described under the application.**

**A-2011-2277027. Great Valley Moving and Storage, Inc.** (437 Ford Street, West Conshohocken, Montgomery County, PA 19428)—household goods in use, which is to be a transfer of all rights authorized under the certificate issued at A-8910353 to McCollister's Transportation System of New Jersey, Inc., subject to the same limitations and conditions. *Attorney:* Craig A. Doll, Esquire, P. O. Box 403, Hummelstown, PA 17036.

**Applications 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 convenience as described under each application.**

**A-2011-2266512. David W. Hayes** (329 Packard Lane, Roaring Spring, Blair County, PA 16673)—for the discontinuance of service and cancellation of the certificate 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 the Counties of Blair and Bedford, to points in Pennsylvania, and return.

**A-2012-2282624. Quincy Logistics, Inc.** (6409 North 12th Street, Philadelphia, Philadelphia County, PA 19126), for the discontinuance of service and cancellation of its Certificate of Public Convenience at No. A-00122516, F.2, as a common carrier, by motor vehicle,

of household goods in use, from points in the Counties of Philadelphia and Montgomery, to points in Pennsylvania, and vice versa.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-270. Filed for public inspection February 10, 2012, 9:00 a.m.]

**Telecommunications**

**A-2012-2285454. Verizon North, Inc. and Bandwidth.com CLEC, LLC.** Joint petition of Verizon North, Inc. and Bandwidth.com CLEC, LLC for approval of amendment No. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, Inc. and Bandwidth.com CLEC, LLC by its counsel, filed on January 26, 2012, at the Pennsylvania Public Utility Commission (Commission), a joint petition for the approval of amendment No. 1 of the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North, Inc. and Bandwidth.com CLEC, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-271. Filed for public inspection February 10, 2012, 9:00 a.m.]

**Telecommunications**

**A-2012-2285471. Verizon Pennsylvania, Inc. and Bandwidth.com CLEC, LLC.** Joint petition of Verizon Pennsylvania, Inc. and Bandwidth.com CLEC, LLC for approval of amendment No. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and Bandwidth.com CLEC, LLC by its counsel, filed on January 26, 2012, at the Pennsylvania Public Utility Commission (Commission), a joint petition for the approval of amendment No. 1 of the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania, Inc. and Bandwidth.com CLEC, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-272. Filed for public inspection February 10, 2012, 9:00 a.m.]

### Water Service

**A-2012-2286041. City of Bethlehem.** Application of the City of Bethlehem for approval of: 1) the transfer, by sale, of the water works property and rights of the East Allen Township Municipal Authority to the City of Bethlehem; and 2) the commencement by the City of Bethlehem of water service to the public in East Allen Township, and a portion of Allen Township, located in Northampton 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 February 27, 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, on the Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us), and at the applicant's business address.

*Applicant:* City of Bethlehem (water)

*Through and By Counsel:* John J. Gallagher, Esquire, 711 Forrest Road, Harrisburg, PA 17112

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-273. Filed for public inspection February 10, 2012, 9:00 a.m.]

### Water Service

**A-2012-2285320. Pennsylvania American Water Company.** Application of Pennsylvania American Water Company for approval of: 1) transfer by sale of the water works property and rights of the Paint Township Municipal Water Authority to Pennsylvania American Water; and 2) the commencement by Pennsylvania American Water of water serviced to the public in a portion of Paint Township, Clarion County, presently being served by the Paint Township Municipal Water Authority.

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 February 27, 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, on the Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us), and at the applicant's business address.

*Applicant:* Pennsylvania American Water Company

*Through and By Counsel:* Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, Seth A. Mendelsohn, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-274. Filed for public inspection February 10, 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. 12-003.1, Pier 78 Annex Concrete Floor Repairs, until 2 p.m. on Thursday, March 8, 2012. 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. 12-275. Filed for public inspection February 10, 2012, 9:00 a.m.]

## PORT OF PITTSBURGH COMMISSION

### Independent Auditors' Report

Board of Directors  
Port of Pittsburgh Commission

We have audited the statement of net assets of Port of Pittsburgh Commission (Commission), a component unit of the Commonwealth of Pennsylvania, as of June 30, 2011, and the related statement of activities for the year then ended (not presented herein). These financial statements are the responsibility of the Commission's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

The condensed statement of net assets as of June 30, 2011, and the related condensed statement of activities for the year then ended, presented as follows, are presented as a summary and, therefore, do not include all of the information required by accounting principles generally accepted in the United States of America.

