

# PENNSYLVANIA BULLETIN

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(Master Transmittal Sheets):**

**No. 464, July 2013**

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at [www.pacode.com](http://www.pacode.com).

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

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

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

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

### Fiscal Notes

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

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

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# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2013.

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# THE GENERAL ASSEMBLY

## Recent Actions during 2013 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during 2013 Regular Session

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
<b>2013 General Acts of Regular Session Enacted—Act 012 through 031</b>					
012	Jun 10	HB1029	PN1220	60 days	Rates of pilotage for the Port of Philadelphia
013	Jun 17	HB0818	PN0928	60 days	Insurance (40 Pa.C.S.)—compliance with Federal health care legislation
014	Jun 18	HB0492	PN1424	Sept 1, 2013	Crime Victims Act—petitions to deny parole upon expiration of minimum sentence
015	Jun 19	HB0040	PN0538	60 days	CPA Law—certificate requirements, equivalency practice for individuals and equivalency practice for firms and entities
016	Jun 19	SB0196	PN0716	Immediately	Pennsylvania Infrastructure Investment Authority Act—definitions, financial assistance and annual report
017	Jun 19	SB0334	PN1143	Immediately	Judicial Code (42 Pa.C.S.)—omnibus amendments
018	Jun 19	SB0679	PN0654	Immediately	Lieutenant Colonel B.D. “Buzz” Wagner Memorial Highway—designation
019	Jun 24	HB0084	PN0062	Immediately	Agricultural Area Security Law—purchase of agricultural conservation easements and abrogating regulations
020	Jun 24	HB0293	PN1730	60 days	Specialist Kenneth Wayne Lampman, Sr., Memorial Bridge, Specialist Gerald Duane Stonemetz Memorial Bridge, Specialist Clark Robert Douglas Memorial Bridge and Private First Class Berwyn Gaylord Cole Memorial Bridge—designations
021	Jun 24	HB0987	PN1151	Immediately	George E. Logue, Sr., Memorial Bridge—designation
022	Jun 24	SB0194	PN0135	Immediately	Medical Care Availability and Reduction of Error (Mcare) Act—repealing provisions relating to reports to commissioner and claims information
023	Jun 24	SB0371	PN0427	Immediately*	Savings Association Code of 1967—repealed
024	Jun 24	SB0419	PN1158	Jan 1, 2014	Extending the date for validation of certain conveyances and other instruments
025	Jun 24	SB0644	PN1173	60 days	Agriculture Code (3 Pa.C.S.) and Game and Wildlife Code (34 Pa.C.S.)—swine hunting preserves and further providing for the definition of “wild animals”
026	Jun 24	SB0865	PN0976	60 days	The Controlled Substance, Drug, Device and Cosmetic Act—penalties involving liquefied ammonia gas, precursors and chemicals
027	Jun 27	HB0326	PN1130	Immediately	County Code—governing board of the convention center authority
028	Jun 27	HB0571	PN0633	60 days	SFC Sidney N. Hamer Memorial Bridge—designation
029	Jun 27	HB0891	PN1945	60 days	Game and Wildlife Code (34 Pa.C.S.)—violations

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
030	Jun 27	SB0381	PN0314	July 1, 2013	Uniform Commercial Code (13 Pa.C.S.), Fish and Boat Code (30 Pa.C.S.) and Vehicle Code (75 Pa.C.S.)—omnibus amendments
031	Jun 27	SB0526	PN1156	Immediately	Agriculture Code (3 Pa.C.S.)—definitions and sanitation standards
<b>2013 Joint Resolutions of Regular Session Passed—JR 001</b>					
001	Jun 5	SB0333	PN0311		Constitution of Pennsylvania—elimination of Traffic Court of Philadelphia

\* denotes an effective date with exceptions

#### Effective Dates of Statutes

The effective dates specified previously for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective dates of statutes).

#### Advance Copies of Statutes

Section 1106 of Title 1 of the *Pennsylvania Consolidated Statutes* provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the *Laws of Pennsylvania* are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services (Department) shall distribute advance sheets of the *Laws of Pennsylvania* to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$20.

VINCENT C. DELIBERATO, Jr.,  
*Acting Director*  
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[Pa.B. Doc. No. 13-1236. Filed for public inspection July 12, 2013, 9:00 a.m.]

# THE COURTS

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

[ 231 PA. CODE CH. 1900 ]

#### Order Adopting Rule 1901.8 of the Rules of Civil Procedure; No. 584 Civil Procedural Rules Doc.

##### Order

*Per Curiam*

*And Now*, this 25th day of June, 2013, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been published for public comment in the *Pennsylvania Bulletin*, 42 Pa.B. 3722 (June 30, 2012) and republished for additional public comment in the *Pennsylvania Bulletin*, 42 Pa.B. 6245 (October 6, 2012):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1901.8 of the Pennsylvania Rules of Civil Procedure is adopted in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective in 30 days on July 25, 2013.

##### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

##### CHAPTER 1900. ACTIONS PURSUANT TO THE PROTECTION FROM ABUSE ACT

#### Rule 1901.8. Modification or Discontinuance.

(a) In cases in which a temporary protection order has not yet been granted or has been denied, a plaintiff in a protection from abuse action who wishes to discontinue the action may file a praecipe to discontinue, pursuant to Pa.R.C.P. 229, prior to the final order hearing. The party may also request the discontinuance by oral motion at a hearing.

(b) In cases in which a temporary protection order has been granted, a plaintiff in a protection from abuse action who wishes to vacate the temporary order and discontinue the action shall either file a petition with the court prior to the final order hearing or make the request by oral motion at the final order hearing.

(c) If either party seeks a modification after a final judgment has been entered in a protection from abuse action, the party shall petition the court to modify the final order. The court shall enter an order granting or denying the petition following an appearance by the petitioner before the court.

#### Explanatory Comment—2013

Jurisdictions across the commonwealth have adopted varying procedures and processes for the withdrawal, discontinuance and modification of protection from abuse actions. This rule provides a uniform process that comports with the requirements of 23 Pa.C.S. §§ 6107(b)(2)

(related to hearings), 6117 (related to procedure and other remedies) and *Commonwealth v. Charnik*, 921 A.2d 1214 (Pa. Super. 2007). These requirements, when read together, require a different procedure for withdrawal, discontinuance and modification at various stages in a protection from abuse proceeding.

After a final protection order is entered, and no motion to reconsider or appeal is filed, the court no longer retains jurisdiction to vacate that order. *Charnik*, 921 A.2d at 1217. The court does, however, have jurisdiction to modify a protection from abuse order at any time after the filing of a petition for modification, service of the petition and a hearing on the petition. 23 Pa.C.S. § 6117. Thus, a party may request that the court modify the order to expire at an earlier date if the party does not want the order to remain in effect.

[Pa.B. Doc. No. 13-1237. Filed for public inspection July 12, 2013, 9:00 a.m.]

### PART I. GENERAL

[ 231 PA. CODE CH. 1910 ]

#### Amendments to the Rules of Civil Procedure Relating to Domestic Relations Matters; Recommendation 123 Republication

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

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

The committee solicits and welcomes comments and suggestions from all interested persons prior to submission of this proposal to the Supreme Court of Pennsylvania. Please submit written comments no later than Friday, October 25, 2013 directed to:

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

*By the Domestic Relations  
Procedural Rules Committee*

CAROL S. MILLS McCARTHY,  
*Chair*

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1910. ACTIONS FOR SUPPORT

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

\* \* \* \* \*

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

\* \* \* \* \*

(2) [ *Social Security Payments for a Child.* If a child for whom support is sought is receiving Social Security benefits as a result of a parent's retirement, death or disability, the benefits the child receives shall be added to the combined monthly net incomes of the obligor and the obligee to calculate the income available for support on the vertical axis of the basic child support schedule set forth in Rule 1910.16-3. The presumptive amount of support as set forth on the schedule at the combined income of the obligee, obligor and child's benefits shall then be reduced by the amount of the child's benefits before apportioning the remaining support obligation between the parties pursuant to Rule 1910.16-4. This calculation presumes that the primary custodial parent, or the shared custodial parent who is the obligee, is receiving the child's benefits. In cases in which the obligor is receiving the child's benefits, the amount of the child's benefit shall be added to the obligor's income and support shall be calculated as in any other case without deduction of the amount of the benefit from the presumptive amount of support set forth in the basic support schedule. For purposes of determining the support obligation of a surviving parent when the child is receiving benefits as the result of the other parent's death, the income of a non-parent obligee who is caring for a child but has no support obligation to that child shall include only those funds the obligee is receiving on behalf of the child. ]

*Social Security Derivative Benefits for a Child.*

(A) This subdivision (A) shall be applied if a child for whom support is sought is receiving Social Security derivative benefits as a result of either parent's retirement or disability.

(i) If a child for whom support is sought is receiving Social Security benefits as a result of a parent's retirement or disability, the amount of the benefit shall be added to the income of the party receiving the benefit on behalf of the child to calculate child support. Next, apportion the amount of basic child support set forth in the schedule in Rule 1910.16-3 between the parties based upon each party's percentage share of their combined net monthly income, including the child's benefit in the income of the party receiving it.

(ii) If the child's benefit is being paid to the obligee, the amount of the child's benefit shall be deducted from the basic support obligation of the party whose retirement or disability created the child's benefit. If the child's benefit is being paid to the obligor, the child's benefit shall not be deducted from the obligor's obligation, even if the obligor's

retirement or disability created the child's benefit. In cases of equally shared custody, first determine which party has the higher income without the benefit, and thus is the obligor, before adding the child's benefit to the income of the party receiving it.

(iii) In all cases, the domestic relations sections shall provide the parties with two calculations theoretically assigning the benefit to each household.

(iv) In allocating additional expenses pursuant to Rule 1910.16-6, the allocation shall be based upon the parties' incomes after the addition of the child's benefit to the income of the party receiving it.

(B) This subdivision (B) shall be applied when determining the support obligation of a surviving parent when the child for whom support is sought is receiving Social Security derivative benefits as a result of the other parent's death. The income of a non-parent obligee who is caring for a child but has no support obligation to that child shall include only those funds the obligee is receiving on behalf of the child, including the Social Security derivative benefits if they are being paid to the obligee. If the benefits are being paid to the surviving parent, the amount of the benefit shall be added to that parent's income to calculate child support.

(3) *Foster Care Payments.* If either party to a support action is a foster parent and/or is receiving payments from a public or private agency for the care of a child who is not his or her biological or adoptive child, those payments shall not be included in the income of the foster parent or other caretaker for purposes of calculating child support for the foster parent's or other caretaker's biological or adoptive child.

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

*Example 1.* The obligor has net monthly income of \$2,000. The obligee's net monthly income is \$1,500 and the obligee, as primary custodial parent of the party's two children, receives \$400 per month in Social Security derivative benefits on behalf of the children as a result of the obligor's disability. Add the children's benefit to the obligee's income, which now is \$1,900 per month. At the parties' combined net monthly income of \$3,900, the amount of basic child support for two children is \$1,224. As the obligor's income is 51% of the parties' combined monthly net income, the obligor's preliminary share of the basic support obligation is \$624. However,

because the obligor's disability created the children's Social Security derivative benefits that the obligee is receiving, the obligor's obligation is reduced by the amount of the benefit, \$400. Thus, the obligor's obligation is \$224 per month. If it were the obligee's disability that created the benefit, the obligor's obligation would remain \$624. If the obligor were receiving the children's benefit as a result of the obligor's retirement or disability, the obligor's income would include the amount of the benefit and total \$2,400, or 62% of the parties' combined net monthly income. The obligor's share of the basic support obligation would then be \$759 and would not be reduced by the amount of the children's benefit because the obligor, not the obligee, is receiving the benefit. Therefore, the obligor's obligation is less if the obligee is receiving the benefit created by the obligor.

*Example 2.* Two children live with Grandmother who receives \$400 per month in Social Security death benefits for the children as a result of their father's death. Grandmother also receives \$500 per month from a trust established by Father for the benefit of the children. Grandmother is employed and earns \$2,000 net per month. Grandmother seeks support from the children's mother, who earns \$1,500 net per month. For purposes of calculating Mother's support obligation, Grandmother's income will be [ \$500 ] \$900, the amount she receives on behalf of the children in Social Security derivative benefits and income from the trust. (If Mother were receiving the benefit on behalf of the children it would be added to her income such that Mother's income would be \$1,900 and Grandmother's would be \$500.) Therefore, the obligee's and [ the obligor's ] Grandmother's combined net monthly incomes total [ \$2,000 ] \$2,400. [ Add to that the \$400 in Social Security benefits Grandmother receives for the children to find the basic child support amount in Rule 1910.16-3. ] The basic support amount at the

\$2,400 income level for two children is \$815. Subtracting from that amount the \$400 in Social Security derivative benefits Grandmother receives for the children, results in a basic support amount of \$415. As Mother's income of \$1,500 is [ 75% ] 63% of the parties' combined income of [ \$2,000 ] \$2,400, her support obligation to Grandmother is [ \$311 ] \$261 per month. If Grandmother were not receiving the children's derivative benefits or income from the trust, her income for purposes of calculating Mother's child support obligation would be zero and Mother would pay 100% of the basic support amount because Grandmother has no support obligation to the children.

\* \* \* \* \*

**Explanatory Comment—2013**

The rule has been amended to provide that a party's support obligation will be reduced by the amount of a child's Social Security derivative benefit if that party's retirement or disability created the benefit and the benefit is being paid to the household in which the child primarily resides or the obligee in cases of equally shared custody. In most cases, payment of the benefit to the obligee's household will increase the resources available to the child and the parties. The rule is intended to encourage parties to direct that the child's benefits be paid to the obligee.

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

(a) The following formula shall be used to calculate the obligor's share of basic child support, either from the schedule in Rule 1910.16-3 or the formula in Rule 1910.16-3.1(a), as well as spousal support and alimony pendente lite obligations. In high income cases, Part IV shall be used as a preliminary analysis in the calculation of spousal support or alimony pendente lite obligations:

*PART I. BASIC CHILD SUPPORT*

	<i>OBLIGOR</i>	<i>OBLIGEE</i>
1. Total Gross Income Per Pay Period	_____	_____
2. Less Deductions	( _____ )	( _____ )
3. Net Income	_____	_____
4. Conversion to Monthly Amount (if pay period is other than monthly) Include in the obligor's income the child's monthly Social Security retirement or disability benefit if the obligor is receiving the child's benefit [ (See Rule 1910.16-2(b)(2)) ]. Include amount of child's monthly Social Security derivative benefit, if any, in the income of the party receiving it pursuant to Rule 1910.16-2(b)(2)(A) or (B).	_____	_____
5. Combined Total Monthly Net Income	_____	_____
[ 6. Plus Child's Monthly Social Security, Death, Retirement or Disability Derivative Benefit, if any.		
Do not add child's benefit if included in the obligor's income in line 4. (See Rule 1910.16-2(b)(2))	+	_____
7. Adjusted Combined Monthly Net Income		_____

8.	<b>PRELIMINARY BASIC CHILD SUPPORT OBLIGATION (determined from schedule at Rule 1910.16-3 based on number of children and line 7 adjusted combined monthly net income)</b>	_____	
9.	<b>Less Child's Monthly Social Security Derivative Benefit (Do not deduct the child's benefit if the obligor is receiving the child's benefit.)</b>	(_____)	
10. ] 6.	<b>BASIC CHILD SUPPORT OBLIGATION (determined from schedule at Rule 1910.16-3 based on number of children and line 5 combined monthly net income)</b>	_____	
[ 11. ] 7.	Net Income Expressed as a Percentage Share of Income (divide line 4 by line 5 and multiply by 100)	_____ %	_____ %
[ 12. ] 8.	Each [ Parent's ] Party's Preliminary Monthly Share of the Basic Child Support Obligation (multiply line [ 10 ] 6 and [ 11 ] 7)	_____	_____
9.	<b>Subtract Child's Social Security Derivative Disability or Retirement Benefit from the Monthly Share of Basic Child Support of the Party whose Retirement or Disability Created the Child's Benefits if the Benefits are Paid to the Oblige</b>	_____	_____
10.	<b>Each Party's Adjusted Monthly Share of the Basic Child Support Obligation (Not less than 0)</b>	_____	_____

*PART II. SUBSTANTIAL [ or ] OR SHARED PHYSICAL CUSTODY ADJUSTMENT, IF APPLICABLE (See subdivision (c) of this rule)*

[ 13. ] 11.	a. Percentage of Time [ Spent ] Obligor Spends with Children (divide number of overnights with obligor by 365 and multiply by 100)	_____ %
	b. Subtract 30%	(_____ %)
	c. Obligor's Adjusted Percentage Share of the Basic Monthly Support Obligation (subtract result of calculation in line [ 13b ] 11b from line [ 11 ] 7)	_____ %
	d. Obligor's Preliminary Adjusted Share of the Basic Monthly Support Obligation (multiply line [ 13c ] 11c and line [ 10 ] 6)	_____
	e. Further adjustment, if necessary under subdivision (c)(2) of this rule	_____
	<b>f. Obligor's Adjusted Share of the Basic Child Support Amount.</b>	_____

*PART III. ADDITIONAL EXPENSES (See Rule 1910.16-6)*

[ 14. ] 12.	a. Obligor's Share of Child Care Expenses	_____
	b. Obligor's Share of Health Insurance Premium (if the obligee is paying the premium)	_____
	c. Less Oblige's Share of the Health Insurance Premium (if the obligor is paying the premium)	(_____)
	d. Obligor's Share of Unreimbursed Medical Expenses	_____
	e. Other Additional Expenses	_____
	f. Total Additional Expenses	_____
[ 15. ] 13.	<b>OBLIGOR'S TOTAL MONTHLY SUPPORT OBLIGATION [ (add line 12 (or 13(d or e) (if applicable) and line 14f) ] (add line 10 or 11f, if applicable, and line 12f)</b>	_____

PART IV. SPOUSAL SUPPORT OR APL  
With Dependent Children

[ 16. ] 14.	Obligor's Monthly Net Income (line 4)	_____
[ 17. ] 15.	Less Obligor's Support, Alimony Pendente Lite or Alimony Obligations, if any, to Children or Former Spouses who are not part of this action (see Rule 1910.16-2(c)(2))	(_____)
[ 18. ] 16.	Less Obligee's Monthly Net Income (line 4)	(_____)
[ 19. ] 17.	Difference	_____
[ 20. ] 18.	Less Obligor's Total Monthly Child Support Obligation Without Part II Substantial or Shared Custody Adjustment (Obligor's line [ 12 ] 10 plus line [ 14f ] 12f)	(_____)
[ 21. ] 19.	Difference	_____
[ 22. ] 20.	Multiply by 30%	x           .30
[ 23. ] 21.	AMOUNT OF MONTHLY SPOUSAL SUPPORT OR APL	_____

Without Dependent Children

[ 24. ] 22.	Obligor's Monthly Net Income (line 4)	_____
[ 25. ] 23.	Less Obligor's Support, Alimony Pendente Lite or Alimony Obligations, if any, to Children or Former Spouses who are not part of this action (see Rule 1910.16-2(c)(2))	(_____)
[ 26. ] 24.	Less Obligee's Monthly Net Income ([ Line ] line 4)	(_____)
[ 27. ] 25.	Difference	_____
[ 28. ] 26.	Multiply by 40%	x           .40
[ 29. ] 27.	PRELIMINARY AMOUNT OF MONTHLY SPOUSAL SUPPORT OR APL	_____
[ 30. ] 28.	Adjustments for Other Expenses (see Rule 1910.16-6)	_____
[ 31. ] 29.	TOTAL AMOUNT OF MONTHLY SPOUSAL SUPPORT OR APL	_____

\* \* \* \* \*

[Pa.B. Doc. No. 13-1238. Filed for public inspection July 12, 2013, 9:00 a.m.]

PART I. GENERAL

[ 231 PA. CODE CH. 1915 ]

Order Adopting Rule 1915.3-1 and Amending Rule 1915.4 of the Rules of Civil Procedure; No. 583 Civil Procedural Rules Doc.

Order

Per Curiam

And Now, this 25th day of June, 2013, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been published for public comment in the *Pennsylvania Bulletin*, 42 Pa.B. 7408 (December 8, 2012):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1915.3-1 of the Pennsylvania Rules of Civil Procedure is adopted and Rule 1915.4 of the Pennsylvania Rules of Civil Procedure is amended in the following form.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective in 30 days on July 25, 2013.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

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

(Editor's Note: The following rule is new and printed in regular type to enhance readability.)

Rule 1915.3-1. Withdrawal of Pleading. Discontinuance of Action.

(a) *Withdrawal of Pleading.* A custody pleading cannot be withdrawn after the issuance of a scheduling order or notice of conference regarding claims made in the pleading except

(1) by leave of court after notice to the non-moving party, or

(2) by written agreement of the parties.

(b) *Discontinuance of a Custody Action.*



(1) A custody action may be discontinued by praecipe only upon a verified statement by the moving party that the complaint has not been served.

(2) A custody action cannot be discontinued after the complaint has been served except

(A) by leave of court after notice to the non-moving party, or

(B) by written agreement of the parties.

#### Rule 1915.4. Prompt Disposition of Custody Cases.

\* \* \* \* \*

(b) *Listing Trials Before the Court.* Depending upon the procedure in the judicial district, within 180 days of the filing of the complaint either the court shall automatically enter an order scheduling a trial before a judge or a party shall file a praecipe, motion or request for trial, except as otherwise provided in this subdivision. If it is not the practice of the court to automatically schedule trials and neither party files a praecipe, motion or request for trial within 180 days of filing of the pleading, the court shall, **sua sponte or on motion of a party, dismiss the matter unless [ the moving ] a party has been granted an extension for good cause shown, [ which ] or the court finds that dismissal is not in the best interests of the child.** The extension shall not exceed 60 days beyond the 180 day limit. A further reasonable extension may be granted by the court upon agreement of the parties or when the court finds, on the record, compelling circumstances for a further reasonable extension. **If an extension is granted and, thereafter, neither party files a praecipe, motion or request for trial within the time period allowed by the extension, the court shall, sua sponte or on the motion of a party, dismiss the matter unless the court finds that dismissal is not in the best interests of the child. A motion to dismiss, pursuant to this rule, shall be filed and served upon the opposing party. The opposing party shall have 20 days from the date of service to file an objection. If no objection is filed, the court shall dismiss the case. Prior to a sua sponte dismissal, the court shall notify the parties of an intent to dismiss the case unless an objection is filed within 20 days of the date of the notice.**

\* \* \* \* \*

[Pa.B. Doc. No. 13-1239. Filed for public inspection July 12, 2013, 9:00 a.m.]

### PART I. GENERAL

#### [ 231 PA. CODE CH. 1915 ]

#### Order Adopting Rule 1915.4-4 of the Rules of Civil Procedure; No. 582 Civil Procedural Rules Doc.

#### Order

*Per Curiam*

And Now, this 25th day of June, 2013, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been published for public comment in the *Pennsylvania Bulletin*, 42 Pa.B. 1660 (March 31, 2012) and republished for additional public comment in the *Pennsylvania Bulletin*, 42 Pa.B. 6246 (October 6, 2012):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1915.4-4 of the Pennsylvania Rules of Civil Procedure is adopted in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective in 30 days on July 25, 2013.

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

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

#### Rule 1915.4-4. Pre-Trial Procedures.

A pre-trial conference in an initial custody or modification proceeding shall be scheduled before a judge at the request of a party or sua sponte by the court and the procedure shall be as set forth in this rule. If a party wishes to request a pre-trial conference, the praecipe set forth in subdivision (g) below shall be filed. The scheduling of a pre-trial conference shall not stay any previously scheduled proceeding unless otherwise ordered by the court.

(a) The praecipe may be filed at any time after a custody conciliation or conference with a conference officer unless a pre-trial conference has already been scheduled or held. The pre-trial conference may be scheduled at any time, but must be scheduled at least 30 days prior to trial.

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

(1) the name and address of each expert whom the party intends to call at trial as a witness;

(2) the name and address of each witness the party intends to call at trial, the relationship of that witness to the party and a statement by the party or the party's counsel that he or she has communicated with each listed witness; and

(3) a proposed order setting forth the custody schedule requested by the party.

In addition to the above items included in the pre-trial statement, any reports of experts and other proposed exhibits shall be included as part of the pre-trial statement served upon the other party or opposing counsel, but not included with the pre-trial statement served upon the court.

(c) If a party fails to file a pre-trial statement or otherwise comply with the requirements of subdivision (b), the court may make an appropriate order under Rule 4019(c)(2) and (4) governing sanctions.

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

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

- (1) issues for resolution by the court;
- (2) unresolved discovery matters;
- (3) any agreements of the parties;

- (4) issues relating to expert witnesses;
- (5) settlement and/or mediation of the case;
- (6) such other matters as may aid in the disposition of the case; and
- (7) if a trial date has not been scheduled, it shall be scheduled at the pre-trial conference.

(f) The court shall enter an order following the conference detailing the agreements made by the parties as to any of the matters considered, limiting the issues for trial to those not disposed of by agreement and setting forth the schedule for further action in the case. Such order shall control the subsequent course of the action unless modified at trial to prevent manifest injustice.

(g) The praecipe for pre-trial conference shall be substantially in the following form:

**(Caption)**  
**PRAECIPE FOR PRE-TRIAL CONFERENCE**

To the Prothonotary:

Please schedule a pre-trial conference in the above-captioned custody matter pursuant to Pa.R.C.P. 1915.4-4. The parties' initial in-person contact with the court (conference with a conference officer or judge, conciliation or mediation) occurred on

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Plaintiff/Defendant/Attorney for Plaintiff/Defendant

**Explanatory Comment—2013**

The Domestic Relations Procedural Rules Committee has become aware that there is a wide disparity in pre-trial procedures in custody cases among the various jurisdictions. As the committee strives to recommend best practices, this new rule establishes uniform pre-trial procedures in custody cases when requested by either party. The goal is to reduce custody litigation by encouraging early preparation and court intervention for purposes of expedited resolutions. The rule is based upon the pre-trial procedures in divorce cases as set forth in Rule 1920.33. Nothing in this rule shall affect the First Judicial District's practice of conducting a pre-trial conference upon the filing of a motion for a protracted or semi-protracted trial.

[Pa.B. Doc. No. 13-1240. Filed for public inspection July 12, 2013, 9:00 a.m.]

## Title 237—JUVENILE RULES

### PART I. RULES

[ 237 PA. CODE CHS. 1, 2 AND 6 ]

**Order Amending Rules 120, 220, 221, 231, 240, 610 and 612 of the Rules of Juvenile Court Procedure; No. 605 Supreme Court Rules Doc.**

**Order**

*Per Curiam*

And Now, this 28th day of June, 2013, upon the recommendation of the Juvenile Court Procedural Rules Committee, the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3); and an Explanatory Report to be published with this *Order*:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the modifications to Rules 120, 220, 221, 231, 240, 610 and 612 of the Rules of Juvenile Court Procedure are approved in the following form.

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

**Annex A**

**TITLE 237. JUVENILE RULES**

**PART I. RULES**

**Subpart A. DELINQUENCY MATTERS**

**CHAPTER 1. GENERAL PROVISIONS**

**PART A. BUSINESS OF COURTS**

**Rule 120. Definitions.**

\* \* \* \* \*

DETENTION FACILITY is any facility, privately or publicly owned and operated, designated by the court and approved by the Department of Public Welfare to detain a juvenile temporarily. The term detention facility, when used in these rules, shall include shelter-care. **Detention facility shall not include any county jail or state prison.**

\* \* \* \* \*

JUVENILE is a person who has attained ten years of age and is not yet twenty-one years of age who is alleged to have, upon or after the juvenile's tenth birthday, committed a delinquent act before reaching eighteen years of age **or who is alleged to have violated the terms of juvenile probation prior to termination of juvenile court supervision.**

\* \* \* \* \*

PLACEMENT FACILITY is any facility, privately or publicly owned and operated, that identifies itself either by charter, articles of incorporation, or program description, to receive delinquent juveniles or which otherwise provides treatment to juveniles as a case disposition. Placement facilities include, but are not limited to, residential facilities, group homes, after-school programs, and day programs, whether secure or non-secure. **Placement facility shall not include any county jail or state prison.**

\* \* \* \* \*

**Comment**

\* \* \* \* \*

Under the term "court," to determine if masters are permitted to hear cases, see Rule 187. See Rule 210 for the power of magisterial district judges to issue arrest warrants.

**"Detention facility" is not to include any county jail, state prison, penal institution, or other facility used primarily to detain adults who have not been released on bail and who are alleged to have committed a criminal offense. However, nothing in this rule precludes the use of a county jail or state prison for minors when criminal proceedings have been commenced. For example, a minor may be detained in a county jail for a direct-file case when it is alleged a criminal offense has been committed.**

The term "disposition" includes all final determinations made by the court. A disposition includes a response to an adjudication of delinquency, such as sending the juvenile to a placement facility or placing the juvenile on proba-

tion. It also includes other types of final determinations made by the court. Other final determinations include a finding that the juvenile did not commit a delinquent act pursuant to Rule 408(B), a finding that the juvenile is not in need of treatment, rehabilitation, or supervision pursuant to Rule 409(A)(1), dismissing the case "with prejudice" prior to an adjudicatory hearing, or any other final action by the court that closes or terminates the case.

\* \* \* \* \*

A "juvenile" must be at least ten years old and must not have reached the age of eighteen at the time of the commission of a delinquent act for a delinquency petition to be filed. If a child is under the age of ten at the time of the commission of a delinquent act, a dependency petition may be filed pursuant to Pa.R.J.C.P. [ 100 ] 1100 *et seq.*, and the Juvenile Act, 42 Pa.C.S. § 6301 *et seq.* "Juvenile" not only includes any person who is at least ten years of age and under twenty-one years of age if the commission of the alleged delinquent act occurred prior to the juvenile's eighteenth birthday, but also includes any person who is under the juvenile court's jurisdiction until termination of court supervision pursuant to Rules 631 and 632, which is to end no later than the juvenile's twenty-first birthday.

\* \* \* \* \*

A "petition" and a "written allegation" are two separate documents and serve two distinct functions. A "written allegation" is the document that initiates juvenile delinquency proceedings. Usually, the "written allegation" will be filed by a law enforcement officer and will allege that the juvenile has committed a delinquent act that comes within the jurisdiction of the juvenile court. This document may have been formerly known as a "probable cause affidavit," "complaint," "police paper," "charge form," "allegation of delinquency," or the like. Once this document is submitted, a preliminary determination of the juvenile court's jurisdiction is to be made. Informal adjustment and other diversionary programs may be pursued. If the attorney for the Commonwealth or the juvenile probation officer determines that formal juvenile court action is necessary, a petition is then filed.

**"Placement facility" is not to include any county jail, state prison, penal institution, or other facility used primarily for the execution of sentences of adults convicted of a crime. See 42 Pa.C.S. § 6352(b) for disposition of a delinquent juvenile. However, nothing in this rule precludes an adult from being sentenced to a county jail in a contempt proceeding. For example, if a juvenile failed to appear for a juvenile court hearing when summoned and is now eighteen years of age or older, the court may proceed with a contempt hearing and order detention in a county jail.**

A "pre-dispositional report" or "social study" includes, but is not limited to, the compilation of the juvenile's family history and demographics; school record and educational issues; job history; talents and extra-curricular activities; prior delinquency or dependency involvement with the court; health care issues; psychological or psychiatric history, examinations, and reports; drug and alcohol examinations, treatments, and reports; needs regarding disability; and any other relevant information concerning the juvenile to help the court understand any issues relating to the juvenile.

\* \* \* \* \*

**Official Note:** Rule 120 adopted April 1, 2005, effective October 1, 2005. Amended December 30, 2005, effective immediately. Amended March 23, 2007, effective August 1, 2007. Amended February 26, 2008, effective June 1, 2008. Amended July 28, 2009, effective immediately. Amended December 24, 2009, effective immediately. Amended April 21, 2011, effective July 1, 2011. Amended April 29, 2011, effective July 1, 2011. Amended May 20, 2011, effective July 1, 2011. Amended September 7, 2011, effective immediately. Amended September 20, 2011, effective November 1, 2011. Amended May 21, 2012, effective August 1, 2012. **Amended June 28, 2013, effective immediately.**

*Committee Explanatory Reports:*

\* \* \* \* \*

**Final Report explaining the amendments to Rule 120 published with the Court's Order at 43 Pa.B. 3938 (July 13, 2013).**

**CHAPTER 2. COMMENCEMENT OF PROCEEDINGS, ARREST PROCEDURES, WRITTEN ALLEGATION, AND PRE-ADJUDICATORY DETENTION  
PART B. ARREST PROCEDURES IN DELINQUENCY CASES**

**(b) Arrests Without Warrant**

**Rule 220. Procedure in Cases Commenced by Arrest Without Warrant.**

\* \* \* \* \*

**Comment**

\* \* \* \* \*

See 42 Pa.C.S. § 6308 for the taking of fingerprints and photographs by law enforcement officers. The arresting officer is to ensure that the fingerprints and photographs are forwarded to the central repository as required by the Pennsylvania State Police. 42 Pa.C.S. § 6309(c).

**If a juvenile is detained, the juvenile is to be placed in a detention facility, which does not include a county jail or state prison. See Rule 120 and its Comment for definition of "detention facility."**

**Official Note:** Rule 220 adopted April 1, 2005, effective October 1, 2005. Amended December 24, 2009, effective immediately. **Amended June 28, 2013, effective immediately.**

*Committee Explanatory Reports:*

\* \* \* \* \*

**Final Report explaining the amendments to Rule 220 published with the Court's Order at 43 Pa.B. 3938 (July 13, 2013).**

**Rule 221. Temporary Detention in Police Lock-Up.**

\* \* \* \* \*

**Comment**

This rule reflects certain provisions of § 6326 of the Juvenile Act. 42 Pa.C.S. § 6326.

**The terms "police lock-up" and "adult lock-up" as used in this rule do not include a county jail or state prison. If detained, a juvenile is not to be held in a county jail or state prison. The use of a temporary holding cell at the local or state police station or courthouse is permissible if the requirements of this rule have been met.**

**Official Note:** Rule 221 adopted April 1, 2005, effective October 1, 2005. Amended June 28, 2013, effective immediately.

**Committee Explanatory Reports:**

**Final Report explaining the amendments to Rule 221 published with the Court's Order at 43 Pa.B. 3938 (July 13, 2013).**

**PART C. WRITTEN ALLEGATION PROCEDURES**

**Rule 231. Written Allegation.**

\* \* \* \* \*  
**Comment**  
\* \* \* \* \*

Under paragraph (D), a juvenile should be released from custody unless there are other legally sufficient bases for detaining the juvenile, such as, violation of probation or other pending allegations.

**If a juvenile is detained, the juvenile is to be placed in a detention facility, which does not include a county jail or state prison. See Rule 120 and its Comment for definition of "detention facility."**

**Official Note:** Rule 231 adopted April 1, 2005, effective October 1, 2005. Amended June 28, 2013, effective immediately.

**Committee Explanatory Reports:**

\* \* \* \* \*

**Final Report explaining the amendments to Rule 231 published with the Court's Order at 43 Pa.B. 3938 (July 13, 2013).**

**PART D. PRE-ADJUDICATORY DETENTION**

**Rule 240. Detention of Juvenile.**

\* \* \* \* \*  
**Comment**  
\* \* \* \* \*

For statutory provisions on detention, see 42 Pa.C.S. §§ 6325, 6331, 6335. For the Juvenile Court Judges Commission's Detention Standards, see 37 Pa. Code § 200.101 *et seq.* (2003).

**If a juvenile is detained, the juvenile is to be placed in a detention facility, which does not include a county jail or state prison. See Rule 120 and its Comment for definition of "detention facility."**

**Official Note:** Rule 240 adopted April 1, 2005, effective October 1, 2005. Amended June 28, 2013, effective immediately.

**Committee Explanatory Reports:**

\* \* \* \* \*

**Final Report explaining the amendments to Rule 240 published with the Court's Order at 43 Pa.B. 3938 (July 13, 2013).**

**CHAPTER 6. POST-DISPOSITIONAL PROCEDURES**

**PART B. MODIFICATIONS AND REVIEWS**

**Rule 610. Dispositional and Commitment Review.**

\* \* \* \* \*  
**Comment**  
\* \* \* \* \*

Some placement facilities are hours away from the dispositional court. Paragraph (C) allows a hearing to be conducted via teleconferencing, two-way simultaneous audio-visual communication, or similar method. The juvenile is to be afforded all the same rights and privileges as if the hearing was held with all present in the courtroom.

**If a juvenile is detained or placed, the juvenile is to be placed in a detention facility or placement facility, which does not include a county jail or state prison. See Rule 120 and its Comment for definitions of "detention facility" and "placement facility."**

**Official Note:** Rule 610 adopted April 1, 2005, effective October 1, 2005. Amended December 30, 2005, effective immediately. Amended April 21, 2011, effective July 1, 2011. Amended April 29, 2011, effective July 1, 2011. Amended May 26, 2011, effective July 1, 2011. Amended June 28, 2013, effective immediately.

**Committee Explanatory Reports:**

\* \* \* \* \*

**Final Report explaining the amendments to Rule 610 published with the Court's Order at 43 Pa.B. 3938 (July 13, 2013).**

**Rule 612. Modification or Revocation of Probation.**

\* \* \* \* \*

**Comment**

A juvenile should be afforded due process before probation can be revoked. *Cf. Gagnon v. Scarpelli*, 411 U.S. 778 (1973); *Morrissey v. Brewer*, 408 U.S. 471 (1972). A juvenile's probation cannot be revoked simply on the grounds of hearsay evidence. *In re Davis*, 586 A.2d 914 (Pa. 1991).

**If a juvenile is over the age of eighteen, under the age of twenty-one, and is alleged to have violated the terms of probation, the juvenile, if detained, is to be placed in a detention facility. See Rule 120 and its Comment for definitions of "detention facility," which does not include a county jail or state prison, and "juvenile," which includes a person who has attained ten years of age and is not yet twenty-one years of age who is alleged to have committed a delinquent act before reaching eighteen years of age or who is alleged to have violated the terms of juvenile probation prior to termination of juvenile court supervision.**

For detention procedures, see Rules 240 through 243.

For dispositional orders, see Rule 515.

For the use of advanced communication technology, see Rule 129.

**Official Note:** Rule 612 adopted April 1, 2005, effective October 1, 2005. Amended March 5, 2013, effective immediately. Amended June 28, 2013, effective immediately.

**Committee Explanatory Reports:**

\* \* \* \* \*

**Final Report explaining the amendments to Rule 612 published with the Court's Order at 43 Pa.B. 3938 (July 13, 2013).**

**Explanatory Report  
June 2013**

The Supreme Court of Pennsylvania has adopted modifications to Rules 120, 220, 221, 231, 240, 610, and 612. The changes are effective immediately.

*Background*

Concerns were brought to the Committee’s attention on the use of county jails as temporary detention facilities for juveniles or as a sanction for violation of juvenile probation after the juvenile’s eighteenth birthday.

The Committee is clarifying with these rule modifications that a juvenile may never be detained in a county jail or other penal institution when jurisdiction is vested in the Juvenile Court through the Juvenile Act, 42 Pa.C.S. § 6301 *et seq.*, regardless of whether the juvenile has turned eighteen years of age.

The Rules of Juvenile Court Procedure and the Juvenile Act do not permit juveniles, under the juvenile court’s jurisdiction, to be held in a county jail, even if segregated from adults, as a temporary holding facility, detention facility, or placement facility.

*Rule discussion*

Modifications to Rule 120 stress that “detention facility” and “placement facility” do not include county jails or state prisons. It also clarifies the definition of “juvenile” by including, not only juveniles who have committed a delinquent act, but also those juveniles who continue on juvenile probation, even after their eighteenth birthday until juvenile court supervision is terminated. The Juvenile Act grants the juvenile court jurisdiction until the juvenile turns twenty-one years of age. *See* 42 Pa.C.S. § 6301 *et seq.*

The Comments to Rules 220, 231, 240, 610, and 612 have been modified to clarify that when detained, a juvenile may only be held in a detention facility or placement facility. The Comment to Rule 221 has been modified to clarify that “police lock-up” and “adult lock-up” do not include the county jail or state prison.

The Comment to Rule 612 was also modified to explain that the juvenile court has jurisdiction over the juvenile until the juvenile turns twenty-one years of age. The juvenile may not be detained in a county jail or state prison for a juvenile probation violation even if the juvenile is eighteen years of age. If detained, the juvenile must be placed in a detention or placement facility.

[Pa.B. Doc. No. 13-1241. Filed for public inspection July 12, 2013, 9:00 a.m.]

**PART I. RULES**

**[ 237 PA. CODE CHS. 1 AND 11 ]**

**Order Amending Rules 120 and 1120 of the Rules of Juvenile Court Procedure; No. 603 Supreme Court Rules Doc.**

**Order**

*Per Curiam*

*And Now*, this 24th day of June, 2013, upon the recommendation of the Juvenile Court Procedural Rules Committee; the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3); and an Explanatory Report to be published with this *Order*:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the modifications to Rules 120 and 1120 of the Rules of Juvenile Court Procedure are approved in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective January 1, 2014.

**Annex A**

**TITLE 237. JUVENILE RULES**

**PART I. RULES**

**Subpart A. DELINQUENCY MATTERS**

**CHAPTER 1. GENERAL PROVISIONS**

**PART A. BUSINESS OF COURTS**

**Rule 120. Definitions.**

\* \* \* \* \*

CLERK OF COURTS is that official in each judicial district who has the responsibility and function under state law or local practice to maintain the official court record and docket, without regard to that person’s official title. **A party to the proceedings shall not function as the clerk of courts.**

\* \* \* \* \*

**Comment**

**A party to the proceedings is not to function as the clerk of courts. Because the clerk of courts maintains the official court record, this person is to remain neutral and unbiased by having no personal connection to the proceedings.**

“Clerk of courts” is the person given the power under state law or local practice to maintain the official court record. *See* Rule 166 for additional responsibilities of the clerk of courts.

\* \* \* \* \*

**Official Note:** Rule 120 adopted April 1, 2005, effective October 1, 2005. Amended December 30, 2005, effective immediately. Amended March 23, 2007, effective August 1, 2007. Amended February 26, 2008, effective June 1, 2008. Amended July 28, 2009, effective immediately. Amended December 24, 2009, effective immediately. Amended April 21, 2011, effective July 1, 2011. Amended April 29, 2011, effective July 1, 2011. Amended May 20, 2011, effective July 1, 2011. Amended September 7, 2011, effective immediately. Amended September 20, 2011, effective November 1, 2011. Amended May 21, 2012, effective August 1, 2012. **Amended June 24, 2013, effective January 1, 2014.**

*Committee Explanatory Reports:*

\* \* \* \* \*

**Final Report explaining the amendments to Rule 120 published with the Court’s Order at 43 Pa.B. 3941 (July 13, 2013).**

**Subpart B. DEPENDENCY MATTERS**

**CHAPTER 11. GENERAL PROVISIONS**

**PART A. BUSINESS OF COURTS**

**Rule 1120. Definitions.**

\* \* \* \* \*

CLERK OF COURTS is that official in each judicial district who has the responsibility and function under state law or local practice to maintain the official court record and docket, without regard to that person’s official title. **A party to the proceedings shall not function as the clerk of courts.**

\* \* \* \* \*

PARTY is a person [ **who is legally entitled** ] or the **county agency who has standing** to participate in the proceedings but nothing in these Rules confers standing upon a person.

\* \* \* \* \*

#### Comment

**A party to the proceedings is not to function as the clerk of courts. Because the clerk of courts maintains the official court record, this person is to remain neutral and unbiased by having no personal connection to the proceedings.** The county agency is a party to the proceeding and [ **should not** ] is not to function as the “Clerk of Courts.”

\* \* \* \* \*

**Official Note:** Rule 1120 adopted August 21, 2006, effective February 1, 2007. Amended March 19, 2009, effective June 1, 2009. Amended December 24, 2009, effective immediately. Amended April 21, 2011, effective July 1, 2011. Amended April 29, 2011, effective July 1, 2011. Amended May 20, 2011, effective July 1, 2011. **Amended June 24, 2013, effective January 1, 2014.**

*Committee Explanatory Reports:*

\* \* \* \* \*

**Final Report explaining the amendments to Rule 1120 published with the Court’s Order at 43 Pa.B. 3941 (July 13, 2013).**

#### Explanatory Report June 2013

The Supreme Court of Pennsylvania has adopted the amendments to Rules 120 and 1120. The amendments are effective January 1, 2014.

The Committee recommended that a party, including the county agency, be prohibited from acting as clerk of courts.

It has always been understood that a party to the proceeding should not serve as clerk of courts. The clerk of courts is to be an unbiased and neutral person. The revisions to the Rules clarify the intent of the Rules.

Additionally, the county agency is being added to the definition of “party” because they are not technically a “person.”

[Pa.B. Doc. No. 13-1242. Filed for public inspection July 12, 2013, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CRAWFORD COUNTY

#### Adoption of Local Criminal Rules of Procedure; AD 1-2013

#### Order

*And Now*, this 13th day of June, 2013, it is *Ordered and Decreed* that Rule 117 of the Court of Common Pleas of Crawford County, Pennsylvania, Criminal Division, is rescinded and the following Rule 117 is adopted this date, to be effective thirty (30) days after the publication in the *Pennsylvania Bulletin*. Further, Form 590 of Rule 590 is amended such that paragraph 18(c) of Form 590 is

modified to remove the third word which is “cannot” and replace that word with “can,” again, with this change effective thirty (30) days after the publication in the *Pennsylvania Bulletin*.

The District Court Administrator is *Ordered and Directed* to:

1. Distribute two (2) certified paper copies and one (1) copy on a computer diskette or on a CD-ROM, that complies with the requirements of 1 Pa. Code § 13.11(b) to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

2. File one (1) certified copy of the local rule changes with the Administrative Office of Pennsylvania Courts.

3. Publish a copy of the local rule changes on the Unified Judicial System’s website at <http://ujsportal.pacourts.us/localrules/ruleselection.aspx>.

4. Provide one (1) certified copy of the local rule changes to be kept continuously available for public inspection and copying in the Office of the Clerk of Courts of Crawford County and upon request and payment of reasonable fees of reproduction and mailing, the Clerk of Courts shall furnish any person a copy of such local rules.

5. Provide one (1) certified copy of the local rule changes to the Supreme Court of Pennsylvania Criminal Procedural Rules Committee.

6. Provide one (1) certified copy of the local rule changes to the Crawford County Law Library.

7. Keep such local rules changes, as well as all local criminal rules available for the public on the Crawford County website [www.crawfordcountypa.net](http://www.crawfordcountypa.net).

*By the Court*

ANTHONY J. VARDARO,  
*President Judge*

#### Rule 117. Coverage-Issuing Warrants; Preliminary Arraignments and Summary; Summary Trials; Setting and Accepting Bail and Other Duties.

#### REGULAR BUSINESS HOURS

All magisterial district judge offices shall be open for regular business Monday through Friday, excluding holidays celebrated by the Court of Common Pleas of Crawford County, from 8:30 a.m. to 4:30 p.m. prevailing local time.

#### CONTINUOUS COVERAGE

There shall be continuous coverage by the judges of magisterial district courts for all of the following purposes with coverage to be provided during non-business hours consistent with the on-call system established for Crawford County in this local rule:

1. Issuance of search warrants pursuant to Pa.R.Crim.P. 203.

2. Issuance of arrest warrants pursuant to Pa.R.Crim.P. 513.

3. Requests to accept bail pursuant to Pa.R.Crim.P. 520(B).

4. Other duties as set forth in Pa.R.Crim.P. 117(A)(2)(a), (b), (c) and (d).

5. Issuance of emergency orders under the Protection from Abuse Act when the Court of Common Pleas of Crawford County is not available.

6. Issuance of emergency orders under the Older Americans Protective Services Act when the Court of Common Pleas of Crawford County is not available.

**ON-CALL COVERAGE DURING  
NON-BUSINESS HOURS**

The magisterial district judges shall rotate in performing the duties of on-call magisterial district judge on a weekly basis consistent with a schedule established annually by the Crawford County Court Administrator with the approval of the President Judge. Modifications of this schedule may occur amongst respective magisterial district judges by mutual agreement. Any such modification shall be conveyed to the Crawford County Emergency Management Office by the magisterial district judge who will be serving as the on-call magisterial district judge by mutual agreement. Any additional compensation for subsequent modification of an existing schedule shall be waived.

The weekly on-call duties shall begin on Friday at 4:30 p.m. and continue until the following Friday at 8:30 a.m. unless the magisterial district courts are closed on a Friday in which case the duties shall continue until 4:30 p.m. on Friday.

The on-call magisterial district judge shall provide the following services for all of the magisterial district courts of this county while on-call in the following manner:

1. Continuous coverage for Items 1, 2, 3, 5, 6 in the "Continuous Coverage" section above.

If there is need for the on-call magisterial district judge to perform any of the "Continuous Coverage" duties the Crawford County Emergency Management Office shall be contacted so that the magisterial district judge can be promptly notified. The on-call magisterial district judge will then return the call to the police officer or other person requesting the attention of the on-call magisterial district judge. The Crawford County Emergency Management Office will only contact the on-call magisterial district judge if the request is for one of the items for which "Continuous Coverage" is required as set for above.

2. The on-call magisterial district judge will also be responsible for the following duties required by Pa.R.Crim.P 117(A)(2)(a), (b), (c) and (d) but not on a continuous basis:

(a) conduct summary trials or set collateral in summary cases following arrests with a warrant issued pursuant to Rule 430(A) as provided in Rule 431(B)(3) and following arrests without a warrant as provided in Rule 441(C);

(b) conduct preliminary arraignments without unnecessary delay whenever a warrant of arrest is executed within the judicial district pursuant to Rule 516;

(c) set bail without unnecessary delay whenever an out-of-county warrant of arrest is executed within the judicial district pursuant to Rule 517(A);

(d) accept complaints and conduct preliminary arraignments without unnecessary delay whenever a case is initiated by an arrest without warrant pursuant to Rule 519(A)(1)

In order to perform those duties required by Pa.R.Crim.P. 117(A)(2)(a), (b), (c) and (d) the on-call magisterial district judge shall do the following:

Monday through Friday when the magisterial district courts have been open for business during regular business hours the on-call magisterial district judge shall contact the booking officer at the Crawford County Cor-

rectional Facility at 9:30 p.m. to determine whether there is a need for the on-call magisterial district judge to perform any of the above duties.