In our opinion, because of the significance of the omission of the information referred to in the preceding paragraph, the condensed financial statements previously referred to do not present fairly, in conformity with accounting principles generally accepted in the United States of America, the financial position of the Commission as of June 30, 2011, or the changes in its financial position for the year then ended.

ParenteBeard LLC

Pittsburgh, Pennsylvania  
January 13, 2012

**Port of Pittsburgh Commission  
Condensed Statement of Net Assets  
June 30, 2011**

**Assets**

Cash and investments	\$ 5,964,869
Capital assets, net of accumulated depreciation/amortization	1,153,791
Other assets	463,710
Total assets	<u>\$ 7,582,370</u>

**Liabilities and Net Assets**

Liabilities	3,427,393
Net assets:	
Restricted for economic development	5,022,792
Invested in capital assets, net of related debt	<u>(867,815)</u>
Total liabilities and net assets	<u>\$ 7,582,370</u>

**Port of Pittsburgh Commission  
Condensed Statement of Activities  
For The Year Ended June 30, 2011**

**Program Revenues**

<b>Functions:</b>	<b>Expenses</b>	<b>Charges for Services</b>	<b>Operating Grants and Contributions</b>	<b>Net Revenue/ (Expense) and Change in Net Assets, Governmental Activities</b>
Governmental Activities				
Port development	<u>\$ 1,695,667</u>	<u>\$ 6.056</u>	<u>\$ 1,529,898</u>	<u>\$ (159,713)</u>
General revenues				402,547
Change in net assets				(242,834)
Net assets, beginning of year				3,912,143
Net assets, end of year				<u>\$ 4,154,977</u>

JAMES R. McCARVILLE,  
*Executive Director*

[Pa.B. Doc. No. 12-276. Filed for public inspection February 10, 2012, 9:00 a.m.]

## STATE BOARD OF BARBER EXAMINERS

**Bureau of Professional and Occupational Affairs v.  
George L. Dunbar; Doc. No. 1979-42-11**

On November 7, 2011, George L. Dunbar, license no. BM010742L, of Philadelphia, Philadelphia County, had his license suspended for nonpayment of a previously imposed civil penalty.

Individuals may obtain a copy of the adjudication by writing to Juan A. Ruiz, Board Counsel, State Board of Barber Examiners, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and final order represents the State Board of Barber Examiners' (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to

the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

MARY LOU ENOCHES,  
*Chairperson*

[Pa.B. Doc. No. 12-277. Filed for public inspection February 10, 2012, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.  
Jhony Rafael Lopez; Doc. No. 2226-42-2011; File  
No. 11-42-11757**

On December 20, 2011, Jhony Rafael Lopez, license nos. BM093366l and BL050381R of Lancaster, Lancaster County, was suspended under the Order of the Court of Common Pleas of Lancaster County dated June 29, 2010, 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.

L. ANTHONY SPOSSEY,  
*Chairperson*

[Pa.B. Doc. No. 12-278. Filed for public inspection February 10, 2012, 9:00 a.m.]

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## STATE BOARD OF COSMETOLOGY

**Bureau of Professional and Occupational Affairs v.  
Lashonda Torry Monique Myers; Doc. No. 2228-  
45-2011; File 11-45-11760**

On December 20, 2011, Lashonda Torry Monique Myers, license no. CO266786 of Muncy, Lycoming County, was suspended under the Order of the Court of Common Pleas of Lancaster County dated June 29, 2010, 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 Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

MARY LOU ENOCHES,  
*Chairperson*

[Pa.B. Doc. No. 12-279. Filed for public inspection February 10, 2012, 9:00 a.m.]

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## STATE BOARD OF NURSING

**Bureau of Professional and Occupational Affairs v.  
Nancy Rae Britanik, RN; Doc. No. 0217-51-2011**

On December 20, 2011, Nancy Rae Britanik, license no. RN501591L, of Fort Walton Beach, FL, was suspended for no less than 3 years retroactive to February 18, 2011, based on her failure to comply with a previously issued State Board of Nursing order.

Individuals may obtain a copy of the order by writing to Beth Sender Michlovitz, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

JOSEPH J. NAPOLITANO, PhD, MPH, CRNP,  
*Chairperson*

[Pa.B. Doc. No. 12-280. Filed for public inspection February 10, 2012, 9:00 a.m.]