If there is such a need the on-call magisterial district judge shall within one hour appear at the Crawford County Correctional Facility to perform those duties or the on-call magisterial district judge may do so within one hour by two-way audio-visual communication to the extent allowable by Pa.R.Crim.P. 119.

The on-call magisterial district judge shall also call the booking officer at the Crawford County Correctional Facility each weekday morning at 8 a.m. to determine whether there is a need for any of the above services to be performed and that magisterial district judge shall make arrangements for any such matter to be heard no later than 9 a.m. in that magisterial district judge's court or other appropriate court.

*Weekends and Holidays.* The magisterial district judge on-call shall contact the booking officer at the Crawford County Correctional Facility each such day at 8 a.m., 2:30 p.m. and 9:30 p.m. to determine whether there is need for the on-call magisterial district judge to perform any of the above duties.

If there is such a need the on-call magisterial district judge shall within one hour appear at the Crawford County Correctional Facility to perform those duties or the on-call magisterial district judge may do so within one hour by two-way audio-visual communication to the extent allowable by Pa.R.Crim.P. 119.

**MAGISTERIAL DISTRICT JUDGE  
TEMPORARY ASSIGNMENTS**

When during regular business hours for magisterial district judges, a judge who has venue over a particular matter is unavailable, any other magisterial district judge in Crawford County is hereby temporarily assigned to serve the magisterial district of the judge who is unavailable. Such an arrangement may be made between respective magisterial district judges by mutual agreement. Any additional compensation for said arrangement will be waived.

**OFFICIALS DESIGNATED TO ACCEPT BAIL**

Magisterial District Judges and the Clerk of Courts shall be authorized to accept bail in accordance with the provisions and subject to the limitations of the Pennsylvania Rules of Criminal Procedure.

**Rule 590. (Form 590).**

Paragraph 18(c) of Form 590 is modified to remove the third word which is "cannot" and replace that word with "can."

[Pa.B. Doc. No. 13-1243. Filed for public inspection July 12, 2013, 9:00 a.m.]

**LEHIGH COUNTY**

**Rule 205.4 Authorizing a Pilot E-Filing Program for  
Civil Cases; No. 2013-J-28**

**Administrative Order**

*And Now*, this 21st day of May 2013, *It Is Hereby Ordered That* Leh.Co.R.C.P. 205.4, Electronic Filing and Service of Legal Papers, authorizing the electronic filing of Tax Assessment Appeal Cases be and is hereby rescinded effective upon publication on the Pennsylvania

Judiciary Web Application Portal and that the following Lehigh County Rule authorizing a Pilot E-Filing Program for Civil Cases be and the same is hereby *Adopted*, effective upon publication of this rule on the Pennsylvania Judiciary Web Application Portal (<http://ujportal.pacourts.us>).

*It Is Further Ordered That* the Court Administrator of Lehigh County shall file: one (1) certified copy of this Order and the Lehigh County Rule authorizing the Pilot E-Filing Program for Civil Cases with the Administrative Office of Pennsylvania Courts; two (2) certified copies and a computer diskette or CD-ROM copy that complies with the requirement of 1 Pa. Code Section 13.11(b) with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; one (1) certified copy with the Civil Procedural Rules Committee, and publish a copy on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>)

*By the Court*

CAROL K. MCGINLEY,  
*President Judge*

**Rule 205.4. Pilot Program—Electronic Filing of Legal Documents Filed in the Clerk of Judicial Records—Civil Division.**

(a)(1) *Authorization for Electronic Filing of Civil Legal Papers—Pilot Program*

(i) In accordance with Pa.R.C.P. No. 239.9, the Lehigh County Court of Common Pleas shall implement on July 1, 2013, a pilot program for the e-filing of legal papers as specifically defined within this rule. The applicable general rules of court and court policies that implement the rules shall continue to apply to all filings regardless of the method of filing. Electronic filing and service shall be governed by this rule.

(ii) In the context of this rule, "legal papers" which may be filed electronically shall be limited to the following cases, identified in Section B of the Supreme Court of Pennsylvania Court of Common Pleas Civil Cover Sheet, provided for in Pa.R.C.P. 205.5(e): Civil Appeals—Board of Assessment, Civil Appeals—Zoning Board, Tort Motor Vehicle, Debt Collection: Credit Card, Mortgage Foreclosure: Residential, and Mortgage Foreclosure: Commercial. Although not specifically identified on the Cover Sheet, Municipal Liens are also included.

(iii) In order to identify participants for the pilot program, the Court Administrator will publish an announcement seeking law firms and solo practitioners willing to participate, for two consecutive weeks in the *Lehigh Law Journal*. The President Judge will review the applications and will notify those sole practitioners and firms that have been selected for the pilot program.

**Comment**

The primary intent of this rule is to facilitate the filing of all legal papers that are expressly permitted under this subsection. Until such time as necessary protocols are adopted to permit the electronic filing of civil legal papers that were not included within this rule, they shall be filed in paper format.

(b)(1) *Authorized Electronic Format of Legal Papers Electronically Filed.* All legal papers that may be filed electronically as defined by this rule shall be filed in Portable Document Format (PDF). In the event any legal paper or exhibit is submitted to the Clerk of Judicial Records—Civil Division in hard copy format for a case already initiated electronically, the Clerk of Judicial

Records—Civil Division shall convert and maintain such legal paper or exhibit to a Portable Document Format (PDF) and the Clerk of Judicial Records—Civil Division shall return the hard copy legal paper or exhibit to the filing party for retention as required by **Pa.R.C.P. No. 205.4(b)(5)**.

(c)(1) *Reserved*

(c)(2) *Website—Access to the Website*

(i) Website. All legal papers may be filed electronically through the Clerk of Judicial Records—Civil Division's Electronic Filing System "**Odyssey File and Serve**" (OFS) which shall be accessible through the Lehigh County Website, [www.lehighcounty.org](http://www.lehighcounty.org).

(ii) Access to the Website. To obtain access to the Electronic Filing System, counsel and any unrepresented party must apply for and receive a User Name and Password.

(d)(1) *Payment of Filing Fees*

(i) The Clerk of Judicial Records—Civil Division will accept payment of all filing fees in cash, checks, and the following credit and debit cards: Discover, MasterCard, American Express and Visa.

(ii) The Clerk of Judicial Records—Civil Division will accept advance deposits on draw down accounts of future filing fees.

(iii) The credit or debit card will be charged with a convenience fee dictated by the credit card vendor.

(e) *Reserved*

(f) *Local Procedures*

As authorized by Pa.R.C.P. No. 205.4(f), the following local administrative procedures are adopted:

(i) As provided by Pa.R.C.P. No. 1023.1, the required signature on an electronic filing of legal papers is established by submission of a filing and the application of a digitized signature or the name of the filer preceded by /s/ accompanied by the attorney's printed name or a scanned document with an original signature. Verification will be achieved through the use of an email address and a password obtained from the OFS System. The OFS system will verify the user ID against the state ID number. Verification for parties other than attorneys will be verified through the user ID.

(ii) The legal paper must include a signature block, and the name of the filer under whose user name and password the legal filing is submitted.

(iii) The Electronic Filing Application (OFS) shall provide to the filer, using the email address registered by the filer, a Courtesy Email acknowledging that the filing was received. An Official Notification will be displayed in the Electronic Filing System, which includes the time and date, as a pending filing awaiting approval by the Clerk of Judicial Records—Civil Division. Within six (6) business hours of the receipt of the legal paper, the Clerk of Judicial Records—Civil Division shall provide the filer with notification through the Electronic Filing System that the legal paper has been either accepted or rejected.

(iv) If a legal paper is accepted, it shall be deemed to have been filed as of the date and time it was received by the Electronic Filing System; however, if a legal paper is submitted without the requisite filing fee, the legal paper shall be deemed to have been accepted for filing as of the date payment is received pursuant to 42 P.S. Section 21073(b), "The Clerk of Judicial Records—Civil Division shall not be required to enter on the docket any suit or



action or order of court or to enter any judgment thereon and perform any services whatsoever for any person, political subdivision or the Commonwealth until the requisite fee is paid.”

*Note:* As required by Pa.R.C.P. No. 205.4(c)(1) access to the Electronic Filing System shall be available at all times, except for routine maintenance; however, legal documents can only be reviewed by the staff of the Clerk of Judicial Records—Civil Division during normal office hours. Therefore, filers are cautioned to file required legal papers well in advance of any filing deadlines to enable timely correction and re-submission in the event a legal paper is not acceptable for filing.

(v) Pa.R.C.P. No. 204.1(3) requires that the first sheet of all pleadings, motions and other legal filings shall contain a 3-inch space from the top of the paper. This space shall be reserved solely for the use of the Clerk of Judicial Records—Civil Division for the electronic date and time stamp, and other official use.

(vi) As required by Pa.R.C.P. 205.5, the filer shall include the statewide cover sheet with the initial filing.

(vii) It shall be the responsibility of the filer to notify the Clerk of Judicial Records—Civil Division of any legal paper or exhibit submitted for filing in hard copy format/paper for a case initiated by electronic filing by indicating under the case number “Electronic Case.” The Clerk of Judicial Records—Civil Division shall then convert the legal paper to a portable document format (pdf) and accept and maintain such legal paper or exhibit in the electronic form. The Clerk of Judicial Records—Civil Division shall return the hard copy legal paper or exhibit to the filing party for retention as required by Pa.R.C.P. No. 205.4(b)(4) and Pa.R.C.P. No. 205.4(b)(5).

(viii) If a legal document is refused for filing, the Clerk of Judicial Records—Civil Division shall specify a reason. Subject to the Rule 205.4(e)(3), a legal paper refused for filing shall be deemed as not having been filed.

(ix) When filing motions, petitions and other responsive pleadings electronically in accordance with the local rules, the filer may provide an electronic courtesy copy to the Office of Court Administration through the Clerk of Judicial Records—Civil Division’s Electronic Filing System “**Odyssey File and Serve**” (OFS).

(g) *Service of Legal Papers*

(i) If a legal paper is accepted for electronic filing, it will be electronically served as authorized by Pa.R.C.P.

No. 205.4(g)(1)(ii) and service shall be effectuated as provided in Pa.R.C.P. No. 205.4(g)(2), Electronic Filing and Service of Legal Papers.

(ii) Once an electronic filing has been accepted by the Clerk of Judicial Records—Civil Division, it shall be the responsibility of the filing party to provide to the Sheriff of Lehigh County, the proper service fee and the documents for Original Service and Writs.

[Pa.B. Doc. No. 13-1244. Filed for public inspection July 12, 2013, 9:00 a.m.]

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## SUPREME COURT

### Order Suspending Administrative Order 16-2010 Transferring Clerk of Court Functions to the Carbon County Children and Youth Office; No. 604 Supreme Court Rules Doc.

#### Order

*Per Curiam*

*And Now*, this 24th day of June, 2013, upon the recommendation of the Juvenile Court Procedural Rules Committee:

*It Is Ordered* pursuant to Pa.R.J.C.P. 1121(E), that Carbon County Administrative Order 16-2010 is hereby *Suspended* as being inconsistent with Pa.R.J.C.P. 1120, to the extent that the Administrative Order relieves the Clerk of Courts of Carbon County from the responsibility of maintaining dockets and original files relating to Juvenile Court dependency matters in Carbon County; designates the Carbon County Children and Youth Office as the Clerk of Courts for dependency matters; and permits personnel of the Children and Youth Administrator II of the Carbon County Children and Youth Office to be deputized by the Clerk of Courts for the performance of duties relating to dockets and original files in dependency matters. *See* Pa.R.J.C.P. 1121(E).

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective January 1, 2014.

[Pa.B. Doc. No. 13-1245. Filed for public inspection July 12, 2013, 9:00 a.m.]

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# RULES AND REGULATIONS

## Title 40—LIQUOR

### LIQUOR CONTROL BOARD

#### [ 40 PA. CODE CH. 5 ]

#### Prize Limits for Events, Tournaments and Contests

The Liquor Control Board (Board), under the authority of section 207(i) of the Liquor Code (47 P. S. § 2-207(i)), amends § 5.32 (relating to restrictions/exceptions).

#### *Summary*

Under the Board's regulations, hotel, restaurant, club, privately-owned public golf course, privately-owned private golf course, municipal golf course, brewery pub and eating place retail dispenser licensees (collectively referred to as retail licensees) may not conduct events, tournaments or contests, nor award or permit the award of trophies, prizes or premiums on the licensed premises. Section 5.30 (relating to definitions) defines an "event/tournament/contest" as "[a] competitive endeavor involving skill, speed, strength or endurance. The term includes a competitive endeavor involving physical attributes of contestants."

There are exceptions to the prohibitions, one of which allows a retail licensee to have a self-sponsored event, tournament or contest and to award prizes in conjunction with an event, tournament or contest. However, a retail licensee was not able to award more than \$500 worth of prizes for a given event, tournament or contest, nor more than \$5,000 worth of prizes per week under former § 5.32(e)(7).

Section 5.32(d)(4) also creates an exception for those events conducted under the authority of the Local Option Small Games of Chance Act (act) (10 P. S. §§ 328.101—328.707) and the Bingo Law (law) (10 P. S. §§ 301—308.1). Events conducted under the act and the law are subject to the prize limits found in those acts, not the limits in § 5.32(e)(7).

Section 5.32(e)(7), which sets forth the prize limits for self-sponsored events, tournaments and contests conducted by retail licensees, was promulgated by the Board in 1996. Between 1988, when the current small games of chance (SGOC) prize limits were set, and 1996, the Board's regulations did not permit retail licensees to have a financial interest in an event, tournament or contest. In 1996, the Board amended § 5.32 to remove the financial interest prohibition and to extend the then-existing SGOC prize limitations, applicable only to licensed clubs holding an SGOC license, to retail licensees, thereby creating a more level playing field between private clubs which could acquire SGOC licenses and retail licensees which could not acquire SGOC licenses.

In the rulemaking process, the Board intended to tie the prize limits afforded under § 5.32(e)(7) with the prize limits afforded under the act. This intent was made evident in the proposed rulemaking published at 26 Pa.B. 31 (January 6, 1996) in which the Board did not include specific individual or weekly prize limits, but rather incorporated the SGOC prize limitations by reference: "The total value of the prizes for a given event, tournament or contest may not exceed the limits as established by the Local Option Small Games of Chance Act (10 P. S. §§ 311—327)."

In addressing concerns raised by the Independent Regulatory Review Commission (IRRC) regarding clarity, the Board amended the final-form rulemaking published at 26 Pa.B. 2209 (May 11, 1996) to include specific monetary prize limitations. The prize limitations for events, tournaments and contests by retail licensees were established based upon the principal prize limits for clubs conducting small games of chance under the authority of their SGOC licenses.

The act of February 2, 2012 (P. L. 7, No. 2) (Act 2) significantly amended the act. Among other changes involving SGOC, Act 2 renumbered and amended section 5 of the act (10 P. S. § 328.302) to increase the maximum prize for a single game of chance from \$500 to \$1,000 and increased the maximum weekly prize limit for games of chance from \$5,000 to \$25,000. Thus, the correlation that existed since 1996 was severed by Act 2, which created a significant disparity in the amounts of prizes that may be awarded by private clubs which may acquire an SGOC license and other retail licensees which cannot acquire SGOC licenses.

In final-form § 5.32(e)(7), the prize limits for self-sponsored events, tournaments and contests that occur on retail licensed premises have been increased to approximate the increased prize limits afforded to club licensees which also hold an SGOC license. Accordingly, the maximum value of prizes that may be awarded for a given event, tournament or contest is increased from \$500 to \$1,000 and the maximum value of prizes awarded in a given week is increased from \$5,000 to \$25,000. The final-form rulemaking re-establishes the historical parity and "level the playing field" for retail licensees relative to conducting events, tournaments and contests.

Finally, a sentence is added to § 5.32(e)(7) to clarify that events, tournaments and contests conducted under the authority of the act or the law are subject to the prize limits in the act and the law rather than the prize limits in § 5.32(e)(7). This is consistent with how the Board has been interpreting the regulation.

#### *Response to Comments*

On November 28, 2012, IRRC notified the Board, the House Liquor Control Committee and the Senate Law and Justice Committee that it did not have objections, comments or recommendations to offer on the proposed rulemaking.

#### *Affected Parties*

Those affected by this final-form rulemaking include holders of restaurant, hotel, club, privately-owned public golf courses, privately-owned private golf courses, municipal golf courses, brewery pubs and eating place retail dispenser licenses issued by the Board that conduct self-sponsored events, tournaments and contests at their licensed premises. An increase in the current prize limits may be viewed as a boon to many retail licensees wishing to increase attendance and participation at various events, tournaments and contests (for example, games, costume contests, and the like) with the prospect of higher prizes which may be awarded to participants at the licensed premises.

The Board preliminarily reached out to two industry groups, the Pennsylvania Tavern Association and the Pennsylvania Restaurant Association, both of which indicated that they are generally supportive of the rulemaking.

*Paperwork Requirements*

The Board does not anticipate that this final-form rulemaking will affect the amount of paperwork or administrative costs of the regulated community.

*Fiscal Impact*

This final-form rulemaking is not expected to have adverse fiscal impact on the regulated community. Since it is discretionary for a retail licensee to take advantage of the increased prize limits, additional costs are not associated with compliance with the final-form rulemaking. In fact, this final-form rulemaking is expected to have a positive fiscal impact for certain retail licensees who may be able to increase the draw to their establishments by offering prizes of higher monetary value at various events, tournaments and contests. However, the potential positive fiscal impact upon those retail licensees which choose to take advantage of the final-form rulemaking cannot be quantified.

This final-form rulemaking is not expected to have adverse fiscal impact on State or local governments.

*Effective Date*

This final-form rulemaking will become effective upon publication in the *Pennsylvania Bulletin*.

*Contact Person*

Questions regarding this final-form rulemaking should be addressed to Alan Kennedy-Shaffer, Assistant Counsel, or Rodrigo Diaz, Executive Deputy Chief Counsel, Office of Chief Counsel, Liquor Control Board, Room 401, Northwest Office Building, Harrisburg, PA 17124-0001, (717) 783-9454, ra-lblegal@pa.gov.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on September 13, 2012, the Board submitted a copy of the notice of proposed rulemaking, published at 42 Pa.B. 6138 (September 29, 2012), to IRRC and the Chairpersons of the House and Senate Committees for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the House and Senate Committees were provided with copies of the comments received during the public comment period, as well as other documents when re-

quested. In preparing the final-form rulemaking, the Board considered all comments from IRRC, the Chairpersons of the House and the Senate Committees and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on May 15, 2013, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5(g) of the Regulatory Review Act, the final-form rulemaking was deemed approved by IRRC effective May 15, 2013.

*Findings*

The Board finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The amendments to the Board's regulations in the manner provided in this order are necessary and appropriate for the administration of the Liquor Code.

*Order*

The Board, acting under authorizing statute, orders that:

(a) The regulations of the Board, 40 Pa. Code Chapter 5, are amended by amending § 5.32 to read as set forth at 42 Pa.B. 6138.

(b) The Board shall certify this order and 42 Pa.B. 6138 and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon publication in the *Pennsylvania Bulletin*.

JOSEPH E. BRION,  
*Chairperson*

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 43 Pa.B. 3067 (June 1, 2013).)*

**Fiscal Note:** Fiscal Note 54-72 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 13-1246. Filed for public inspection July 12, 2013, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (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 and Securities 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 June 25, 2013.

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

### BANKING INSTITUTIONS

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
6-19-2013	Prudential Bancorp, Inc. Philadelphia Philadelphia County  Application for approval to acquire 100% of Prudential Savings Bank, Philadelphia.	Filed

#### Consolidations, Mergers, and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
6-24-2013	CNB Bank Clearfield Clearfield County  Application for approval to merge The Farmers Citizens Bank, Bucyrus, OH, with and into CNB Bank, Clearfield.	Approved

### Branch Applications

#### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
6-19-2013	Mauch Chunk Trust Company Jim Thorpe Carbon County	1331 Clamtown Road Tamaqua Schuylkill County	Filed
6-24-2013	Fleetwood Bank Fleetwood Berks County	1150 Berkshire Boulevard Wyomissing Berks County	Approved
6-24-2013	Somerset Trust Company Somerset Somerset County	300 Laurel Drive Connellsville Fayette County	Approved

### SAVINGS INSTITUTIONS

No activity.

### CREDIT UNIONS

No activity.

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 13-1247. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Actions on Applications

The Department of Banking and Securities (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 and Securities 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 July 2, 2013.

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

#### BANKING INSTITUTIONS

##### Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
6-27-2013	ESB Financial Corporation Employee Stock Ownership Plan and Trustee Mario J. Manna	Filed
	Application for approval to acquire up to 24.9% of the common stock of ESB Financial Corporation, Ellwood City, the parent bank holding company of ESB Bank, Ellwood City.	

##### Consolidations, Mergers, and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
7-2-2013	3rd Fed Bank Newtown Bucks County	Effective
	Merger of Roebling Bank, Roebling, with and into 3rd Fed Bank, Newtown.	
	As a result of the merger, the following branch offices of Roebling Bank became branch offices of 3rd Fed Bank.	
	Route 130 and Delaware Avenue Roebling Burlington County, NJ	34 Main Street Roebling Burlington County, NJ
	1934 Route 541 Mount Holly Burlington County, NJ	3104 Bridgeboro Road Riverside Burlington County, NJ
	8 Jacobstown Road New Egypt Ocean County	

##### Branch Applications

###### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
6-10-2013	Valley Green Bank Philadelphia Philadelphia County	1536 Broad Street Philadelphia Philadelphia County	Opened
6-26-2013	Somerset Trust Company Somerset Somerset County	1176 National Pike Hopwood Fayette County	Filed
6-27-2013	Metro Bank Lemoyne Cumberland County	2121 Lincoln Highway East Lancaster Lancaster County	Filed

##### Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
7-2-2013	York Traditions Bank York York County	Effective

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
	Amendment to Article II of the institution's Articles of Incorporation provides for the change in principal place of business from 235 St. Charles Way, York, York County to 226 Pauline Drive, P. O. Box 3658, York, York County.	
7-2-2013	West Milton State Bank West Milton Union County	Effective
	Amendment to Article Fifth of the institution's Articles of Incorporation provides for the elimination of authority to exercise Fiduciary Powers.	

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS****Articles of Amendment**

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
7-2-2013	N.B.A. Credit Union Bristol Bucks County	Effective
	Amendment to Article 9 of the institution's Articles of Incorporation to be amended and restated in its entirety.	

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 13-1248. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of August 2013

The Department of Banking and Securities (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of August, 2013, is 5 1/2%.

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

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 2.92 to which was added 2.50 percentage points for a total of 5.42 that by law is rounded off to the nearest quarter at 5 1/2%.

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 13-1249. Filed for public inspection July 12, 2013, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Conservation and Natural Resources Advisory Council Meeting

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, July 24, 2013, at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to Joe Graci at (717) 787-9293.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Lauren Adair directly at (717) 787-9293 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

ELLEN FERRETTI,  
*Acting Secretary*

[Pa.B. Doc. No. 13-1250. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Request for Bids

The Department of Conservation and Natural Resources is soliciting bids for the following project. Bid documents can be obtained from the Administrative Services Section, Bureau of Facility Design and Construction at (717) 787-5055:

*FDC-423-7607.1—Roadway and Channel Rehabilitation, Structure No. 23-1301, PW 5077 & 5532, Cabin Road Over Loyalsock Creek, Worlds End State Park, Forks Township, Sullivan County.* Work included under this contract consists of the restoration of the damaged roadway at the near approach of the bridge carrying Cabin Road, removal of bedload material from the channel under the existing bridge and removal of debris under the existing culvert. Roadway restoration work shall be accomplished with the use of rip rap ballast and side slopes, bituminous superpave roadway and native grasses and vegetation. Bid documents will be available on or after July 10, 2013. The bid opening will be held on August 8, 2013.

ELLEN FERRETTI,  
*Acting Secretary*

[Pa.B. Doc. No. 13-1251. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Wild Resource Conservation Program Hearing

A hearing will be held on Tuesday, August 13, 2013, to comment on the applications submitted to the Wild Resource Conservation Program for grant funding in Fiscal Year 2013-2014. The hearing will be held at 10 a.m. in the 6th floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this hearing can be directed to Jennifer Girton at (717) 787-3212, jgirton@pa.gov or Greg Czarnecki at (717) 783-1337, gczarnecki@pa.gov. Individuals who plan to make comments should contact either of the previously listed contact persons.

Persons in need of accommodations as provided for in the Americans with Disability Act of 1990 should contact Greg Czarnecki directly or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department of Conservation and Natural Resources may accommodate their needs.

ELLEN FERRETTI,  
*Acting Secretary*

[Pa.B. Doc. No. 13-1252. Filed for public inspection July 12, 2013, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application of Wilson College for Approval to Amend Its Articles of Incorporation

#### Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application for approval of a Certificate of Authority for Wilson College to amend its Articles of Incorporation.

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

of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with Dr. Rod Niner, Higher Education Associate, 333 Market Street, Harrisburg, PA 17126-0333 by 4 p.m. on or before the due date prescribed by this notice. Persons wishing to review the application should call (717) 783-8228 or write to the previous address to schedule a time for an in-office review. Duplicate copies of the application are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate should contact Dr. Rod Niner at (717) 783-8228 to discuss accommodations.

WILLIAM E. HARNER, Ph.D.,  
*Acting Secretary*

### Articles of Incorporation

Wilson College  
A Domestic Nonprofit Corporation

In compliance with the requirements of Section 5916 of the Nonprofit Corporation Law of 1988 (15 Pa.C.S.A. section 5916), the undersigned, desiring to amend and restate the amended Articles in their entirety, hereby certifies that:

1. The name of the corporation is Wilson College.
2. The address of the corporation's registered office is 1015 Philadelphia Avenue, Chambersburg, Pennsylvania, 17201 in Franklin County.
3. The corporation is incorporated exclusively for charitable, educational and scientific purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future Federal tax codes (the "Code") including, without limitation, the following purposes:
  - (a) to promote the education of both women and men in undergraduate and graduate degree and non-degree programs; and
  - (b) to offer its students studies in arts, science, and religion in a liberal arts program, including preparation for specific careers as well as preparation for graduate and professional school; and
  - (c) to grant to students under its charge diplomas or honorary testimonials, in such form as it may designate, and also to grant and confer such honors, degrees and diplomas as are granted by any university or college in the United States.
4. The corporation may engage in all activities consistent with its purposes set forth in Article 3, subject to the following limitations:

No part of the net earnings of the college shall inure to the benefit of, or be distributable to, its trustees, officers or other private persons, except that the College shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of its purposes. No substantial part of the activities of the College shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the College shall not participate in, or intervene in (including the publishing or distribution of statements), any political campaign on behalf of or in opposition to any candidate for public office. Notwith-

standing any other provision of these articles, the College shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

Upon the dissolution of the College, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the College is then located, exclusively for such purposes, or to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such purposes.

5. The term for which the corporation is to exist is perpetual.

6. The corporation is organized upon a non-stock basis.

7. The corporation shall have no members.

8. The name and address of the original incorporators are N. Hays, William M'Lellan, J. A. Crawford, J. W. Wightman, T. B. Kennedy, W. G. Reed, W. S. Fletcher, Thomas Creigh, W. A. West, W. D. M'Kinstry, J. C. M'Lanahan and W. S. Amberson, of Franklin County; C. P. Wing, W. S. Wallace and Samuel M. Wherry, of Cumberland County; J. McCormick, Junior, of Dauphin County; Tryon Edwards and Albert Small, of Washington County, in the State of Maryland, as set forth in the Act of March 24, 1869, P.L. 504, No. 481.

9. The business and affairs of Wilson College shall be managed under the direction of its Board of Trustees, which shall consist of a minimum of twenty-one (21) persons and a maximum of thirty-three (33) persons. All trustees shall be elected by the Board of Trustees of the College.

10. The corporation shall maintain at all times an unencumbered endowment of no less than five hundred thousand dollars (\$500,000.00).

[Pa.B. Doc. No. 13-1253. Filed for public inspection July 12, 2013, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### APPLICATIONS

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

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

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

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

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. 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

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

<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>
PA0058041 (Sewage)	Limerick Township Possum Hollow STP Longview Road Sanatoga, PA 19464	Montgomery County Limerick Township	Schuylkill River (3-D)	Y

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

<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>
PA0032123 (Sewage)	Promised Land State Park RR 1 Box 96 Greentown, PA 18426	Pike County Greene Township	East Branch Wallenpaupack Creek (1-C)	N

*Southcentral Region: Clean Water 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>
PA0080039 (Sew)	Carroll Valley Sewer & Water Authority 5685 Fairfield Road Fairfield, PA 17320	Carroll Valley Borough / Adams County	UNT Tom's Creek / 13-D	Y
PA0081825 (Sew)	Betty Nelson MHP 14 Tip Top Circle Carlisle, PA 17013	Lower Frankford Township / Cumberland County	Conodoguinet Creek / 7-B	Y
PA0082341 (Sew)	Hopewell Borough (Sewer Department) PO Box 160 Hopewell, PA 16650	Hopewell Township / Beford County	Raystown Branch Juniata River / 11-D	Y
PA0024023 (Sew)	Bernville Borough 6602 Bernville Road Bernville, PA 19506-0040	Bernville Borough / Berks County	Northkill Creek / 3-C	Y

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

<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>
PA0112551 (SRSTP)	Randall B. Moyer Residence 230 E Madisonburg Pike Madisonburg, PA 16852	Centre County Miles Township	Unnamed Tributary of Elk Creek (6-A)	Y
PA0112127 (Industrial Waste)	Tylersville State Fish Hatchery Tylersville Road SR 780 Tylersville, PA 17747	Clinton County Logan Township	Fishing Creek (9-C)	Y

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PAR804867 (Storm Water)	PA DOT Wellsboro Main Yd 3-7 6 Berwart Street Wellsboro, PA 16901-0178	Tioga County Wellsboro Borough	Kelsey Creek (9-A)	Y
PA0101427	Brian J Buchsen SF System 383 Irish Road Coudersport, PA 16915	Potter County Sweden Township	Trout Run (16-C)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed#)	EPA Waived Y/N?
PA0221911 (SEWAGE)	Marvin R Weaver SR STP SR 2032 Pa Rt 198 Guys Mills, PA 16327	Crawford County Randolph Township	Lake Creek (16-D)	Y
PA0238899 (IW)	Oil Creek Plastics 45619 State Highway 27 Titusville, PA 16354	Crawford County Oilcreek Township	Unnamed Tributary to Pine Creek (16-E)	Y
PA0005584 (IW)	Owens-Brockway Glass Container Plant 19 Route 219 N Brockway, PA 15824	Jefferson County Snyder Township	Little Toby Creek (17-A)	Y

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

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

**PA0028380**, Sewage, SIC Code 4952, **Tinicum Township**, Delaware County, Memorial Bldg, 629 N. Governor Printz Blvd., Essington, PA 19029. Facility Name: Tinicum Township WWTP. This existing facility is located in Tinicum Township, **Delaware 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), Long Hook Creek and Darby Creek, are located in State Water Plan watershed 3-G 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 Outfall 001 are based on a design flow of 1.4 MGD.

Parameters	Mass (lb/day)		Instant. Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	Report	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	183	275	XXX	16	24	32
					Wkly Avg	
CBOD <sub>5</sub> Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
BOD <sub>5</sub> Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
CBOD <sub>20</sub>	365	XXX	XXX	XXX	XXX	XXX
CBOD <sub>20</sub> (%) Percent Removal	XXX	XXX	89.25 Min % Removal	XXX	XXX	XXX
Total Suspended Solids	350	525	XXX	30	45	60
					Wkly Avg	
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

Parameters	Mass (lb/day)		Instant. Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Daily Maximum	
Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000*
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Copper	XXX	XXX	XXX	0.045	0.09	0.113
PCBs (Dry Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX
PCBs (Wet Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX
Chronic Toxicity—						
Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Chronic Toxicity—						
Pimephales Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Pimephales Growth (TUc)	XXX	XXX	XXX	XXX	Report	XXX

\* Shall not exceed in more than 10% of samples.

The proposed effluent limits for Outfall 002 are based on an average stormwater flow.

Parameters	Mass (lb/day)		Instant. Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	Report	XXX

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

- A. No Stormwater Condition
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal
- D. Chlorine Minimization
- E. Operator Notification
- F. TMDL/WLA Data
- G. Fecal Coliform Requirement
- H. WET Condition
- I. Stormwater Requirements
- J. PCB PMP Implementation

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.

*Southeast Regional Office: Regional Clean Water Program Manager, 2 E Main Street, Norristown, PA 19401, Telephone: 484.250.5970.*

**PA0029441**, Sewage, SIC Code 4952, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976. Facility Name: Upper Dublin WWTP. This existing facility is located in Upper Dublin Township, **Montgomery County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage effluent through Outfall 001 and site stormwater through Outfalls 002 and 003.

The receiving stream(s), an unnamed tributary to Sandy Run, locally known as Pine Run, is located in State Water Plan watershed 3-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 1.1 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Instant. Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	7.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.09	XXX	0.3
CBOD <sub>5</sub>						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	117	174	XXX	13	19	26
Nov 1 - Apr 30	229	339	XXX	25	Wkly Avg 37	50
					Wkly Avg	
BOD <sub>5</sub>						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	275	412	XXX	30	45	60
					Wkly Avg	
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (No./100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000*
				Geo Mean		
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	Report
Ammonia-Nitrogen						
May 1 - Oct 31	20	XXX	XXX	2.2	XXX	4.4
Nov 1 - Apr 30	60	XXX	XXX	6.6	XXX	13.2
Total Phosphorus	18	XXX	XXX	2.0	XXX	4.0
Orthophosphate as P						
Apr 1 - Jul 31	13	XXX	XXX	1.4	XXX	2.8
Total Copper	XXX	XXX	XXX	0.056	0.087	XXX
Free Available Cyanide	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX
Total Mercury	XXX	XXX	XXX	XXX	Report	XXX
Dichlorobromomethane	XXX	XXX	XXX	XXX	Report	XXX
Bis(2-Ethylhexyl)Phthalate	XXX	XXX	XXX	XXX	Report	XXX
Chronic Toxicity—						
Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	XXX	1.3	XXX
Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	XXX	1.3	XXX
Pimephales Survival (TUc)	XXX	XXX	XXX	XXX	1.3	XXX
Pimephales Growth (TUc)	XXX	XXX	XXX	XXX	1.3	XXX

\* Not to exceed 1,000/100 ml in greater than 10% of samples tested

The proposed effluent limits for Outfall 002 are based on a design flow of an average storm event. Monitoring is not required for Outfall 003.

<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>Average Weekly</i>		<i>Annual Average</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	Report	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	Report	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Total Phosphorus	XXX	XXX	XXX	Report	Report	XXX
Dissolved Iron	XXX	XXX	XXX	Report	Report	XXX

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

- Notification of designation of responsible operator
- Definition of average weekly
- Remedial measures if public nuisance
- No stormwater to sanitary sewers
- Necessary property rights
- Small stream discharge
- Change of ownership
- Specification of test methods
- Proper sludge handling
- Chlorine minimization
- TMDL/WLA data submission
- Operator training
- Instantaneous maximum limits
- Operation and maintenance plan
- Laboratory certification
- Fecal coliform reporting
- Whole effluent toxicity requirements
- Stormwater 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.

**PA0054909**, Industrial Waste, SIC Code 4941, **North Penn and North Wales Water Authorities d/b/a Forest Park Water**, PO Box 317, Chalfont, PA 18914-0317. Facility Name: North Penn North Wales Diversion. This existing facility is located in Plumstead Township, **Bucks County**.

Description of Existing Activity: The diversion of untreated Delaware River water to the North Branch Neshaminy Creek, via the Bradshaw Reservoir.

The receiving stream(s), North Branch Neshaminy Creek, is located in State Water Plan watershed 2-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The nearest downstream water supply is for North Penn and North Wales Water Authorities is located on North Branch Neshaminy Creek.

The proposed effluent limits for Outfall 001 are based on a design flow of 26 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Instant. Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>			<i>Average Monthly</i>		
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Min	XXX	XXX	9.0
Dissolved Oxygen						
Feb 16 - Jul 31	XXX	XXX	5.0	6.0 Daily Min Avg	XXX	XXX
Aug 1 - Feb 15	XXX	XXX	4.0	5.0 Daily Min Avg	XXX	XXX
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	Report
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Orthophosphate	XXX	XXX	XXX	Report	XXX	XXX

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

- No Chemical Additives without Prior Approval
- Dissolved Oxygen Requirements
- Continuous Monitoring/Alternative Monitoring Requirements
- Aquatic Biology Assessment

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.

**PA0050776**, Sewage, SIC Code 6515, **Coventry Terrace MHP, LLC**, 10006 Hammock Bend, Chapel Hill, NC 27517. Facility Name: Coventry Terrace STP. This existing facility is located in 151 Saylor Mill Road, Parkers Ford, PA 19457, East Coventry Township, **Chester 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), Pigeon Creek, is located in State Water Plan watershed 3-D and is classified for High Quality Waters—Trout Stocking and Mi, 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 0.0315 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>		
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	Report	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.1	XXX	0.3
CBOD <sub>5</sub>						
May 1 - Oct 31	XXX	XXX	XXX	15	XXX	30
Nov 1 - Apr 30	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				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	18.0

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

Recommended Part C Conditions:

I. Other Requirements

A. No Stormwater

B. Necessary Property Rights

C. Sludge Disposal

D. Abandon STP

E. Responsible Operator

F. Remedial Measures if Public Nuisance

G. Change in Ownership

H. TRC Requirements

I. 2/Month Definition

J. I-Max Limits

K. Fecal Coliform I-Max Reporting

L. Laboratory Certification

II. Solids Management

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.

**PAS120002**, Storm Water, SIC Code 5171, **Alger Oil Inc.**, 559 Sylmar Road, Rising Sun, MD 21911-1910. Facility Name: Davis Fuel Oxford Facility. This proposed facility is located in 533 Lincoln Street, Oxford, PA 19363, Oxford Borough, **Chester County**.

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

The receiving stream(s), Unnamed Tributary of West Branch Big Elk Creek, is located in State Water Plan watershed 7-K and is classified for High Quality Waters—Trout Stocking and Mi, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 were based on flow of an average storm event.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average	Maximum	
Oil and Grease	XXX	XXX	XXX	15	30	XXX
TRPH	XXX	XXX	XXX	15	30	XXX

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

Proposed Part C. Conditions:

I. Other Requirements

A. Acquire Necessary Property Rights

B. Sludge Disposal Requirement

C. BAT/BCT Reopener

II. Requirements Applicable to Stormwater Outfalls

III. Petroleum Marketing Terminals

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: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

**PA0012092**, SIC Code 2813, 4231, **Linde LLC**, 575 Mountain Avenue, Murray Hill, NJ 07974. Facility Name: Linde LLC. This existing facility is located in Bethlehem City, **Northampton County**.

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

The receiving stream(s), Lehigh Coal And Navigation Canal and Unnamed Tributary to Lehigh Coal And Navigation Canal, are located in State Water Plan watershed 2-C 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 0.03 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Dissolved Solids	XXX	XXX	XXX	1,000	2,000	2,500

The proposed effluent limits for Outfall 101 are based on a design flow of 0.00 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
pH	XXX	XXX	XXX	XXX	Report	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

**PA0013064 A-1**, Industrial Waste, SIC Code 2816, **Rockwood Pigments N.A., Inc.**, 1525 Wood Avenue, Easton, PA 18042-3186. Facility Name: Rockwood Pigments N.A., Inc.—Easton. This existing facility is located in the City of Easton, Wilson Borough, and Palmer Township, **Northampton County**.

Description of Existing Activity: The application is for an amendment of an NPDES permit for an existing discharge of noncontact cooling water, treated industrial wastewater and stormwater.

The receiving streams, Bushkill Creek and Spring Brook, are located in State Water Plan watershed 1-F and are classified for High Quality—Cold Water Fishes, Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The current permit was issued on October 23, 2012, became effective on November 1, 2012 and expires on October 31, 2017. The purpose of the amendment is to 1) revise the effluent discharge rate used in the calculation of effluent limitations for Outfall 002 to account for representative flows and 2) correct the receiving stream name to Spring Brook for Outfalls 001, 003 through 005, 007 through 013, and 015.

The proposed effluent limits for Outfall 002 are based on a design flow of 1.3 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)						
Jan 1-31	XXX	XXX	XXX	XXX	70.7	XXX
Feb 1-29	XXX	XXX	XXX	XXX	74.4	XXX
Mar 1-31	XXX	XXX	XXX	XXX	107.6	XXX
Apr 1-30	XXX	XXX	XXX	XXX	110.0	XXX
May 1-15	XXX	XXX	XXX	XXX	102.7	XXX
May 16-31	XXX	XXX	XXX	XXX	103.7	XXX
Jun 1-30	XXX	XXX	XXX	XXX	89.9	XXX
Jul 1-31	XXX	XXX	XXX	XXX	81.3	XXX
Aug 1-31	XXX	XXX	XXX	XXX	77.7	XXX
Sep 1-15	XXX	XXX	XXX	XXX	73.0	XXX
Sep 16-30	XXX	XXX	XXX	XXX	71.0	XXX
Oct 1-15	XXX	XXX	XXX	XXX	69.9	XXX
Oct 16-31	XXX	XXX	XXX	XXX	64.9	XXX
Nov 1-15	XXX	XXX	XXX	XXX	67.4	XXX
Nov 16-30	XXX	XXX	XXX	XXX	63.4	XXX
Dec 1-31	XXX	XXX	XXX	XXX	64.6	XXX
Total Suspended Solids	325	650	XXX	30	60	75
Total Dissolved Solids	108,420	162,630	XXX	10,000	15,000	XXX
Oil and Grease	XXX	XXX	XXX	10	XXX	30
Ammonia-Nitrogen	216	433	XXX	20	40	50
Total Iron	XXX	XXX	XXX	1.0	2.0	2.5
Total Manganese						
(Interim)	Report	Report	XXX	Report	Report	Report
(Final)	107	168	XXX	9.9	15.5	24.8
Total Zinc	XXX	XXX	XXX	0.1	0.2	0.25

There are no proposed changes to the effluent limits for Outfalls 001, 003 through 005, and 007 through 015.

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

- Chemical Additives
- Requirements Applicable to Stormwater Outfalls

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.

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

**PAI133514, MS4, Silver Spring Township Cumberland County**, 8 Flowers Drive, Mechanicsburg, PA 17050-1701. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Silver Spring Township, Cumberland County. The receiving stream(s), Conodoguinet Creek, Hogestown Run, Simmons Creek, Trindle Spring Run and Unnamed Tributary to Simmons Creek, is located in State Water Plan watershed 7-B and is classified for Warm Water Fishes, Migratory Fishes, High Quality Waters—Cold Water Fishes, Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is not in effect.



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

**PA0111945**, SIC Code 3321, **Ward Manufacturing LLC**, 117 Gulick Street, Blossburg, PA 16912. Facility Name: Ward Manufacturing Blossburg Foundry. This existing facility is located in Blossburg Borough, **Tioga County**.

Description of Existing Activity: The application is for an amendment to the existing NPDES permit. The proposed amendment is to consolidate and relocate two existing outfalls (001 and 03) to the Tioga River. The amendment also reconfigures internal monitoring points that are associated with the two existing outfalls. No changes to any of the other existing outfalls will occur.

The receiving stream, the Tioga River, is located in State Water Plan watershed 4-A 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 the internal monitoring points 101 and 201 are as follows:

Discharge Parameter	Limitations							
	Mass (lb/day)		Min	Concentration (mg/L)		Instant Max	Monitoring	
	Monthly Average	Daily Max		Average Monthly	Daily Max		Minimum Frequency	Sample Type
Flow (MGD)	Report	Report					1/day	Meter
pH (Std units)			6.0			9.0	2/month	In-Situ
Temperature					Report		1/week	In-Situ

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

- Thermal discharges may not exceed 110° at any point accessible to the general public.

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

The EPA Waiver is in effect.

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

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

**WQM Permit No. 0513401**, Sewerage, **Brett W. Miller**, 10275 Clear Ridge Road, Everett, PA 15537-7631.

This proposed facility is located in West Providence Township, **Bedford County**.

Description of Proposed Action/Activity: Application for a small flow treatment facility to service an existing single-residence structure.

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

**WQM Permit No. WQG01251307**, Sewage, **Heidi Hilton & Robert Stephenson**, 8091 Knoyle Road, Wattsburg, PA 16442.

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

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

**WQM Permit No. WQG01251308**, Sewage, **John F. Harvey**, 6170 Clark Road, Erie, PA 16510.

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

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

**WQM Permit No. 4380406**, Sewage, **Trinity Real Estate Holdings LLC**, P.O. Box 850, Cochranon, PA 16314.

This existing facility is located in New Lebanon Borough, **Mercer County**.

Description of Proposed Action/Activity: Transfer of permit for Lakeview Estates MHP.

**WQM Permit No. 6188201**, Industrial Waste, **Merisol Antioxidants, LLC**, 292 State Route 8, Oil City, PA 16301.

This existing facility is located in Cornplanter Township, **Venango County**.

Project consists of replacement of an extended aeration (activated sludge) treatment plant to replace an outmoded one that has reached life cycle.

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

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

**PAI130536**, MS4, **East Caln Township Chester County**, 110 Bell Tavern Lane, Downingtown, PA 19335-3353. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in East Caln Township, Chester County. The receiving stream(s), Unnamed Tributary to East Branch Brandywine Creek and Valley Creek, is located in State Water Plan watershed 3-H and is classified for Warm Water Fishes, Migratory Fishes, Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. 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.

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

**PAI133514, MS4, Silver Spring Township Cumberland County**, 8 Flowers Drive, Mechanicsburg, PA 17050-1701. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Silver Spring Township, Cumberland County. The receiving stream(s), Conodoguinet Creek, Hogestown Run, Simmons Creek, Trindle Spring Run and Unnamed Tributary to Simmons Creek, is located in State Water Plan watershed 7-B and is classified for Warm Water Fishes, Migratory Fishes, High Quality Waters—Cold Water Fishes, Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is not in effect.

**PAI133517, MS4, Carlisle Borough Cumberland County**, 53 W South Street, Carlisle, PA 17013. The application is for a new individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Carlisle Borough, Cumberland County. The receiving stream(s), Conodoguinet Creek and Letort Spring Run, is located in State Water Plan watershed 7-B and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is not in effect.

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAI134805	Ferguson Township 3147 Research Drive State College, PA 16801	Centre	Ferguson Township	Slab Cabin Run (CWF), Big Hollow (CWF)	Y
PAI134804	State College Borough 243 S Allen Street State College, PA 16801-4806	Centre	State College Borough	Slab Cabin Run (CWF), Unnamed Tributaries of Slab Cabin Run (HQ-CWF, CWF), Big Hollow (CWF)	Y

*Northwest Regional Office: Regional Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, Telephone: 814.332.6942.*

**PAI138307, MS4, City of Farrell**, 500 Roemer Boulevard, Farrell, PA 16121-1901. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in the City of Farrell, **Mercer County**. The receiving stream(s), Shenango River and Unnamed Tributaries to the Shenango River, is located in State Water Plan watershed 20-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA waiver is not in effect.

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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>
PAI010907020-R	Independent Mortgage Company 1250 Germantown Pike Plymouth Meeting, PA 19462	Bucks	Springfield Township	Cooks Creek EV

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010908005-R	1550 SHR Associates, L. P. 1630 S. Crescent Boulevard Yardley, PA 19067	Bucks	Milford Township	Unami Creek HQ-TSF
PAI014613006	Kevin S. Kyle 2701 Renaissance Blvd, 4th Fl King of Prussia, PA 19406	Montgomery	Lower Merion Township	Schuylkill River WWF-MF
PAI015113004	Growmark, Inc. 1701 Towanda Avenue Bloomington, IL 61701	Philadelphia	City of Philadelphia	Delaware River WWF-MF
PAI015113005	Philadelphia Authority for Industrial Development 1500 Market St, Suite 2600 West Tower Philadelphia, PA 19102	Philadelphia	City of Philadelphia	Schuylkill River WWF-MF
PAI015113006	Wissahickon Charter School 4700 "G" Wissahickon Avenue Philadelphia, PA 19144	Philadelphia	City of Philadelphia	Tacony-Frankford Creek WWF-MF

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Monroe County Conservation District: 8050 Running Valley Rd., Stroudsburg, PA 18360, 570-629-3060*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024513004	Robert & Christina McFadden 443 Belle Lane Harleysville, PA 19438	Monroe	Stroud Twp. Pocono Twp.	UNT Brodhead Creek, HQ-CWF, MF
PAI024513008	Venezia Enterprises P.O. Box 909 86 Airport Rd. Royersford, PA 19468	Monroe	Tobyhanna Twp.	Indian Run, HQ-CWF, MF (designated) EV (existing)

*Lehigh County Conservation District: 4184 Dorney Park Rd., Ste 105, 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>
PAI023913004	William White N17 Property, LP One Bala Ave., Ste 502 Bala Cynwyd, PA 19004	Lehigh	Lower Macungie Twp.	Little Lehigh Creek, HQ-CWF, MF

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

*Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041413004	Columbia Gas of PA Inc 4000 Energy Dr Bridgeville PA 15017	Centre	College Township State College Borough	Thompson Run HQ-CWF

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

PAG-12 CAFOs

### CAFO Notices of Intent Received

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

**PAG123674, CAFO, Beiler Farms, Kent & Keith Beiler, 2185 Smyrna Road, Paradise, PA 17562.**

This proposed facility is located in Sadsbury Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: Seeking permit renewal for their swine & dairy operation.

The receiving stream, Williams Run, is in watershed 7-K, and classified for: TSF.

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 general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR federal effluent limitation guidelines is required. The general 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.

## STATE CONSERVATION COMMISSION

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

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

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

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

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

#### NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Willis S. Nolt 433 Black Barren Road Peach Bottom, PA 17563	Lancaster	153.1	411.16	Swine	HQ	New
Oscar Manbeck 10 Ft. Henry Rd. Bethel Pa. 19507	Berks	688	1085	Swine	N/A	Renewal
Craig Finkbiner 2452 Free Spring Church Rd. McAlisterville, PA 17049	Juniata	390.81	900.7	Swine & Beef	NA	Renewal
Robert L. Brubaker Sr. 1601 Old Line Road Manheim, PA 17545	Lancaster	15.07	239.67	Broilers	None	Renewal

### PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

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

## SAFE DRINKING WATER

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

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

**Application No. 5413502** Public Water Supply.

Applicant **Pine Grove Township Authority**  
175 Oak Grove Road  
Pine Grove, PA 17963

[Township or Borough] Pine Grove Township  
**Schuylkill County**

Responsible Official Mr. John Stahl

Type of Facility Public Water Supply

Consulting Engineer Mr. John R. Williams, PE.  
305 Evergreen Road  
New Cumberland, PA. 17070

Application Received Date June 6, 2013

Description of Action This project provides for the construction of a new 50 gpm well with chlorine contact time provided by 70,000 gallons of storage along with a booster pump station. The project also provides for a 100,000 gallon standpipe (28 feet in diameter by 24 feet high) and 8-in connecting main with 7 fire hydrants.

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

**Permit No. 0712504**, Public Water Supply.

Applicant **Martinsburg Municipal Authority**

Municipality North Woodbury Township  
County **Blair**

Responsible Official Jeffrey L Garner, President  
110 South Walnut Street  
Martinsburg, PA 16662

Type of Facility Public Water Supply

Consulting Engineer Lawrence J Lennon, P.E.  
Lennon, Smith, Souleret  
Engineering, Inc.  
846 Fourth Ave.  
Coraopolis, PA 15108-1522

Application Received: 10/15/2012

Description of Action Construction of replacement well source Well No. RW-1 to replace existing well source Well No. 1.

**Permit No. 3613507**, Public Water Supply.

Applicant **Peifer Brothers**

Municipality Warwick Township  
County **Lancaster**

Responsible Official Jay R Peifer, General Partner  
PO Box 247  
Silver Springs, PA 17575

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: 3/21/2013

Description of Action

Application for the consolidation of the treatment plants at the Plateau Village Mobile Home Park water system. A new treatment building will be constructed that will provide treatment to both of the wells in the system.

**Permit No. 32813504 MA**, Public Water Supply.

Applicant **South Mountain Restoration Center**

Municipality Guilford Township  
County **Franklin**

Responsible Official Dennis L Fleagle,  
Facilities Maintenance Manager  
10058 South Mountain Road  
South Mountain, PA 17261-0999

Type of Facility Public Water Supply

Consulting Engineer Desai Milind, P.E.  
PA Department of Public Welfare  
3 Ginkgo Drive  
Harrisburg, PA 17110

Application Received: 6/19/2013

Description of Action This application is for the addition of a new polymer as aid in coagulation, addition of sodium permanganate as pretreatment agent, and the rebuilding of the filter media as regular maintenance.

**Application No. 2213502 MA, Minor Amendment**, Public Water Supply.

Applicant **Mountainview Thoroughbred Racing Association**

Municipality East Hanover Township  
County **Dauphin**

Responsible Official Dihn Vu  
777 Hollywood Boulevard  
Grantville, PA 17028

Type of Facility Public Water Supply

Consulting Engineer Not Available

Application Received: 6/17/2013

Description of Action Application for the repainting of the finished water storage tank located at the Penn National Race Course.

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

**Permit No. 3213517**, Public Water Supply.

Applicant **Central Indiana County Water Authority**  
30 East Wiley Street  
Homer City, PA 15748

[Township or Boroug] Center Township  
 Responsible Official Robert Walbeck, Chairman  
 Central Indiana County  
 Water Authority  
 30 East Wiley Street  
 Homer City, PA 15748

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.  
 267 Blue Run Road  
 PO Box 200  
 Indianola, PA 15051

Application Received Date June 20, 2013

Description of Action Installation of the Ginter Road  
 booster pump and chlorination  
 facility.

**Application No. 1113507, Public Water Supply.**

Applicant **Northern Cambria Municipal  
 Authority**  
 1202 Philadelphia Avenue  
 Northern Cambria, PA 15714

[Township or Boroug] Barr Township and  
 Northern Cambria Borough

Responsible Official Paul Weaver, Chairman  
 Northern Cambria  
 Municipal Authority  
 1202 Philadelphia Avenue  
 Northern Cambria, PA 15714

Type of Facility Water system

Consulting Engineer Stiffler, McGraw and  
 Associates, Inc.  
 1731 North Juniata Street  
 Hollidaysburg, PA 16648

Application Received Date July 1, 2013

Description of Action Expansion of the treatment  
 capacity of the existing Spangler  
 water treatment plant.

**Application No. 1113508, Public Water Supply.**

Applicant **Northern Cambria Municipal  
 Authority**  
 1202 Philadelphia Avenue  
 Northern Cambria, PA 15714

[Township or Boroug] Barr Township and  
 Northern Cambria Borough

Responsible Official Paul Weaver, Chairman  
 Northern Cambria  
 Municipal Authority  
 1202 Philadelphia Avenue  
 Northern Cambria, PA 15714

Type of Facility Water system

Consulting Engineer Stiffler, McGraw and  
 Associates, Inc.  
 1731 North Juniata Street  
 Hollidaysburg, PA 16648

Application Received Date July 1, 2013

Description of Action Modifications to the Northern  
 Cambria Municipal Authority  
 water treatment plant.

**MINOR AMENDMENT**

**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. 4013507MA (Minor Amendment)**

Applicant **United Water of Pennsylvania**  
 4211 East Park Circle  
 Harrisburg, PA. 17111

[Township or Boroug] Dallas Township  
**Luzerne County**

Responsible Official Mr. John Hollenbach  
 General Manager

Type of Facility Public Water Supply

Consulting Engineer Mr. Arthur Saunders, PE.  
 4211 East Park Circle  
 Harrisburg, PA. 17111

Application Received Date June 10, 2013

Description of Action This project provides for the  
 construction of an  
 interconnection with the Midway  
 Manor System in Dallas  
 Township. The interconnection  
 will allow United Water in  
 Dallas to take a minimum of  
 40,000 gpd up to a maximum of  
 100,000 gpd at not more than a  
 90 gpm peak flow.

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

**Application No. 3213515MA, Minor Amendment.**

Applicant **Central Indiana County  
 Water Authority**  
 30 East Wiley Street  
 Homer City, PA 15748

[Township or Boroug] Center Township

Responsible Official Robert Walbeck, Chairman  
 Central Indiana County  
 Water Authority  
 30 East Wiley Street  
 Homer City, PA 15748

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.  
 267 Blue Run Road  
 PO Box 200  
 Indianola, PA 15051

Application Received Date June 20, 2013

Description of Action Installation of approximately  
 7,300 feet of 8-inch waterlines  
 (Cherry Run Road/Ginter Road  
 waterline project).

**Application No. 3213516MA, Minor Amendment.**

Applicant **Central Indiana County  
 Water Authority**  
 30 East Wiley Street  
 Homer City, PA 15748

[Township or Boroug] Center Township

Responsible Official Robert Walbeck, Chairman  
Central Indiana County  
Water Authority  
30 East Wiley Street  
Homer City, PA 15748

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.  
267 Blue Run Road  
PO Box 200  
Indianola, PA 15051

Application Received Date June 20, 2013

Description of Action Installation of bulk load-out  
meter pit.

**Application No. 1113509MA, Minor Amendment.**

Applicant **Northern Cambria Municipal Authority**  
1202 Philadelphia Avenue  
Northern Cambria, PA 15714

[Township or Borough] Barr Township and  
Northern Cambria Borough

Responsible Official Paul Weaver, Chairman  
Northern Cambria  
Municipal Authority  
1202 Philadelphia Avenue  
Northern Cambria, PA 15714

Type of Facility Water system

Consulting Engineer Stiffler, McGraw and  
Associates, Inc.  
1731 North Juniata Street  
Hollidaysburg, PA 16648

Application Received Date July 1, 2013

Description of Action Construction of the new 500,000  
gallon Cherry Ridge High  
Service water storage tank.

**Application No. 1113510MA, Minor Amendment.**

Applicant **Northern Cambria Municipal Authority**  
1202 Philadelphia Avenue  
Northern Cambria, PA 15714

[Township or Borough] Barr Township and  
Northern Cambria Borough

Responsible Official Paul Weaver, Chairman  
Northern Cambria  
Municipal Authority  
1202 Philadelphia Avenue  
Northern Cambria, PA 15714

Type of Facility Water system

Consulting Engineer Stiffler, McGraw and  
Associates, Inc.  
1731 North Juniata Street  
Hollidaysburg, PA 16648

Application Received Date July 1, 2013

Description of Action Installation of four (4) water  
system interconnections with the  
Spangler water system.

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

**Application No. 3788503-MA4, Minor Amendment.**

Applicant **Sisters of the Humility of Maria, PA**

Township or Borough Pulaski Township

Responsible Official Warren Chapella

Type of Facility Public Water Supply

Consulting Engineer Nomikos A. Sdregas, P.E.  
3944 Cooper Road  
Lowellville, OH 44436

Application Received Date June 24, 2013

Description of Action Interior renovation of the  
200,000 gallon ground storage  
tank.

**Application No. 4311501-MA1, Minor Amendment.**

Applicant **Reynolds Water Company**

Township or Borough Pymatuning Township

Responsible Official Bradley R. Gosser

Type of Facility Public Water Supply

Consulting Engineer Thomas Thompson, P.E.  
Gannett Fleming  
554 South Erie Street  
Mercer, PA 16137

Application Received Date June 6, 2013

Description of Action Construction of a water filing  
station for use by bulk water  
haulers serving gas well drillers.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

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Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall

not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the 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 and Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Carbondale Former Manufactured Gas Plant**, 8th Avenue at Mill Street, **Lackawanna County**, Bruce Middleman, Stantec Consulting Services Inc., has submitted a Notice of Intent to Remediate on behalf of his clients, Anthony Rymar, UGI Penn Natural Gas, Inc., 2525 North 12th Street, Reading, PA 19612, concerning the remediation of soil and groundwater found to have been impacted by polycyclic aromatic hydrocarbons (PAH), volatile organic compounds (VOC) and lead caused from historical operations used for the manufacture of coal gas. The applicants propose to remediate the site to meet the residential Statewide Health Standards for soil and the Site Specific Standards for soil and groundwater. The intended future use of the site will be used for recreational purposes. A summary of the Notice of Intent to remediate was published in *The Carbondale News/The Villager* on May 29, 2013.

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

**Donegal Springs Airpark**, 186 Airport Road, Marietta, PA 17547-9105, East Donegal Township, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of N71, Incorporated, PO Box 269, Dameron, MD 20626, submitted a Notice of Intent to Remediate site soils contaminated with trimethylbenzenes. The site will be remediated to the Site Specific standard and remains an airport. The Notice of Intent to Remediate was published in *Intelligence Journal-New Era* on May 16, 2013.

## OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Application received, under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and regulations to operate a Solid Waste Processing or Disposal Area or Site.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Telephone 412-442-4000.*

**Permit ID No. 300558. FirstEnergy Generation Corporation**, 76 South Main Street, Akron, OH 44308-1812. Major modification proposing a Closure Plan for the Little Blue Run Residual Waste Disposal Impoundment located in a Greene Township, **Beaver County**, PA and Grant District, **Hancock County**, WV received in the regional office on April 1, 2013 and administratively complete on June 20, 2013.

Notice is hereby given pursuant to 25 Pa. Code § 287.152(a)(2) that groundwater degradation has occurred at the Impoundment and will exist at closure and thereafter. Contaminants for which degradation has been observed include sulfate, sodium, calcium, magnesium, chloride, arsenic, boron and selenium. Abatement measures are currently in place at the Impoundment. Impacted waters are collected and returned to the Impoundment or discharged to a permitted or proposed NPDES outfall. A collection trench and slurry wall are currently under construction to prevent potential future degradation along a portion of the ridgeline between the Impoundment and Mill Creek. The facility continues to monitor for ammonia-nitrogen, bicarbonate, fluoride, chemical oxygen demand, nitrate-nitrogen, pH, specific conductance, alkalinity, total dissolved solids, total organic carbon, turbidity, iron, potassium, barium, cadmium, chromium, copper, lead, mercury, silver, zinc, molybdenum, thallium, cyanide, antimony, beryllium and nickel.

The Closure Plan proposes to install a synthetic and soil cover over the entire 976-acre surface of the Impoundment; provides for the collection, conveyance, treatment and/or discharge of contaminated seeps; and to otherwise implement measures that may be necessary to ensure that groundwater impacted by the Impoundment does not exceed, and if necessary, is abated to applicable regulatory standards that may include site-specific standards developed pursuant to the Pennsylvania Land Recycling and Environmental Redemptio Standards Act, 35 P. S. §§ 6026.101—6026.909.

This notice initiates the thirty (30) day public and municipal comment period during which the municipality can request to be involved in the development of the remediation and reuse plans for the site.

**Permit Revoked Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

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

**Permit No. 301346. 26th and Penrose Avenue Site**, 3700 South 26th Street, Philadelphia, PA 19145. This Final Closure Certification Report is approved and the permit is revoked for the 26th Street and Penrose Avenue



Site, a closed residual waste landfill located at 3700 South 26th Street in the City of Philadelphia. The date of this action commences the ten year bond liability period. The permit was revoked by the Southeast Regional Office on May 16, 2013.

## AIR QUALITY

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

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

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

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

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

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

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

### PLAN APPROVALS

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

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

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

**39-00006A: Samuel Adams Pennsylvania Brewing Co.** (7880 Penn Drive, Breinigsville, PA 18031) for installation and operation of 40 new multipurpose vessels, ammonia chiller system, 40 new finished beer storage tanks and brewery enhancements at their facility in Upper Macungie Twp., **Lehigh County**.

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.*

**36-05158A: Perdue Grain & Oil Seed, LLC** (PO Box 1537, Salisbury, MD 21802-1537) on June 4, 2013, for modification of the pending plan approval application for a soybean processing facility in Conoy Township, **Lancaster County**, to include application updates, including the additional installation of a grain elevator facility, an expanded siting analysis, and a revised analysis of Lowest Achievable Emission Rate (LAER).

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

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

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

**46-267A: Data Based Systems International, Inc.—DBSI** (1000 Adams Avenue, Audubon, PA 19403) for installation and operation of two (2) diesel-fired emergency generator sets, each having an electrical production capacity of 2.0 megawatts at their facility in Lower Providence Township, **Montgomery County**. The plan approval is for a non-Title V, State-only facility. DBSI provides back-up electrical power to the medical industry during utility power outages and during electrical infrastructure maintenance and is applying to install, operate, and maintain these two engines so as to be able to maintain the necessary back-up power supply that their customers demand. Aggregate NO<sub>x</sub> emissions shall not exceed their current permitted level of 24.56 tons in any 12 consecutive month period. The units are subject to the NSPS requirements found in 40 CFR 60, Subpart III. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**46-0283: Danco General Contracting, Inc.** (485 Texas Road, Morganville, NJ 07751) for the installation of a portable crusher and screener with associated diesel-fired engines to be located at the Silvi Concrete facility in Limerick Township, **Montgomery County**. Pollutants of concern from the operation of the crusher and screener are fugitive particulate matter. Emissions will be controlled by a water spray dust suppression system. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within allowable emissions and all applicable air quality requirements.

**23-0038E: Delaware County Regional Water Quality Control Authority (DELCORA)** (P.O. Box 999, Chester, PA 19016) for replacement of the existing caustic scrubber controlling odor emissions from the sludge holding tanks with a Biotrickling Filter at the Western Regional Treatment Plant located in the City of Chester, **Delaware County**. The Biotrickling Filter uses air permeable inert media to allow microorganisms to attach and degrade odorous compounds, principally hydrogen sulfide ( $H_2S$ ) in an inlet air stream. Sludge thickening and grease processing areas, adjacent to the sludge holding tanks, not previously controlled for odors, will be also be tied into the new proposed odor scrubber. The proposed Biotrickling Filter has an air flow rate capacity of 11,500 cubic feet per minute at 70°F. The scrubber will reduce the  $H_2S$  inlet level of a maximum of 80 ppm and an average of 50 ppm to an outlet concentration of 0.5 ppmv or a minimum of 99.0% efficiency, whichever case results in a higher concentration of  $H_2S$ . No increases in emissions are authorized with this Plan Approval.

The proposed scrubber is subject to only Commonwealth regulations, including 25 Pa. Code § 123.31, pertaining to odor limitations. The Plan Approval will include monitoring, recordkeeping and work practice conditions to assure optimum operation of the scrubber and compliance with the  $H_2S$  emissions limits.

**23-0119A: Sunoco Partners, Marketing & Terminals, L.P.** (100 Green Street, Marcus Hook, PA 19061) for the installation of a de-ethanizer to separate liquid ethane and propane that will be shipped via pipeline from Western Pennsylvania to Marcus Hook. The air emissions from the deethanizer will be fugitive and will not exceed 3.04 tons of VOC, 13.29 tons of greenhouse gases, and 0.15 ton of hydrogen sulfide. This project does not trigger applicability to PADEP's NSR regulations or the federal PSD regulations. The plan approval 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 William Weaver, Program Manager—Telephone: 717-705-4702.*

**44-05001D: Standard Steel, LLC** (500 N. Walnut St., Burnham, PA 17009) for a melt shop upgrade at the steel manufacturing facility in Burnham Borough, **Mifflin County**.

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

Plan Approval No. 44-05001D is for the installation of a ladle melting furnace (LMF) to replace the #3 electric arc furnace (EAF), and modification to #4 EAF with the melt shop upgrade for better quality steel, including switching the existing two baghouses between the furnaces. This plan approval is also for construction of two (2) ladle heaters (5 mmbtu/hr each), and a vacuum tank degasser (VTD), and a new recirculated water cooling system, including a mechanical draft cooling tower. The estimated annual emissions increases of criteria pollutants from the sources affected by this Plan Approval are approximately: CO 29 tons,  $NO_x$  32 tons,  $SO_2$  27 tons, VOC 21 tons, and

$PM_{2.5}$  7 tons. The plan approval will contain emission standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. Certain equipment included in this project is subject to 40 CFR Part 60, Subpart AAa and to 40 CFR Part 63, Subpart YYYYYY.

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

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

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

Gary Helsel, Acting New Source Review Chief, may be contacted at 814-949-7935, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

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

**06-05002D5: Lehigh Cement Company, LLC** (Evansville Cement Plant and Quarry), (537 Evansville Road, Fleetwood, Pennsylvania 19522-8541) for the incorporation of relevant provisions from 40 CFR 63, Subpart DDDDD at their facility in Maiden Creek Township, **Berks County**.

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

Plan Approval No. 06-05002D5 incorporates the relevant provisions from 40 CFR 63, Subpart DDDDD—National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters. The Plan Approval will contain testing, monitoring, recordkeeping & work practice standards 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, 909 Elmerton Avenue, Harrisburg, PA 17110.

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

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

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

Tom 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, protests, or requests for a public hearing.

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

**36-05001JD5: Armstrong World Industries** (1507 River Road, Marietta, PA 17547) for incorporation of relevant provisions from 40 CFR 63, Subpart DDDDD, into the air quality permit for their ceiling tile plant located in East Donegal Township, **Lancaster County**.

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

Plan Approval No. 36-5001JD5 incorporates the relevant provisions from 40 CFR 63, Subpart DDDDD (National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters). The Plan Approval will contain testing, monitoring, recordkeeping and work practice standards designed to keep the facility operating within all applicable air quality requirements. No emission increases are expected as a result of this plan approval. The implementation of Subpart DDDDD is intended to decrease emissions. Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

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

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

Tom 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.

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

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

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

**08-00010G: Global Tungsten & Powders Corp.** (1 Hawes Street, Towanda, PA 18848) for a plan approval to construct a 30" diameter natural gas-fired tungsten scrap calciner rated at 270 kg/hr of output at their facility in North Towanda Township, **Bradford County**. This application is subject to the Best Available Technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12. The emissions from the proposed project will be controlled by a cyclone collector and wet scrubber in series, and will amount to 2.04 tons/year of particulate matter, 0.51 ton/year of nitrogen oxides, 0.43 ton/year of carbon monoxide, 0.14 ton/year of hazardous air pollutants and 622 tons/year of carbon dioxide equivalents (greenhouse gases). The Department has determined that the proposed levels of the air contaminants emissions satisfy the Department's BAT requirements. Based on the above, the Department intends to issue a plan approval for the proposed project. The following is a summary of the conditions that the Department proposes to place in the plan approval to be issued to ensure compliance with all applicable air quality regulatory requirements:

1. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the total emissions of particulate matter (both filterable and condensable) from the exhaust of the wet scrubber associated with the calciner shall not exceed 0.47 lb/hr and 2.04 tons/year.

2. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the calciner shall only be fired on natural gas.

3. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the cyclone collector and wet scrubber shall have a combined control efficiency for filterable particulate matter of at least 99.5%.

4. No more than 270 kg/hr of tungsten oxide may be produced in the calciner.

5. The cyclone collector shall be equipped with instrumentation to continuously monitor the pressure drop across the cyclone.

6. a) The wet scrubber shall be equipped with instrumentation to continuously monitor the pressure drop across the venturi scrubber, and the water recirculation and blow-down rates.

b) A pressure differential of at least 25 inches w.g. shall be maintained across the venturi scrubber on any occasion that the calciner is operating.

7. a) The permittee shall record the pressure drop across the cyclone at least once per operating day.

b) The permittee shall record the pressure drop across the wet scrubber and the water recirculation rate at least once per operating shift.

c) The permittee shall maintain records, including supporting calculations, as necessary to demonstrate compliance with the particulate matter emissions and hourly throughput limitations.

d) These records shall be kept on site for a minimum of five years and shall be presented to the Department upon request.

8. a) Emissions of particulate matter resulting from gravity feed of product from the sifter and cyclone into the product material bins shall be controlled by the Calciner #6 Fabric Collector.

b) The permittee shall keep on hand sufficient quantity of spare fabric collector bags for the fabric collector in order to be able to immediately replace any bag requiring replacement.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570 327 3693.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Permit No. 08-00010G) and concise statements regarding the relevancy of the information or objections to 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 information 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 by the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570 327 3648.

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

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

**65-00713C: Greenridge Reclamation, LLC** (RD #1, Box 717, East Huntingdon Landfill Road, Scottsdale, PA 15683) for two enclosed flares totaling 8,900 cfm and new control device emission limits at the Greenridge Reclamation Landfill in East Huntingdon Township, **Westmoreland County**. This is a major facility Plan Approval application submittal.

**30-00194B: EQT Gathering, LLC** (EQT Plaza, 625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222) to expand the existing natural gas gathering Callisto Station in Morris Township, **Greene County**. This is a major facility Plan Approval application submittal.

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

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

**AMS 13168: Tidewater**, (R 2600 Penrose Ferry Road, Philadelphia, PA 19145) for installation and operate one (1) Sandvik portable crusher with wet suppression system. There will be a potential emission increase 4.21 tons per year of nitrogen oxide (NO<sub>x</sub>) and 0.2 ton per year of particulate matter for the facility. The plan approval will contain operating, testing, and recordkeeping requirements to ensure operation within all applicable requirements.

### OPERATING PERMITS

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

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

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

**33-00055: Glen-Gery Corporation—Hanley Plant** (12637 Harrison Street, Route 28, Summerville, PA 15864) for renewal of a Title V Permit to operate a brick and tile manufacturing facility in Summerville Borough, **Jefferson County**. The facility's major emission sources include raw material stockpiles, primary crushers for shale and clay, hammermill for shale, grinding and screening operation with storage, transportation fugitives, miscellaneous natural gas usage, ceric tunnel kiln and, dryer. The facility is a major facility due to its potential to emit particulate matter less than ten microns in diameter, sulfur oxides, nitrogen oxides and carbon monoxide. Source ID #113: Ceric Tunnel Kiln is subject to CAM for hydrogen Fluoride (HF) and Source ID #104A: Grinding / Screening / Storage is subject to CAM for Total Suspended Particulate (TSP). No other emissions units are subject to the requirement of CAM. Thus, no new CAM plan has included in the renewal permit. The facility is not subject to Boiler MACT or RICE MACT because the facility does not have any boiler or reciprocating engine. The actual emissions for 2012 reported from the facility are: PM-10: 31.21 TPY; SO<sub>2</sub>: 99.1 TPY; CO: 78.6 TPY; VOC: 9.7 TPY; NO<sub>x</sub>: 11.4 TPY; HF: 0.47 TPY and, HCL: 0.17 TPY. The facility also reported 10,386 TPY of Carbon Dioxide.

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

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

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

**09-00109: Bucks County SPCA** (1665 Street Road, Lahaska, PA 18931) for operation of an animal crematorium at the facility located in Solebury Township, **Bucks 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 NO<sub>x</sub>; the facility is a Natural Minor. The renewal permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

**15-00093: West Chester Animal Hospital** (1140 Pottstown Pike, West Chester, PA 19380), for renewal of a State Only, Natural Minor Operating Permit in West Goshen Township, **Chester County**. The facility operates one (1) natural-gas fired animal crematory. There have been no changes to the source. There have been no new sources added at the facility. The permit includes monitoring, record keeping and reporting requirements designed to address all applicable air quality requirements.

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.*

**38-03039: Martin's Wood Products** (650b Houtztown Road, Myerstown, PA 17067) for operation of a wood furniture finishing system at their plant in Jackson Township, **Lebanon County**.

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

The actual emissions 2012 were: 0.3 ton of PM per year; 0.06 ton of CO per year; 0.12 ton of NO<sub>x</sub> per year; 0.03 ton of SO<sub>x</sub> per year; and 17.1 tons of VOCs per year. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

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

Gary Helsel, Acting Chief New Source Review, may be contacted at 814-949-7935, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

**01-03032: Carma Industrial Coatings, Inc.** (45 Enterprise Drive, New Oxford, PA 17350) for a surface coating operation at the facility in Berwick Township, **Adams County**.

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

The annual emissions in year 2012 were 5.22 tons of VOC. The surface coating is subject to 25 Pa. Code § 129.52 The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

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

Gary Helsel, Acting New Source Review Chief, may be contacted at 814-949-7935, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

**36-03107: Cargill Animal Nutrition Inc.** (1088 East Main Street, Mt. Joy, PA 17552) for their animal feed manufacturing plant in Mt. Joy Borough, **Lancaster County**.

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

The subject facility receives grain and food additives and processes them into pelletized feed for livestock. Several cyclones and baghouses scrubber control particulate matter emissions from material handling and transfer. Maximum post-control emissions of particulate matter (PM) are estimated at around 84 tons per year. Actual PM emissions are well below estimated maximums for the processing equipment. Plant operations are subject to 40 CFR Part 63, Subpart DDDDDDD—National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing. The State-only Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Copies of the renewal application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

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

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

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

**21-03007: Purina Mills, LLC** (475 St. Johns Church Road, Camp Hill, PA 17011) for operation of an animal feed manufacturing facility in Hampden Township, **Cumberland County**.

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

Actual emissions at the facility for 2012 are estimated to be approximately 4.4 tons of PM-10, 1.1 tons of NO<sub>x</sub> and less than one ton each of CO, SO<sub>2</sub>, VOCs and HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63, Subpart DDDDDDD—National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing and 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

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

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

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

Gary Helsel, P.E., Acting New Source Review Chief, may be contacted at 814-949-7935, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments, protests or requests for a public hearing.

**36-05109: Euramax International Inc.** (P. O. Box 4515, Lancaster, PA 17604) for the operation of a building shapes manufacturing facility in East Hempfield Township, **Lancaster County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has

received an application and intends to issue an Air Quality Operating Permit for the abovementioned facility.

Potential VOC and HAP emissions (after thermal incineration control) are estimated to be around 30.65 tpy and 11.38 tpy, respectively. The Operating Permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations. The coil coating line is subject to NSPS Subpart TT, "Standards of Performance for Metal Coil Surface Coating" and the three emergency generators are subject to NESHAP Subpart ZZZZ, "National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines."

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

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

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, 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.

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

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

**19-00019: Dillon Floral Corp.** (933 Columbia Blvd., Bloomsburg, PA 17815-8844) for renewal of the State Only (Natural Minor) Operating Permit for the Bloomsburg Greenhouse in the Town of Bloomsburg, **Columbia County**. The subject facility has the following potential emissions: 26.24 TPY of CO; 20.48 TPY of NO<sub>x</sub>; 0.34 TPY of SO<sub>x</sub>; 6.78 TPY of PM/PM<sub>10</sub>; 1.15 TPY of VOCs; 0.84 TPY of HAPs and 22,126 TPY of CO<sub>2</sub>e. The facility's sources include one (1) wood waste-fired boiler, one (1) natural gas-fired boiler and one (1) propane-fired emergency generator.

The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the NMOP have been derived from the applicable requirements of 40 CFR Part 63 and 25 Pa. Code Chapters 121—145.

The renewal State Only (Natural Minor) operating permit contains applicable MACT requirements to the sources at the facility. The proposed State Only (Natural Minor) operating permit contains applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State air quality regulations.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Permit No. 19-00019) and concise statements regarding the relevancy of the information or objections to 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 information 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 by the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3648.

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

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

**65-00598: Citizens General Hospital** (651 4th Avenue, New Kensington, PA 15068-6525) Natural Minor Operating Permit renewal for the Citizens General Hospital in New Kensington, **Westmoreland County**. Equipment at this facility includes two 12.6 mmbtu/hr natural gas or No. 2 fuel oil-fired boilers, one 370 kW diesel powered emergency generator and one 225 kW natural gas-fired emergency generator. Potential emissions from the emission sources at this facility are based on operation of both boilers for 8,760 hours per year burning No. 2 fuel oil and operation of the two emergency generators for a maximum of 500 hours per year. Potential emissions are estimated to be 23.4 tons NO<sub>x</sub>, 40.4 tons CO, 1.9 tons particulate matter, and 56.3 tons SO<sub>2</sub>. Actual emissions from the facility are much lower considering the boilers primarily burn natural gas and generally do not operate at the same time. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice requirements.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (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*

**NPDES No. PA0033511 (Mining Permit No. 30743711), Cumberland Coal Resources, LP**, (PO Box 1020, Waynesburg, PA 15370). A revision to the NPDES permit for the Cumberland Mine Coal Refuse Disposal Facility in Whiteley and Monongahela Townships, **Green County** to relocate NPDES Outfall 001 to a new watershed and modifying the discharge rate. Surface Acres Affected 152.0. Receiving stream: Monongahela River, classified for the following use: WWF. The application was considered administratively complete on June 25, 2013. Application received June 25, 2013.

**11131301 and NPDES No. PA0215139. Eastern Associated Coal, LLC**, (PO Box 1233, Charleston, WV 25324). To renew the permit for the Colver Mine Treatment Facility in Blacklick Township, **Cambria County** and related NPDES permit for post-mining water treatment. No additional discharges. The application was

considered administratively complete on June 26, 2013. Application received May 20, 2013.

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

**05060101 and NPDES No. PA0262226. Forcey Coal, Inc.**, 475 Banion Road, Madera, PA 16661, permit renewal for the continue operation and restoration of a bituminous surface mine in Broadtop Township, **Bedford County**, affecting 95.0 acres. Receiving stream(s): Six Mile Run classified for the following use(s): warm water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received August 17, 2012. Permit issued June 20, 2013.

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

**33120101. P. and N. Coal Co., Inc.** (P.O. Box 332, Punxsutawney, PA 15767) Revision to an existing bituminous surface mine to add 16.8 acres in Young Township, **Jefferson County** affecting a total of 105.1 acres. Receiving streams: Unnamed tributaries to Sawmill Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: June 20, 2013.

**33020104. AMFIRE Mining Co., LLC** (One Energy Place, Suite 2800, Latrobe, PA 15650) Renewal of an existing bituminous surface and auger mine in Snyder Township, **Jefferson County** affecting 207.4 acres. Receiving streams: Walburn Run, classified for the following

uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: June 24, 2013.

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

**17020103 and NPDES No. PA 0243221. River Hill Coal Co., Inc.** (P.O. Box 141, Kylertown, PA 16847). Permit revision to allow other than approximate original contour backfilling to a bituminous surface and auger mine in Chest Township, **Clearfield County**, affecting 560.7 acres. Receiving streams: Wilson Run and McMasters Run to Wilson Run to Chest Creek classified for the following use: Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: June 21, 2013.

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

**13890201C and NPDES Permit No. PA0594580. Panther Creek Permitting, LLC**, (67 Park Place East, Morristown, PA 07960), correction to an existing anthracite coal refuse reprocessing operation to reduce the permitted acres from 400.0 to 76.3 acres, receiving stream: Nesquehoning Creek, classified for the following uses: cold water and migratory fishes. Application received: June 7, 2013.

*Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**Permit No. 01870301 and NPDES Permit No. PA0593931. Vulcan Construction Materials, LP**, 875 Oxford Avenue, Hanover, PA 17331, renewal of NPDES Permit, Berwick, Conewago, Oxford Townships, **Adams County**. Receiving stream(s): unnamed tributaries to South Branch Conewago Creek (locally known as Slagle Run and North Stream), classified for the following use(s): warm water fisheries (WWF) and migratory fishes (MF). The first downstream potable water supply intake from the point of discharge is New Oxford Municipal Authority and Hanover Municipal Water Works. Application received February 13, 2012. Permit issued June 20, 2013.

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

**10960304 and NPDES Permit No. PA0227218. Allegheny Mineral Corporation** (P.O. Box 1022, Kittan-

ning, PA 16201) Transfer of an existing large industrial minerals surface and underground mine from Quality Aggregates, Inc. in Washington Township, **Butler County** affecting 544.6 acres. Receiving streams: Unnamed tributary to South Branch Slippery Rock Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: June 14, 2013.

**16860310. Glen-Gery Corporation** (P.O. Box 7001, Wyomissing, PA 19610) Renewal of NPDES Permit No. PA0107395 in Limestone & Monroe Townships, **Clarion County**. Receiving streams: Unnamed tributary to Piney Creek and Piney Creek, unnamed tributary to Little Piney Creek and Little Piney Creek, both classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: June 26, 2013.

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

**08110304 and NPDES PA 0257575. TMT Gravel and Contracting, Inc.** (1609 Pennsylvania Avenue, Pine City, NY 14871-9100). Revision to an existing large noncoal permit to add 3.8 acres to permit area for use as an internal access roadway located in Wells Township, **Bradford County** affecting 64.14 acres. Receiving stream(s):



Seeley Creek classified for the following use(s): Cold Water Fishes and Migratory Fishes. Application received: June 18, 2013.

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

**58130803 and NPDES Permit No. PA0225371. Scott Obelenus**, (511 Maple Street, Forest City, PA 18421), commencement, operation and restoration of a bluestone quarry operation in Clifford Township, **Susquehanna County** affecting 5.0 acres, receiving stream: Tinker Creek, classified for the following uses: HQ - cold water and migratory fishes. Application received: April 8, 2013.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401*

**E09-974. Robert & Rachel McClintock**, 878 Elbow Lane, Warrington, PA 18976, Warrington, Township, **Bucks County**, ACOE Philadelphia District.

To construct and maintain approximately 240 linear feet of 15-inch CMP stream enclosure along an unnamed tributary to Neshaminy Creek (TSF, MF) for the purpose

of newly constructed dwelling. The site is located approximately 0.8 mile from the intersection of Meetinghouse Road and Almshouse Road (Buckingham, PA, USGS map N: 5.8 inches; W: 7.2 inches).

**E09-976. Quakertown Borough**, 35 N. Third Street, Quakertown, PA 18951, Borough of Quakertown, **Bucks County**, ACOE Philadelphia District.

To construct and maintain an 8-foot wide pedestrian bridge which spans approximately 39 feet across Beaver Creek (TSF) and its 100-year floodway as a part of a proposed walking trail. The bridge will have an approximate underclearance of 6 feet. The work also includes the construction and maintenance of a temporary road crossing. The site is located near the intersection of West Bradford Street and 5th Street (Quakertown, PA USGS map; N: 10.00 inches; W: 12.25 inches).

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.*

**F40-002. Plymouth Township**, 925 Main Street, Plymouth, PA 18651, in Plymouth Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River through the HMGP Acquisition Program. Sites will be restored to open space. Sites are located in Plymouth Township, Luzerne County.

1. 312 E Canal (Nanticoke, PA Quadrangle Latitude: 41.216699°; Longitude: -76.009311°)

2. 42 E Poplar St (Nanticoke, PA Quadrangle Latitude: 41.221071°; Longitude: -76.013150°)

3. 56 W Poplar St (Nanticoke, PA Quadrangle Latitude: 41.222668°; Longitude: -76.017030°)

4. 63 E Poplar St (Nanticoke, PA Quadrangle Latitude: 41.220332°; Longitude: -76.012341°)

**F58-003. Lanesboro Borough**, PO Box 214, Susquehanna, PA 18847, in Lanesboro Borough, **Susquehanna County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of Starrucca Creek through the HMGP Acquisition Program. Sites will be restored to open space. Sites are located in Lanesboro Borough, Susquehanna County.

1. Travis, 841 Viaduct St, Susquehanna, PA 18847 (Susquehanna, PA Quadrangle Latitude: 41.964168°; Longitude: -75.580365°)

**F40-010. Jenkins Township**, 46 1/2 Main Road, Jenkins Township, PA 18640, in Jenkins Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River through the HMGP Acquisition Program. Sites will be restored to open space. Sites are located in Jenkins Township, Luzerne County.

1. 1 Miller St (Pittston, PA Quadrangle Latitude: 41.3022869°; Longitude: -75.827767°)

2. 2 Miller St (Pittston, PA Quadrangle Latitude: 41.3021027°; Longitude: -75.827945°)

3. 14 Miller St (Pittston, PA Quadrangle Latitude: 41.301651°; Longitude: -75.828297°)

4. 20 Miller St (Pittston, PA Quadrangle Latitude: 41.3013814°; Longitude: -75.828468°)
5. 1623 River Rd (Pittston, PA Quadrangle Latitude: 41.3039592°; Longitude: -75.827366°)
6. 1715 River Rd (Pittston, PA Quadrangle Latitude: 41.3011822°; Longitude: -75.830749°)
7. 75 Tennant St (Pittston, PA Quadrangle Latitude: 41.3024644°; Longitude: -75.8276°)
8. 83 Tennant St (Pittston, PA Quadrangle Latitude: 41.3022028°; Longitude: -75.827246°)
9. 11 Miller St (Pittston, PA Quadrangle Latitude: 41.301492°; Longitude: -75.828011°)
10. 17 Miller St (Pittston, PA Quadrangle Latitude: 41.301229°; Longitude: -75.828235°)
11. 3 Miller St (Pittston, PA Quadrangle Latitude: 41.301905°; Longitude: -75.827655°)
12. 5 Miller St (Pittston, PA Quadrangle Latitude: 41.301837°; Longitude: -75.827716°)
13. 7 Miller St (Pittston, PA Quadrangle Latitude: 41.301693°; Longitude: -75.827815°)
14. 13 Miller St (Pittston, PA Quadrangle Latitude: 41.301420°; Longitude: -75.828088°)
15. 15 Miller St (Pittston, PA Quadrangle Latitude: 41.301296°; Longitude: -75.828172°)
16. 21 Miller St (Pittston, PA Quadrangle Latitude: 41.301094°; Longitude: -75.828312°)
17. 79 Tennant St (Pittston, PA Quadrangle Latitude: 41.302310°; Longitude: -75.827407°)
18. 85 Tennant St (Pittston, PA Quadrangle Latitude: 41.302267°; Longitude: -75.827108°)
19. 10 Miller St (Pittston, PA Quadrangle Latitude: 41.301869°; Longitude: -75.828160°)
20. 16 Miller St (Pittston, PA Quadrangle Latitude: 41.301547°; Longitude: -75.828410°)
21. 28 Miller St (Pittston, PA Quadrangle Latitude: 41.301304°; Longitude: -75.828653°)
22. 6 Jennings St (Pittston, PA Quadrangle Latitude: 41.300860°; Longitude: -75.828382°)
23. 8 Jennings St (Pittston, PA Quadrangle Latitude: 41.300894°; Longitude: -75.828485°)
24. 12 Jennings St (Pittston, PA Quadrangle Latitude: 41.300939°; Longitude: -75.828610°)
25. 14 Jennings St (Pittston, PA Quadrangle Latitude: 41.300988°; Longitude: -75.828784°)
26. 20 Jennings St (Pittston, PA Quadrangle Latitude: 41.301082°; Longitude: -75.828991°)
27. 22 Jennings St (Pittston, PA Quadrangle Latitude: 41.301134°; Longitude: -75.829081°)
28. 23 Jennings St (Pittston, PA Quadrangle Latitude: 41.301345°; Longitude: -75.828931°)
29. 24 Jennings St (Pittston, PA Quadrangle Latitude: 41.301199°; Longitude: -75.829282°)
30. 27 Jennings St (Pittston, PA Quadrangle Latitude: 41.301426°; Longitude: -75.829171°)
31. 11 Tennant St (Pittston, PA Quadrangle Latitude: 41.302797°; Longitude: -75.828312°)
32. 13 Tennant St (Pittston, PA Quadrangle Latitude: 41.302730°; Longitude: -75.828178°)
33. 1657 River Rd (Pittston, PA Quadrangle Latitude: 41.302921°; Longitude: -75.828913°)
34. 1659 River Rd (Pittston, PA Quadrangle Latitude: 41.302812°; Longitude: -75.829027°)
35. 1717 River Rd (Pittston, PA Quadrangle Latitude: 41.301097°; Longitude: -75.830858°)
36. 25 Grant Pl (Pittston, PA Quadrangle Latitude: 41.302265°; Longitude: -75.829152°)
37. 27 Grant Pl (Pittston, PA Quadrangle Latitude: 41.302210°; Longitude: -75.828998°)
38. 29 Grant Pl (Pittston, PA Quadrangle Latitude: 41.302129°; Longitude: -75.828811°)
39. 1477 River Rd (Pittston, PA Quadrangle Latitude: 41.307313°; Longitude: -75.821718°)
40. 1479 River Rd (Pittston, PA Quadrangle Latitude: 41.307203°; Longitude: -75.821831°)
41. 1487 River Rd (Pittston, PA Quadrangle Latitude: 41.307018°; Longitude: -75.822165°)
42. 1489 River Rd (Pittston, PA Quadrangle Latitude: 41.306909°; Longitude: -75.822387°)
43. 1491 River Rd (Pittston, PA Quadrangle Latitude: 41.306794°; Longitude: -75.822621°)
44. 1493 River Rd (Pittston, PA Quadrangle Latitude: 41.306684°; Longitude: -75.822837°)
45. 1497 River Rd (Pittston, PA Quadrangle Latitude: 41.306395°; Longitude: -75.823422°)
46. 1513 River Rd (Pittston, PA Quadrangle Latitude: 41.306280°; Longitude: -75.823642°)
47. 1517 River Rd (Pittston, PA Quadrangle Latitude: 41.306042°; Longitude: -75.824099°)
48. 1519 River Rd (Pittston, PA Quadrangle Latitude: 41.305922°; Longitude: -75.824321°)
49. 1521 River Rd (Pittston, PA Quadrangle Latitude: 41.305790°; Longitude: -75.82453°)
50. 1567 River Rd (Pittston, PA Quadrangle Latitude: 41.305512°; Longitude: -75.825009°)
51. 1569 River Rd (Pittston, PA Quadrangle Latitude: 41.305402°; Longitude: -75.825197°)
52. 1475 River Rd (Pittston, PA Quadrangle Latitude: 41.30737°; Longitude: -75.821626°)
53. 1605 River Rd (Pittston, PA Quadrangle Latitude: 41.304554°; Longitude: -75.826624°)
54. 1619 River Rd (Pittston, PA Quadrangle Latitude: 41.304149°; Longitude: -75.827250°)
55. 1627 River Rd (Pittston, PA Quadrangle Latitude: 41.303858°; Longitude: -75.827494°)
56. 1633 River Rd (Pittston, PA Quadrangle Latitude: 41.303660°; Longitude: -75.827816°)
57. 1639 River Rd (Pittston, PA Quadrangle Latitude: 41.303525°; Longitude: -75.827956°)
58. 8 Tennant St (Pittston, PA Quadrangle Latitude: 41.303020°; Longitude: -75.827998°)
59. 6 Tennant St (Pittston, PA Quadrangle Latitude: 41.303020°; Longitude: -75.827998°)

**F40-009. Plains Township**, 126 North Main Street, Plains, PA 18705, in Plains Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River through the HMGP Acquisition Program. Sites will be restored to open space. Sites are located in Plains Township, Luzerne County.

1. 163 Courtright St (Pittston, PA Quadrangle Latitude: 41.2901167°; Longitude: -75.848703°)
2. 6 Mitchell St (Pittston, PA Quadrangle Latitude: 41.2893865°; Longitude: -75.849562°)
3. 15 Mitchell St (Pittston, PA Quadrangle Latitude: 41.2894513°; Longitude: -75.849707°)
4. 16 Mitchell St (Pittston, PA Quadrangle Latitude: 41.2896478°; Longitude: -75.84935°)
5. 2 Pearl St (Pittston, PA Quadrangle Latitude: 41.2896502°; Longitude: -75.849051°)
6. 1279 North River St (Pittston, PA Quadrangle Latitude: 41.2864917°; Longitude: -75.850191°)
7. 3 McCullough St (Pittston, PA Quadrangle Latitude: 41.2844577°; Longitude: -75.852339°)
8. 4 McCullough St (Pittston, PA Quadrangle Latitude: 41.284297°; Longitude: -75.852525°)
9. 8 McCullough St (Pittston, PA Quadrangle Latitude: 41.2843816°; Longitude: -75.852673°)
10. 14 Mitchell St (Pittston, PA Quadrangle Latitude: 41.289767°; Longitude: -75.849494°)
11. 27 Mitchell St (Pittston, PA Quadrangle Latitude: 41.289925°; Longitude: -75.850018°)
12. 2 Robert St (Pittston, PA Quadrangle Latitude: 41.291065°; Longitude: -75.850930°)
13. 20 Robert St (Pittston, PA Quadrangle Latitude: 41.290608°; Longitude: -75.8513173°)
14. 22 Robert St (Pittston, PA Quadrangle Latitude: 41.290506°; Longitude: -75.851323°)
15. 14 May St (Pittston, PA Quadrangle Latitude: 41.283681°; Longitude: -75.852893°)
16. 69 Courtright (Pittston, PA Quadrangle Latitude: 41.288984°; Longitude: -75.845423°)
17. 67 Courtright St (Pittston, PA Quadrangle Latitude: 41.288939°; Longitude: -75.845332°)
18. 18-20 Mitchell St (Pittston, PA Quadrangle Latitude: 41.289718°; Longitude: -75.849728°)
19. 38 Robert St (Pittston, PA Quadrangle Latitude: 41.290014°; Longitude: -75.851618°)
20. 1367 North River St (Pittston, PA Quadrangle Latitude: 41.288513°; Longitude: -75.847244°)

**F40-007. Hunlock Township**, PO Box 164, Hunlock Creek, PA 18621, in Hunlock Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River through the HMGP Acquisition Program. Sites will be restored to open space. Sites are located in Hunlock Township, Luzerne County.

1. 107 Garden Drive (Nanticoke, PA Quadrangle Latitude: 41.210188°; Longitude: -75.049422°)

**F40-008. Conyngham Township**, 10 Pond Hill Road, Mocanaqua, PA 18655, in Conyngham Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River through the HMGP Acquisition Program. Sites will be restored to open space. Sites are located in Conyngham Township, Luzerne County.

1. 110 1/2 Italy St (Shickshinny, PA Quadrangle Latitude: 41.138151°; Longitude: -76.140474°)
2. 138 1/2 River St (Shickshinny, PA Quadrangle Latitude: 41.139799°; Longitude: -76.142213°)
3. 143 River St (Shickshinny, PA Quadrangle Latitude: 41.1406262°; Longitude: -76.142724°)
4. 145 River St (Shickshinny, PA Quadrangle Latitude: 41.1408728°; Longitude: -76.142863°)
5. 3 Pulaski Circle (Shickshinny, PA Quadrangle Latitude: 41.140385°; Longitude: -76.142608°)
6. 4 Pulaski Circle (Shickshinny, PA Quadrangle Latitude: 41.1412404°; Longitude: -76.142753°)
7. 5 Pulaski Circle (Shickshinny, PA Quadrangle Latitude: 41.1410675°; Longitude: -76.142512°)
8. 6 Pulaski Circle (Shickshinny, PA Quadrangle Latitude: 41.141176°; Longitude: -76.142549°)
9. 153 River St (Shickshinny, PA Quadrangle Latitude: 41.141448°; Longitude: -76.142809°)
10. 4-6 Main St (Shickshinny, PA Quadrangle Latitude: 41.147235°; Longitude: -76.144837°)
11. 22 Main St (Shickshinny, PA Quadrangle Latitude: 41.146023°; Longitude: -76.144888°)
12. 135 River St (Shickshinny, PA Quadrangle Latitude: 41.139657°; Longitude: -76.141685°)
13. 137 River St (Shickshinny, PA Quadrangle Latitude: 41.139864°; Longitude: -76.141895°)
14. 139 River St (Shickshinny, PA Quadrangle Latitude: 41.140028°; Longitude: -76.142623°)
15. 3 Main St (Shickshinny, PA Quadrangle Latitude: 41.147459°; Longitude: -76.144931°)
16. 138 River St (Shickshinny, PA Quadrangle Latitude: 41.139957°; Longitude: -76.142534°)
17. 152 River St (Shickshinny, PA Quadrangle Latitude: 41.141455°; Longitude: -76.174303°)
18. 11 Railroad St (Shickshinny, PA Quadrangle Latitude: 41.1445378°; Longitude: -76.144101°)

**F40-006. West Pittston Borough**, 555 Exeter Avenue, West Pittston, PA 18643, in West Pittston Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River through the HMGP Acquisition Program. Sites will be restored to open space. Sites are located in West Pittston Borough, Luzerne County.

1. 225 Race St (Pittston, PA Quadrangle Latitude: 41.301182°; Longitude: -75.830749°)
2. 216 Wyoming Ave (Pittston, PA Quadrangle Latitude: 41.154218°; Longitude: -76.147618°)
3. 334 Race St (Pittston, PA Quadrangle Latitude: 41.386808°; Longitude: -75.822144°)
4. 12 North St (Pittston, PA Quadrangle Latitude: 41.305108°; Longitude: -75.825439°)

5. 27-29 Delaware Ave (Pittston, PA Quadrangle Latitude: 41.3271545°; Longitude: -75.793611°)

6. 7 Delaware Ave (Pittston, PA Quadrangle Latitude: 41.329087°; Longitude: -75.792921°)

7. 320 Race St (Pittston, PA Quadrangle Latitude: 41.326286°; Longitude: -75.796509°)

8. 322 Race St (Pittston, PA Quadrangle Latitude: 41.326259°; Longitude: -75.796549°)

9. 1318 Susquehanna Ave (Pittston, PA Quadrangle Latitude: 41.289920°; Longitude: -75.850232°)

**F40-004. Exeter Township**, 2305 SR 92, Harding, PA 18643, in Exeter Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River through the HMGP Acquisition Program. Sites will be restored to open space. Sites are located in Exeter Township, Luzerne County.

1. 327 Taft Ave (Ransom, PA Quadrangle Latitude: 41.406244°; Longitude: -75.834972°)

2. 629 Wilson Ave (Ransom, PA Quadrangle Latitude: 41.405383°; Longitude: -75.835403°)

3. 1463 SR 92 (Pittston, PA Quadrangle Latitude: 41.359085°; Longitude: -75.809246°)

**F40-003. Shickshinny Borough**, 35 West Union Street, Shickshinny, PA 18655, in Shickshinny Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River through the HMGP Acquisition Program. Sites will be restored to open space. Sites are located in Shickshinny Borough, Luzerne County.

1. 11 McClintock St (Shickshinny, PA Quadrangle Latitude: 41.15433°; Longitude: -76.148451°)

2. 14 McClintock St (Shickshinny, PA Quadrangle Latitude: 41.154512°; Longitude: -76.148114°)

3. 49-51 McClintock St (Shickshinny, PA Quadrangle Latitude: 41.154199°; Longitude: -76.147558°)

4. 27 North Canal St (Shickshinny, PA Quadrangle Latitude: 41.153001°; Longitude: -76.14763°)

5. 31 North Canal St (Shickshinny, PA Quadrangle Latitude: 41.153171°; Longitude: -76.147547°)

6. 141 North Canal St (Shickshinny, PA Quadrangle Latitude: 41.156573°; Longitude: -76.145216°)

7. 122 North Susquehanna Ave (Shickshinny, PA Quadrangle Latitude: 41.156501°; Longitude: -76.146797°)

8. 170 North Susquehanna Ave (Shickshinny, PA Quadrangle Latitude: 41.157918°; Longitude: -76.14545°)

9. 174 North Susquehanna Ave (Shickshinny, PA Quadrangle Latitude: 41.158083°; Longitude: -76.145299°)

10. 38 South Canal St (Shickshinny, PA Quadrangle Latitude: 41.149387°; Longitude: -76.149216°)

11. 67 North Canal St (Shickshinny, PA Quadrangle Latitude: 41.154203°; Longitude: -76.146895°)

12. 149 North Canal St (Shickshinny, PA Quadrangle Latitude: 41.156931°; Longitude: -76.144943°)

13. 69 North Canal St (Shickshinny, PA Quadrangle Latitude: 41.154306°; Longitude: -76.146793°)

14. 147 North Canal St (Shickshinny, PA Quadrangle Latitude: 41.156713°; Longitude: -76.145017°)

15. 158 North Susquehanna Ave (Shickshinny, PA Quadrangle Latitude: 41.157596°; Longitude: -76.145634°)

16. 40 E Butler St (Shickshinny, PA Quadrangle Latitude: 41.150856°; Longitude: -76.148987°)

17. 123 North Canal St (Shickshinny, PA Quadrangle Latitude: 41.155993°; Longitude: -76.145667°)

**F40-005. Nescopeck Township**, PO Box 314, Nescopeck, PA 18635, in Nescopeck Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River through the HMGP Acquisition Program. Sites will be restored to open space. Sites are located in Nescopeck Township, Luzerne County.

1. 524 River Rd (Berwick, PA Quadrangle Latitude: 41.062189°; Longitude: -76.155271°)

2. 578 River Rd (Berwick, PA Quadrangle Latitude: 41.063754°; Longitude: -76.150599°)

3. 604 River Rd (Berwick, PA Quadrangle Latitude: 41.064233°; Longitude: -76.148063°)

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717.705.4802.*

**E21-435: Upper Allen Township**, 100 Gettysburg Road, Mechanicsburg, Pennsylvania, 17055 in Upper Allen Township, **Cumberland County**, ACOE Baltimore District

To install and maintain fill within 0.04 acre of Palustrine Emergent Wetland located along the Yellow Breeches Creek (CWF-MF) (Latitude 40°09'18", Longitude -76°59'07") for the purpose of constructing a garage associated with the wastewater treatment facility. The amount of wetland impact is considered de minimus and wetland mitigation is not required.

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

**E02-1687. Blank River Services, Inc.**, 1 Church Street, Elizabeth, PA 15037-1603, Elizabeth Borough and Elizabeth Township, **Allegheny County**; ACOE Pittsburgh District

Applicant proposes to construct and maintain four (4) pipe support structures, on 195' centers, in the Monongahela River (WWF, N), for the purpose of creating an approximately 1.88 acre barge mooring area, along approximately 593' of river bank. In addition, to construct and maintain two (2) deadmen, at the top of the river bank, and a gangplank style ramp. The project is located at approximate River Mile 22.5, at 1 Chicago Avenue, Elizabeth, PA 15037, in Elizabeth Borough and Elizabeth Township, Allegheny County. (Glassport, PA Quadrangle: N: 5.22 inches; W: 0.96 inch; Latitude: 40° 16' 43.5"; Longitude: 79° 52' 54.9" Sub-basin: 19C Chapter 93 Type: WWF; N.)

*Southwest Region: Oil and Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222*

**E65-07-007, CNX Gas Company, LLC**, 1000 CONSOL Energy Drive, Canonsburg, PA 15317. This project starts at the Kuhns Gas Well Pad on the Vandergrift, PA Quadrangle at (40° 30' 30.653" N, 79° 32' 45.855" W) and ends on the Slickville, PA Quadrangle at the proposed Mamont 3 Gas Well Pad (40° 28' 14.508" N, 79° 33' 13.685" W).

The pipeline passes through Bell Township in Westmoreland County, PA, Pittsburgh ACOE District, State Water Plan Basin 18B, Beaver Run Watershed. The

Mamont South East Pipeline Project includes the installation of approximately 19,200 feet of 12-inch steel gas gathering line with an associated 6-inch diameter flex steel waterline within a 75 foot ROW. The project will utilize 18,766 feet of existing access roads and 525 feet of proposed access roads to construct the pipeline. The proposed project will include utility line and temporary road crossings of 11 UNTs to Beaver Run (HQ-CWF) and five (5) EV Wetlands. Additionally, this project will require three (3) temporary road crossings of existing access road stream crossings and one (1) temporary road crossing of an EV wetland located with the Limit of Disturbance.

<i>Regulated Activity</i>	<i>Stream Name</i>	<i>Latitude / Longitude</i>	<i>Length of Impact</i>
Utility Line Crossing 1/ Temp. Road Crossing	UNT 1 to Beaver Run	40° 30' 17.456" N 79° 32' 47.736" W	53 feet
Utility Line Crossing 2/ Temp. Road Crossing	UNT 1 to UNT 1 to Beaver Run	40° 30' 16.914" N 79° 32' 47.825" W	52 feet
Utility Line Crossing 3/ Temp. Road Crossing	UNT 2 to Beaver Run	40° 29' 54.432" N 79° 32' 33.551" W	51 feet
Utility Line Crossing 4/ Temp. Road Crossing	Trib. 42955 to Beaver Run	40° 29' 42.981" N 79° 32' 39.004" W	51 feet
Utility Line Crossing 5/ Temp. Road Crossing	Trib. 42973 to Beaver Run	40° 29' 8.733" N 79° 32' 40.220" W	51 feet
Utility Line Crossing 6/ Temp. Road Crossing	UNT 2 to UNT 2 to Trib. 42973 to Beaver Run	40° 28' 57.944" N 79° 32' 35.950" W	56 feet
Utility Line Crossing 7/ Temp. Road Crossing	UNT 1 to UNT 2 to Trib. 42973 to Beaver Run	40° 28' 56.188" N 79° 32' 35.906" W	57 feet
Utility Line Crossing 8/ Temp. Road Crossing	UNT 2 to Trib. 42973 to Beaver Run	40° 28' 55.415" N 79° 32' 35.883" W	115 feet
Utility Line Crossing 9/ Temp. Road Crossing	UNT 5 to Beaver Run	40° 28' 42.557" N 79° 33' 5.218" W	80 feet
Utility Line Crossing 11/ Temp. Road Crossing	Trib. 42974 to Beaver Run	40° 28' 30.428" N 79° 33' 1.548" W	51 feet
Utility Line Crossing 13/ Temp. Road Crossing	UNT 4 to Beaver Run	40° 28' 23.242" N 79° 33' 8.998" W	88 feet
Temporary Road Crossing 14	UNT 6 to Beaver Run	40° 30' 28.985" N 79° 32' 52.250" W	10 feet
Temporary Road Crossing 15	UNT 1 to Beaver Run	40° 30' 17.451" N 79° 32' 48.810" W	10 feet
Temporary Road Crossing 16	UNT 2 to Beaver Run	40° 29' 54.595" N 79° 32' 34.603" W	10 feet

The stream crossings consist of 735 linear feet and 6,664 square feet of temporary disturbance. The utility line crossings will be a combination of seven (7) conventional bores and four (4) flume pipe diversions and 11 timber mats for the temporary road crossings. The wetland crossings consist of 1,699 square feet (0.039 acre) of temporary disturbance to PEM wetlands and 1,786 feet (0.041 acre) of permanent disturbance to PSS wetlands. All five (5) wetland utility line crossings will utilize conventional bores and all six (6) wetland temporary road crossings will utilize timber mats. The total disturbance for this project is approximately 36 acres.

Name of Applicant: CNX Gas Company LLC  
Address: 200 Evergreene Drive, Waynesburg, PA 15370  
Twp/Boro: Morris Township  
County: Washington County  
ACOE: Pittsburgh

Quadrangle: Prosperity  
N: 40° 01' 57.23"; W: -80° 19' 35.00"  
Chapter 93 Type: Short Creek, Trout Stocked Fishery  
Permit # 95-7-37312-21 NV North #4 Centralized Pit

Applicant proposes to construct, operate and maintain a 5.1 million gallon Centralized Impoundment to collect, store and reuse wastewater for fracturing natural gas wells, NV-34A-HS permit No. 37-125-24923-00.01 and other permitted wells listed in the application, as well as future wells as reported to the Department. Project is located on Cabin Road (T-538) in Morris Township, Washington Co (USGS PA Quadrangle: Prosperity). Project will disturb 18.85 acres. The stormwater runoff drains to Short Creek, a Trout Stocked Fishery and unnamed tributaries to Short Creek, State Water Plan Basin 19B Tenmile Creek.

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

**E25-763, Auto Row, LLC**, 8430 Peach Street, Erie, PA 16509. Automobile Sales and Service Facility Expansion—Wetland and Waterbody Impact, in Summit Township, **Erie County**, ACOE Pittsburgh District (Erie South, PA Quadrangle N: 42°, 2', 16.5"; W: 80°, 3', 56.1").

To permanently fill 0.11 acre of PEM wetland and an adjacent 0.32 acre man-made pond, and to modify and expand another 1.04 acre man-made pond by 0.46 acre within the watershed of Walnut Creek (CWF, MF) for the construction of a new car dealership facility and associated infrastructure at a point approximately 2,500 feet southeast of the Peach Street and Robinson Road intersection. The applicant proposes to mitigate for the wetland impacts by constructing 0.11 acre of on-site replacement wetlands.

**E25-765, Millcreek Township**, 3608 West 28th Street, Erie PA 16506. Millcreek Township Golf Course Wetland Crossing, in Millcreek Township, **Erie County**, ACOE Pittsburgh District (Swanville, PA Quadrangle N: 42°, 05', 24.5"; W: 80°, 09', 10.75").

To construct a 135 LF wetland crossing to facilitate cart and foot traffic from the existing course to an area of proposed course expansion. Project will permanently impact 0.2 acre of PFO wetland. Applicant proposes to create 0.6 acre of new wetland onsite as mitigation for project impacts.

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

**E0829-074: Appalachia Midstream, LLC**, 100 IST Center, Horseheads, NY 14845, Wilmot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 80 linear feet of an unnamed tributary to North Branch Mehoopany Creek (CWF, MF) and impacting 369 square feet of an adjacent Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°33'01", Longitude: -76°17'33");

2. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 1,117 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°32'59", Longitude: -76°17'35");

3. a temporary timber mat bridge impacting 260 square feet of a floodway of an unnamed tributary to North Branch Mehoopany Creek (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°32'56", Longitude: -76°17'38");

The project will result in 80 linear feet or 231 square feet of temporary stream impacts and 9,978 square feet of floodway impacts and 1,486 square feet (0.03 acre) of PEM wetland all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Wilmot Township, Bradford County. This project is associated with permit application number E5729-061

**E5729-061: Appalachia Midstream, LLC**, 100 IST Center, Horseheads, NY 14845, Colley Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 80 linear feet of an unnamed tributary to North Branch Mehoopany (CWF, MF) and impacting 2,172 square feet of an adjacent Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°32'49", Longitude: -76°17'40");

2. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 80 linear feet of an unnamed tributary to North Branch Mehoopany (CWF, MF) (Overton, PA Quadrangle, Latitude: 41°32'47", Longitude: -76°17'42"); The project will result in 160 linear feet or 929 square feet of temporary stream impacts and 2,172 square feet (0.05 acre) of PEM wetland all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Colley Township, Sullivan County. This project is associated with permit application number E0829-074

**E5729-059: Appalachia Midstream Services, LLC**, 100 IST Center, Horseheads, NY 14845, Cherry Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A temporary access road using timber mats and a 6 inch diameter gathering line impacting 123 linear feet of an unnamed tributary to Little Loyalsock Creek (EV) and 16,516 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Colley, PA Quadrangle 41°31'17"N, 76°20'21"W);

2) A temporary access road using a timber mat bridge and a 6 inch diameter gathering line impacting 95 linear feet of an unnamed tributary to Birch Creek (EV), 125 linear feet of an unnamed tributary to Birch Creek (EV), and 4,377 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland (Colley, PA Quadrangle 41°30'23"N, 76°20'34"W);

3) A temporary access road using a timber mat bridge and a 6 inch diameter gathering line impacting 4,268 square feet of an exceptional value palustrine emergent (EV-PEM) wetland and 787 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland (Colley, PA Quadrangle 41°30'21"N, 76°20'39"W);

4) A temporary access road using a timber mat bridge and a 6 inch diameter gathering line impacting 1,301 square feet of a palustrine emergent (PEM) wetland (Colley, PA Quadrangle 41°30'21"N, 76°22'39"W);

5) A temporary access road using timber mats and a 6 inch diameter gathering line impacting 1,162 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Colley, PA Quadrangle 41°30'21"N, 76°20'57"W);

The project will result in 343 linear feet of temporary stream impacts, 27,249 square feet (0.63 acre) of temporary wetland impacts, and 1,162 square feet (0.03 acre) of permanent wetland impacts all for the purpose of installing a gathering line for Marcellus well development in Cherry Township, Sullivan County. The permittee will provide 0.03 acre of compensatory mitigation at the Wilmot Site (Colley, PA Quadrangle 41°36'44"N 76°17'27"W) in Wilmot Township, Bradford County.

**E5729-060: Appalachia Midstream Services, LLC**, 100 IST Center, Horseheads, NY 14845, Fox Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A temporary access road using timber mats and a 16 inch diameter gathering line impacting 150 linear feet of an unnamed tributary to Hoagland Branch (EV), 564 square feet of an exceptional value palustrine emergent (EV-PEM) wetland, and 168 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Shunk, PA Quadrangle 41°33'01"N, 76°44'09"W);

2) A temporary access road using a timber mat bridge and a 16 inch diameter gathering line impacting 80 linear feet of an unnamed tributary to Hoagland Branch (EV) (Shunk, PA Quadrangle 41°33'27"N, 76°43'56"W);

3) A temporary access road using a timber mat bridge and a 16 inch diameter gathering line impacting 1,132 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Shunk, PA Quadrangle 41°33'17"N, 76°43'31"W);

4) A temporary access road using a timber mat bridge and a 16 inch diameter gathering line impacting 150 linear feet of an unnamed tributary to Porter Creek (EV) (Shunk, PA Quadrangle 41°33'53"N, 76°43'29"W);

5) A temporary access road using timber mats and a 16 inch diameter gathering line impacting 165 square feet of a palustrine emergent (PEM) wetland (Shunk, PA Quadrangle 41°33'56"N, 76°43'25"W);

6) A temporary access road using timber mats and a 16 inch diameter gathering line impacting 165 square feet of a palustrine scrub shrub (PSS) wetland (Shunk, PA Quadrangle 41°33'58"N, 76°43'18"W);

7) A temporary access road using a timber mat bridge and a 16 inch diameter gathering line impacting 80 linear feet of an unnamed tributary to Porter Creek (EV) (Shunk, PA Quadrangle 41°33'58"N, 76°43'17"W);

8) A temporary access road using timber mats and a 16 inch diameter gathering line impacting 5,376 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Shunk, PA Quadrangle 41°33'57"N, 76°43'15"W);

The project will result in 460 linear feet of temporary stream impacts, 729 square feet (0.02 acre) of temporary wetland impacts, and 6,676 square feet (0.15 acre) of permanent wetland impacts all for the purpose of installing a gathering line for Marcellus well development in Fox Township, Sullivan County. The permittee will provide 0.15 acre of compensatory mitigation at the Elk West Wetland Mitigation Site (Overton, PA Quadrangle 41°33'44"N 76°34'31"W) in Elkland Township, Sullivan County.

**E5929-030: PVR Marcellus Gas Gathering, LLC.**, 101 West Third Street, Williamsport, PA 17701, Liberty Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain a stream bank and slope stabilization project impacting 83 linear feet of Brion Creek (EV) (Liberty, PA Quadrangle 41°33'20"N, 77°02'30"W) in Liberty Township, Tioga County.

This application is in response to a Notice of Violation from pipeline construction that resulted in a slope failure and sediment discharge to Brion Creek (EV). These are additional impacts to be included along with pipeline impacts previously published to the *Pennsylvania Bulletin* on September 1, 2012.

**E4129-077: PVR Marcellus Gas Gathering, LLC.**, 101 West Third Street, Williamsport, PA 17701, Eldred & Upper Fairfield Townships, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) one 8-inch water pipeline and one 16-inch natural gas pipeline impacting 130 linear feet of Loyalsock Creek (EV) (Mountoursville North, PA Quadrangle 41°18'33"N 76°55'04"W);

2) one 8-inch water pipeline and one 16-inch natural gas pipeline impacting 32 linear feet of an unnamed tributary to Loyalsock Creek (EV) (Mountoursville North, PA Quadrangle 41°18'32"N 76°55'07"W);

3) one 8-inch water pipeline and one 16-inch natural gas pipeline impacting 14 linear feet of an unnamed tributary to Loyalsock Creek (EV) (Mountoursville North, PA Quadrangle 41°18'32"N 76°55'10"W);

4) one 8-inch water pipeline and one 16-inch natural gas pipeline impacting 1,326 square feet of palustrine emergent (PEM) wetland (Mountoursville North, PA Quadrangle 41°18'25"N 76°56'22"W);

5) one 8-inch water pipeline and one 16-inch natural gas pipeline impacting 95 linear feet of Mill Creek (TSF) and 3 square feet of adjacent palustrine emergent (PEM) wetland (Mountoursville North, PA Quadrangle 41°18'27"N 76°56'31"W);

6) one 8-inch water pipeline and one 16-inch natural gas pipeline impacting 89 linear feet of an unnamed tributary to Mill Creek (TSF) (Mountoursville North, PA Quadrangle 41°19'05"N 76°57'08"W);

7) one 8-inch water pipeline and one 16-inch natural gas pipeline impacting 72 linear feet of an unnamed tributary to Mill Creek (TSF) (Mountoursville North, PA Quadrangle 41°19'31"N 76°57'06"W).

The project will result in a total of 432 linear feet of stream impacts and 0.03 acre of wetland impacts all for the purpose of installing a natural gas gathering line, water line, and temporary access roadways for Marcellus well development.

## STORAGE TANKS SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Environmental Cleanup and Brownfields, Division of Storage Tanks, PO Box 8762, Harrisburg, PA 17105-8762, within 30 days from the date of this publication. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it based.

The following applications have been received for 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.

<i>SSIP Application No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
13008	Lindy Paving, Inc. 1811 Shenango Road New Galilee, PA 16141 Attn: Tim Lang	Beaver	Big Beaver Borough	3 ASTs storing diesel fuel	34,000 gallons total

## ACTIONS

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

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

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

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

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

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

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

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

#### I. NPDES Renewal Permit Actions

*Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.*

<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>
PAR212225 (Storm Water)	Powers Stone 15644 SR 267 Stonestreet Road Montrose, PA 18801	Susquehanna County Forest Lake Township	Stonestreet Creek (4-D)	Y



<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>
PA0061352 (Sewage)	Delaware Water Gap WWTP Broad Street Delaware Water Gap, PA 18327	Monroe County Delaware Water Gap Borough	Cherry Creek (1-E)	Y
PA0061719 (Sewage)	Little Washington Wastewater Company Pinecrest Wastewater Treatment Facility Tobyhanna Township, PA 18466	Monroe County Tobyhanna Township	Beaver Creek (2-A)	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>
PA0084565 (Sew)	East Prospect Borough Authority PO Box 334 28 W. Maple Street East Prospect, PA 17318	York County Lower Windsor Township	Cabin Creek / 7-I	Y
PAI133520 (MS4)	Freedom Township 131 Municipal Street East Freedom, PA 16637	Blair County Freedom Township	Frankstown Branch of Juniata River, Halter Creek, Poplar Run, South Dry Run, McDonald Run, Pawpaw Run / TSF, WWF, CWF	N

*Northcentral Region: Clean Water 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>
PA0111538 (Sewage)	Pine Valley Mobile Home Park 1333 Johnstown Road Mifflinburg, PA 17844-6909	Union County West Buffalo Township	North Branch Buffalo Creek (10-C)	Y
PA0229245 (Sewage)	Shawville Post Office Shawville, PA 16873	Clearfield County Goshen Township	Trout Run (8-C)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0222135 (Sewage)	Visionquest Fort Charles Young 555 S Penn Road Franklin, PA 16323	Venango County Sandy creek Township	Unnamed Tributary to Allegheny River (16-G)	Y
PA0101192 (Industrial Waste)	Falls Creek Borough WTP 117 Taylor Avenue Falls Creek, PA 15840	Jefferson County Falls Creek Borough	Falls Creek (17-C)	Y
PA0210625 (Industrial Waste)	Bradford Forest Products 444 High Street Bradford, PA 16701-3735	McKean County Bradford City	East Branch Tunungwant Creek and Rutherford Run (16-C)	Y
PA0103373 (Sewage)	Foxburg STP River Road, Foxburg, PA 16036	Clarion County Foxburg Borough	Allegheny River (17-C)	Y

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

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

**NPDES Permit No. PA0025488**, Sewage, **Avondale Borough**, 110 Pomeroy Avenue, P.O. Box 247, Avondale, PA 19311-0247.

This proposed facility is located in Avondale Borough, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Avondale Borough STP to Unnamed Tributary to East Branch White Clay Creek in Watershed 3-I.

**NPDES Permit No. PA0026131**, Sewage, **Upper Merion Municipal Utility Authority**, 175 W. Valley Forge Road, King of Prussia, PA 19406.

This proposed facility is located in Upper Merion Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Trout Run WPCC to Schuylkill River and Trout Run Creek in Watershed 3-F.

**NPDES Permit No. PA0244228**, Storm Water, **H Y K Construction Company, Inc. d/b/a Rahns Construction Material Company**, 430 Bridge Road, Colledgeville, PA 19426.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge Stormwater from a facility known as Rahns Concrete Batch Plant to Perkiomen Creek in Watershed 3-E.

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

**NPDES Permit No. PA0062855**, Industrial Waste, SIC Code 4941, **Mary-D Community Association**, P.O. Box 115, Mary-D, PA 17952.

This existing facility is located in Schuylkill Township, **Schuylkill County**.

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

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

**NPDES Permit No. PA0102601**, Sewage, **Amendment No. 1, Wick Auto Sales Inc.**, Carol M. Kaufman, Thomas E. Kaufman d/b/a Franklin Village A Manufactured Housing Community, 423 Dogwood Drive, Butler, PA 16001-0225.

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

Description of Proposed Action/Activity: This amendment is for a Department-initiated minor amendment to an NPDES permit, for an existing discharge of treated sewage from a Non-Municipal STP. This is a minor discharge. This is a name change only.

**PA0026301**, Sewage, SIC Code 4952, **Erie City Sewer Authority Erie County**, 120 W 10th Street, Erie, PA 16501-1410. Facility Name: Erie City STP.

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

Description of Existing Activity: Renewal of an NPDES permit for an existing discharge of treated sewage.

**PA0005860**, Industrial Waste, SIC Code 2022, **Dairy Farmers Of America Inc.**, 925 State Route 18, New Wilmington, PA 16142-5023. Facility Name: Dairy Farmers of America—New Wilmington.

This existing facility is located in Wilmington Township, **Lawrence County**.

Description of Existing Activity: Renewal of an NPDES permit for an existing discharge of treated industrial waste.

**PA0005061**, Industrial Waste, SIC Code 4911, **GenOn Power Midwest, LP**, 121 Champion Way, Suite 200, Canonsburg, PA 15317-5817. Facility Name: GenOn Power Midwest.

This existing facility is located in Taylor Township, **Lawrence County**.

Description of Existing Activity: Renewal of an NPDES permit for an existing discharge of treated Industrial Waste.

*Central Office: Bureau of Point and Non-Point Source Management, Planning and Permitting Program Manager, 400 Market Street, Harrisburg, PA 17105-8774, Telephone: 717.787.8184.*

**PA0270768, PECO Energy Co.**, 2301 Market Street, Philadelphia, PA 19103-1338. Facility Name: PECO Energy Transmission and Distribution System.

Description of Proposed Action: Issuance of a final NPDES Permit amendment for discharges associated with the application of pesticides to control vegetation that can interfere with equipment located in transmission and distribution right-of-ways (ROWs) and at substations in over 230 municipalities of **Bucks, Chester, Delaware, Lancaster, Lehigh, Montgomery, Philadelphia and York Counties** in Pennsylvania. The amendment adds 19 additional pesticides to their currently approved list of pesticides those may be used for controlling vegetation. PECO is authorized to use 74 pesticides according the instruction on the products label.

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

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

**WQM Permit No. 1505429**, Sewage, **West Bradford Township**, 1385 Campus Drive, Downingtown, PA 19335.

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

Description of Action/Activity: Construction and operation of a pump station for a 45 lot subdivision.

**WQM Permit No. WQG02151304**, Sewage, **Tredyffrin Township**, 1100 DuPortail Road, Berwyn, PA 19312.

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

Description of Action/Activity: Construction and operation of a pump station and force main 2 lot subdivision.

**WQM Permit No. 0991426**, Sewage, **Renewal, Camp Men-O-Lan**, 1415 Doerr Road, Quakertown, PA 18951.

This proposed facility is located in Milford Township, **Bucks County**.

Description of Action/Activity: Approval for renewal of permit to continue operation of a sewage treatment plant with spray irrigation.

**WQM Permit No. WQG02151307**, Sewage, **Kennett Township**, 801 Burrows Run Road, Chadds Ford, PA 19317-9219.

This proposed facility is located in Kennett Square Borough, **Chester County**.

Description of Action/Activity: Construction and operation of a sewage pumping station.

**WQM Permit No. 4600421**, Sewage, **Renewal, Montgomery County S.P.C.A.**, 19 East Ridge Pike, Conshohocken, PA 19428.

This proposed facility is located in Upper Frederick Township, **Montgomery County**.

Description of Action/Activity: Approval for renewal of continued operation of the SPCA wastewater and land application system.

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

**WQM Permit No. 0606406 Amendment No. 1**, Sewerage, **Amity Township**, 2004 Weavertown Road, Douglasville, PA 19518.

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

Description of Proposed Action/Activity: Permit amendment approving the modification of sewage facilities consisting of improvements to upgrade the pumps in PS#1 and PS#5, wetwell modifications to PS#1, a new valve vault at PS#1, pump station effluent flow metering, and the modification of the force mains such that all flows from PS#5 will discharge into a manhole upstream of PS#1. After the improvements are implemented, each pump in PS#1 will be rated for 0.720 mgd at 72 ft. TDH and each pump in PS#5 will be rated for 0.553 mgd at 144 ft. TDH.

**WQM Permit No. 3874404 Amendment 12-1**, Sewerage, **Northern Lebanon County Authority**, PO Box 434, Jonestown, PA 17038-0434.

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

Description of Proposed Action/Activity: Permit amendment approving the modification of sewage facilities consisting of the construction of new sequencing batch reactors, new influent pump station, new influent screening, new aerobic digesters, new post SBR equalization facilities, new UV disinfection facilities, new utility water system, new sludge dewatering centrifuge, and renovations to existing tanks and facilities.

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

**WQM Permit No. 1810401 A-1**, Sewage, **Lock Haven City STP**, 20 East Church Street, Lock Haven, PA 17745-2527.

This existing facility is located in Lock Haven City, **Clinton County**.

Description of Proposed Action/Activity: The addition of a flocculation flash mixing tank with chamber weirs and a distribution box as well as a Build Aqua-Aerobic Aqua-Disk Cloth Media filter system to the existing treatment facility.

**WQM Permit No. 1413401**, Sewerage, SIC Code 4952, **University Area Joint Authority**, 1576 Spring Valley Road, State College, PA 16801.

This proposed facility is located in Patton Township, **Centre County**.

Description of Proposed Action/Activity: Replacement of existing Ghaner Pump Station.

**WQM Permit No. 4913403**, Sewage, SIC Code 8811, **Paul & Sarah Eberly**, 1255 Industrial Park Road, Milton, PA 17847.

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

Description of Proposed Action/Activity: Flow from this system will be from the home into a 1000 gallon two compartment septic tank. There shall be a solids retainer between the first and second compartments, and an effluent filter in the second compartment. Effluent will then gravity flow into the Ecoflo Biofilter as manufactured by Premier Tech Aqua. This peat based biofilter shall have an integrated pump within the tank. Effluent will then be pumped through a 1-1/2 inch discharge line unto a DiUV self-cleaning disinfection unit. The treated effluent will then be discharged to an existing ditch which flows southerly under Industrial Park Road into an existing wetland just south of the roadway.

**WQM Permit No. 4113401**, Sewage, SIC Code 4952, **West Branch Regional Authority**, 117 Old Glade Run Road, Muncy, PA 17756.

This proposed facility is located in Muncy and Montgomery Boroughs, **Lycoming County**.

Description of Proposed Action/Activity: West Branch Regional Authority 2013 Sewer Main Replacement Project.

**WQM Permit No. 4712201**, 4712202, Industrial Waste, SIC Code 1795, 2999, 4911, **PPL Montour LLC**, 18 McMichael Road, Washingtonville, PA 17844.

This proposed facility is located in Derry Township, **Montour County**.

Description of Proposed Action/Activity: The construction of a new liner system in the existing silo runoff pond. The new liner replaces a malfunctioning liner. A groundwater monitoring plan has also approved.

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

**WQM Permit No. 1092405**, Sewage, **Amendment No. 1, Wick Auto Sales Inc.**, Carol M. Kaufman, Thomas E. Kaufman d/b/a Franklin Village A Manufactured Housing Community, 423 Dogwood Drive, Butler, PA 16001-0225.

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

Description of Proposed Action/Activity: This amendment is for a Department-initiated minor amendment to an WQM permit. This is a name change only.

**WQM Permit No. WQG01251305**, Sewage, **Paul Szustak**, 323 Private Road 2698, Alvord, TX 76225.

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

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

**WQM Permit No. WQG018671**, Sewage, **Transfer No. 1, Timothy T. Hoppe**, 8359 Pondview Drive, McKean, PA 16426-1163.

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

Description of Proposed Action/Activity: Transfer of permit for an existing Single Residence Sewage Treatment Plant.

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAG133580	Oley Township P.O. Box 19, Oley, PA 19547	Berks	Oley Township	Monocacy Creek/ WWF, MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1509041	DL Charlestown, L. P. 435 Devon Park Drive, Suite 613 Wayne, PA 19087	Chester	Charlestown Township	Pickering Creek, HQ-SF Valley Creek EV
PAI01 151039	Hammell-O'Donnell Business Park 125 Lewis Mill Road Honey Brook, PA 19344	Chester	West Nantmeal and West Brandywine Townships	Indian Run HQ-CWF
PAI01 151126	Waynebrook Development Corporation P. O. Box 490 Honey Brook, PA 19344	Chester	Honey Brook Borough and Honey Brook Township	Unnamed Tributary to Brandywine Creek West Branch HQ-TSF
PAI01 1509020	East Whiteland Township 209 Conestoga Avenue Frazer, PA 19355	Chester	East Whiteland Township	Valley Creek Schuylkill River Delaware River EV
PAI01 1504075	Kismet Farm, Ltd. 3556 Newark Road Cochranville, PA 19330	Chester	Upper Oxford Township	East Branch Big Elk Creek HQ-TSF-MF
PAI01 1508046	Main Line I Associates, LP And Main Line II Associates LP 2701 Renaissance Boulevard King of Prussia, PA 19406	Chester	East Whiteland Township	Little Valley Creek EV
PAI01 151029	The Hankin Group 707 Eagleview Boulevard P. O. Box 562 Exton, PA 19341	Chester	Uwchlan Township	Shamona Creek Watershed HQ-TSF-MF
PAI01 1508038-R	Toll PA VI, L. P. 250 Gilbraltor Road Horsham, PA 19044	Chester	Willistown Township	Traders Run and Serpentine Run HQ-TSF
PAI01 2304008-R	First Blackhawk, LLC P. O. Box 467 Concordville, PA 19331	Delaware	Middletown Township	Dismal Run HQ-TSF

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone 717.705.4802.*

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033610007	Drumore Crossings LP 120 West Germantown Pike Suite 120 Plymouth Meeting, Pa 19462	Lancaster	Drumore Township	Fishing Creek— Conowingo Creek/HQ-CWF
PAI033612010	CNA Construction, LLC 138 Bentley Lane Lancaster, Pa 17601	Lancaster	Martic Township	UNT to Pequea Creek (HQ/CWF)
PAI032204001R	Richard C. Angino King Drive Corporation 4503 North Front Street Harrisburg, Pa 17110-1708	Dauphin	Middle Paxton Township	Fishing Creek East (WWF)
PAI032912001	PA Turnpike Commission PO Box 67676 Harrisburg, Pa 17106	Fulton	Taylor Township	Tributary to Licking Creek (HQ)
PAI036712002	Stewart Associates 950 Smile Way York, Pa 17404	York	Hopewell Township	Deer Creek (CWF, WT)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI052612002	Deer Lake Improvement Association 446 Meadow Run Trail Chalk Hill, PA 15470	Fayette	Wharton Township	Meadow Run (HQ-CWF)
PAI056312005	South Strabane Township 550 Washington Road Washington Road, PA 15301	Washington	South Strabane Township	Little Chartiers Creek (HQ-WWF)
PAI050213002	Borough of West Mifflin 3000 Lebanon Church Road West Mifflin, PA 15122	Allegheny	West Mifflin Borough	Thompson Run (WWF)
PAI050313001	Armstrong County Industrial Development Authority 124 Armsdale Road Kittanning, PA 16201	Armstrong	South Buffalo Township	UNT to Pine Run (HQ-TSF) and UNT to Nicholson Run (WWF)
PAI050313002	Peoples TWP, LLC 834 Butler Road Kittanning, PA 16201	Armstrong	Sugarcreek Township	UNT to Buffalo Creek (HQ-TSF)

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

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 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
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site

PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges From the Application of Pesticides

*General Permit Type—PAG-02*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Hilltown Township Bucks County	PAG0200 0912058	DeLuca Homes, L.P. 370 E. Maple Avenue, Suite 101 Langhorne, PA 19047	Pleasant Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Downingtown Borough Chester County	PAG0200 1511021-R	Downingtown Borough 4 West Lancaster Avenue Downingtown, PA 19335	Brandywine Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
East Marlborough Township Chester County	PAG0200 1507063-R	Richard E. Basilio 505 School House Road Kennett Square, PA 19348	E. Branch Red Clay Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Penn Township Chester County	PAG0200 1513010	David Priebe 171 Rose View Drive West Grove, PA 19390	Unnamed Tributary to W. Branch White Clay Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Elverson Borough Chester County	PAG0200 1508020-R	Gary McEwen 3335 Morgantown Road Mohnton, PA 19540	E. Branch Conestoga River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Pennsbury Township Chester County	PAG0200 1513021	Unionville—Chadds Ford School District 740 Unionville Road Kennett Square, PA 19340	Brandywine Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
East Marlborough Township Chester County	PAG0200 1513006	East Marlborough Township 721 Unionville Road Kennett Square, PA 19348	Unnamed Tributary to West Branch Red Clay Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Chichester Township Delaware County	PAG0200 2313006	Upper Chichester Township 8500 Furey Road Boothwyn, PA 19014	Naaman's Creek East Branch WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lower Gwynedd Township Montgomery County	PAG0200 4613021	Margaret McGoldrick 1200 Old York Road Abington, PA 19001	Wissahickon Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Merion Township Montgomery County	PAG0200 4613023	Victor Orlando 301 East Montgomery Avenue Ardmore, PA 19003	Mill Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Horsham Township Montgomery County	PAG0200 4613028	Anthony A. Nichols, Jr. 5 Walnut Grove Drive, Suite 200 Horsham, PA 19044	Tributary A of Pennypack Creek Tributary # 1 TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Hatfield Borough Montgomery County	PAG0200 4606197	Mellon Bank Center 1735 Market Street, Suite 4010 Philadelphia, PA 19103	West Branch Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Salford Township Montgomery County	PAG0200 4613013	Leonard DelGrippo, Jr. 2965 West Germantown Pike P. O. Box 243 Fairview Village, PA 19409	West Branch Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Merion Township Montgomery County	PAG0200 4611010R	Mike Grantner 222 N. 17th Street Philadelphia, PA 19104	Schuylkill River	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Plains Township	PAG02004013004	Geisinger Health System—Al Neuner 100 N Academy Dr. Danville, PA 17822	Unnamed tributary to Mill Creek, CWF, MF	Luzerne Co. Cons. Dist. 570-674-7991
Wilkes-Barre Township	PAG02004013006	Kingston Hotel Partners LP—D.J. Meagher 840 W Market St. Kingston, PA 18704	Spring Run, CWF, MF	Luzerne Co. Cons. Dist. 570-674-7991
North Manheim Township	PAG02005407025R	Forino Company LP—John Smith 555 Mountain Home Rd. Sinking Spring, PA 19608	UNT to Schuylkill River, CWF, MF	Schuylkill Co. Cons. Dist. 570-622-3742
Butler Township	PAG020040120261	Donald Kellner 118 Old Airport Rd. Drums, PA	Nescopeck Creek, CWF, MF	Luzerne Co. Cons. Dist. 570-674-7991
Williams Township	PAG02004806029R	Greg Chrin Chrin Brothers Inc. 635 Industrial Dr. Easton, PA 18042	WWF, MF	Northampton Co. Cons. Dist. 610-746-1971
Upper Saucon Township	PAG02003907018(7)	Marc Albanese DeSales University 2755 Station Ave. Center Valley, PA 18034	Laurel Run, CWF, MF	Lehigh Co. Cons. Dist. 610-391-9583

*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>
Old Forge Borough Lackawanna County	PAG02003513007	Maple Leaf Village, Inc. 211 Amity Avenue Old Forge, PA 18518	St. John's Creek CWF, MF	Lackawanna County Conservation District 570-392-3086

*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717.705.4802*

*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>
Windsor Township, York County	PAG02006711054-1	Red Lion Municipal Authority Keith Kahwajy 11 East Broadway Red Lion, PA 17356	Cabin Creek (WWF, MF)	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Richmond Township, Berks County	PAI030613003	Joshua Zimmerman 15 Gift Road Hamburg, PA 19526	Moselem Creek (HQ, CWF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142

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

*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>
Athens Township Bradford County	PAG02000813009	Major Modification Michael P. Kelly Health Care Solutions 401 Moltke Ave Ste 100 Scranton PA 18505	Chemung River WWF	Bradford County Conservation District Stoll Natural Resource Center RR 5, Box 5030C Towanda, PA 18848 (570) 265-5539, X 6
Boggs Township Clearfield County	PAG02001713007	Robert Rovner PA Waste LLC 175 Bustleton Pike Featerville PA 19053	Clearfield Creek CWF, MF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Scott Township Columbia County	PAG02001912008	Lions Gate Commons Community 328 Buttonwood St Reading PA 19601	Fishing Creek CWF Kinney Run CWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310, X 102
Franklin Township Columbia County	PAG02001913003	Michael Stauffer 335 Reiners School Rd Tower City PA 17980	Susquehanna River WWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310, X 102
Point Township Northumberland County	PAG02004913008	Lithia Spring Sewer Project 759 Ridge Rd Northumberland PA 17857	Lithia Spring Creek CWF, MF Johnson Creek CWF, MF	Northumberland County Conservation District 441 Plum Creek Rd Sunbury, PA 17801 Phone: (570) 286-7114 ext. 4



<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Liberty Township Tioga County	PAG02005913006	Keith & Jewel Martin 65 Stone Rd Womelsdorf PA 19567	Blockhouse Creek CWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801, X 3
Kelly Township Union County	PAG02006008011R	David Gill Weis Markets Lewisburg 1000 S Second St Sunbury PA 17801	Buffalo Creek TSF	Union County Conservation District Union County Government Center 155 N 15th St Lewisburg PA 17837 (570) 524-3860

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

<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>
South Union Township Fayette County	PAG02002613002	Union Hospitality, Inc. 303 East 6th Avenue Tarentum, PA 15084	Coal Lick Run (WWF)	Fayette County CD 10 Nickman Plaza Lemont Furnace, PA 15456 (427) 438-4497
Pine Township Indiana County	PAG02003213004	Indiana County Municipal Authority 602 Kolter Drive Indiana, PA 15701	Yellow Creek (CWF) and Dutch Run (CWF)	Indiana County CD 625 Kolter Drive Suite 8 Indiana, PA 15701 (724) 471-4751

*Northwest Regional Office: Waterways and Wetlands, 230 Chestnut Street, Meadville PA*

<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>
Cranberry Township Butler County	PAG02001013007	Farmers National Bank 612 Main Street Emlenton PA 16373	Unt Brush Creek WWF	Butler County Conservation District 724-284-5270
Penn Township Butler County	PAG02001013008	PTV Nixon LLC 333 Harvey Avenue Suite Two Greensburg PA 15601	Thorn Creek CWF	Butler County Conservation District 724-284-5270
Washington Township Erie County	PAG02002511003R	Edinboro Legion Post 439 200 Fairway Drive Edinboro PA 16412	Unt Conneauttee Creek / Edinboro Lake WWF	Erie County Conservation District 814-825-6403
Girard Borough Erie County	PAG02002512022	Butternut Knoll LP 8191 Peach Street Erie PA 16509	Unt Elk Creek WWF; MF	Erie County Conservation District 814-825-6403
Harborcreek Township	PAG02002513008(1)	Hudson Student Housing LP 2450 Shenango Valley Freeway Hermitage PA 16148	Unt Four Mile Creek WWF; MF	Erie County Conservation District 814-825-6403
City of New Castle Lawrence County	PAG02003713004	North American Forgemasters Attn: Mr. Gary Fray 710 Moravia Street New Castle PA 16101	Neshannock Creek TSF; Shenango River WWF	Lawrence County Conservation District 724-652-4512
Sugarcreek Borough Venango County	PAG02006113001	Anchor Construction LLC 4085 Meghan Beeler Court South Bend IN 46628	Allegheny River WWF	Venango County Conservation District 814-676-2832

*General Permit Type—PAG-03**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>
Falls Township Bucks County	PAR800089	National RR Passenger Corp 400 West 31st Street, 4th FL New York, NY 10001	Unnamed Stream—2-E	Southeast Region Clean Water Program 484.250.5970
Cumberland County Hampden Township	PAR603564	Cumberland Auto Salvage Inc. 2385 Wertz Lane Enola, PA 17025	Sears Run / WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
York County York City	PAR203622	Pennex Aluminum Company 2205 Pennsylvania Avenue York, PA 17404	UNT to Codorus Creek / WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Patton Township Centre County	PAR214825	Essroc Ready Mix 123 Hawbaker Industrial Drive State College, PA 16803	Unnamed Tributary of Big Hollow—9-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664

*Northwest Region: Clean Water 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>
Millcreek Township Erie County	PAR808362	UPS Freight 521 North Center Avenue New Stanton, PA 15672	West Branch Cascade Creek 15-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-4**Northwest Region: Clean Water 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>
Greenfield Township Erie County	PAG041101	Paul Szustak 323 Private Road 2698, Alvord, TX 76225	Unnamed Tributary to the West Branch of French Creek 16-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-8**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Cooper Township, Clearfield County	PAG08 4834	Cooper Township Municipal Authority PO Box 446 Winburne, PA 16879	Grassflat Sewage Treatment Plant Cooper Township, Clearfield County	570-327-0526 NCRO
Cooper Township, Clearfield County	PAG08 4835	Cooper Township Municipal Authority PO Box 446 Winburne, PA 16879	Winburne Sewage Treatment Plant Cooper Township, Clearfield County	570-327-0256 NCRO

*General Permit Type—PAG-12*

<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 County Mount Joy Township	PAG123757	Esbenshade Farms North Farm 220 Eby Chiquies Road Mount Joy, PA 17552	Little Chickies Creek / TSF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lancaster County Rapho Township	PAG123756	Esbenshade Farms Mount Joy Farm 220 Eby Chiquies Road Mount Joy, PA 17552	Chickies Creek / WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lancaster County East Donegal Township	PAG123755	Esbenshade Farms Maytown Farm 220 Eby Chiquies Road Mount Joy, PA 17552	UNT of Susquehanna River / WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Derry Township Montour County	PAG124831	Drost Pete 4070 Mountain Street Beamsville, ON LOR1B-7	Unnamed Tributary to Mud Creek—10-D	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Summit Township Erie County	PAG128302	Presque Isle Downs Inc. 8199 Perry Highway Erie, PA 16509-6714	Walnut Creek 15-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-13*

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

<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>
Plymouth Township Montgomery County	PAG130008	Plymouth Township Montgomery County 700 Belvoir Road Plymouth Meeting, PA 19462	Diamond Run, Plymouth Creek and Sawmill Run—3-F	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Upper Darby Township Delaware County	PAG130003	Upper Darby Township Delaware County 100 Garrett Road Upper Darby, PA 19082	Cobbs Creek, Darby Creek, Lewis Run, Muckinipattis Creek, Naylor's Run and Unnamed Tributary to Cobbs Creek—3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Lower Merion Township Montgomery County	PAG130064	Lower Merion Township Montgomery County 75 E Lancaster Avenue Ardmore, PA 19003	Arrowmink Creek, East Branch Indian Creek, Glanraffan Creek, Gully Run, Mill Creek, Sawmill Run, Schuylkill River, Trout Run and West Branch Indian Creek—3-F and 3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970

<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>
Springfield Township Delaware County		PAG130130	Springfield Township Delaware County 50 Powell Road Springfield, PA 19064		Crum Creek, Darby Creek, Lewis Run, Little Crum Creek, Muckinipattis Creek, Stony Creek and Whiskey Run—3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>		<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG133586	Manchester Borough 225 South Main Street Manchester, PA 17345		York	Manchester	Hartman Run Musser Run / WWF / MF	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4707
PAG133589	Hellam Township 44 Walnut Spring Road York, PA 17046		York	Hellam	Kreutz Creek, UNT to Kreutz Creek, UNT to Susquehanna River / WWF / MF	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4707
PAG133717	PA Dept. of Corr Camp Hill State Corr Institution 1920 Technology Parkway Mechanicsburg, PA 17050		Cumberland	Lower Allen	Cedar Run / CWF / MF	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4707
PAG133595	York Township 190 Oak Road Dallastown, PA 17313-9300		York	York	Inners Creek, Mill Creek, UNT of Codorus Creek, UNT to Barshinger Creek, UNT to East Branch Codorus Creek. UNT to Mill Creek / CWF, MF, WWF, MF	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4707
PAG133587	Millersville Borough 100 Municipal Drive Millersville, PA 17551-1424		Lancaster	Millersville Borough	Conestoga River, Little Conestoga Creek, UNT to Conestoga River / WWF, MF	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4707

## PUBLIC WATER SUPPLY PERMITS

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483.

TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

### SAFE DRINKING WATER

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

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

**Permit No. 0913506**, Public Water Supply.

Applicant	<b>Upper Makefield Township</b> 1076 Eagle Road Newtown, PA 18940
Township	Upper Makefield
County	<b>Bucks</b>
Type of Facility	PWS
Consulting Engineer	CKS 88 S. Main Street Doylestown, PA 18901
Permit to Construct Issued:	June 18, 2013

**Operations Permit # 4613507** issued to: **PA American Water Company**, 800 West Hershey Park Drive [(PWSID)] Lower Makefield Township, **Bucks County** on June 18, 2013 for the operation of the Highland Drive Tank and Certification of 4-Log Treatment of Viruses, facilities approved under construction permit# 0912519.

**Operations Permit # 4613508** issued to: **Yerkes Water Associates**, [(PWSID)] Lower Providence Township, **Montgomery County**, June 18, 2013 for the operation of Chlorine Contact Piping and Certification of 4-Log Treatment of Viruses approved under construction permit# 4612509

**Operations Permit# 1513510** issued to: **Elverson Water Company, Inc.**, [(PWSID)] Elverson Borough, **Chester County** on June 18, 2013 for the Certification of 4-Log Treatment of Viruses at Entry Points 101 and 102.

**Operations Permit# 1513515** issued to: **Warwick Water Works**, [(PWSID)] Warwick Township, **Chester County** on June 18, 2013 for the Certification of 4-Log Treatment of Viruses at Entry Point 101.

**Operations Permit# 15135211** issued to: **Atglen Borough**, [(PWSID)] West Sadsbury Township, **Chester County** on June 18, 2013 for Atglen Borough New Well No. 4 and Well House with Treatment and the operation of facilities approved under construction permit # 1512508.

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

**Permit No. 3613502**, Public Water Supply.

Applicant	<b>Good Enterprises, Ltd.</b>
Municipality	Leacock Township
County	<b>Lancaster</b>
Responsible Official	Larry L Miller, Water System Operator 2021 Horseshoe Road Lancaster, PA 17602
Type of Facility	The Good Scoop—Installation of a nitrate treatment system.
Consulting Engineer	David Lewis, P.E. 337 Furnace Hill Road Elizabethtown, PA 17022
Permit to Construct Issued:	6/26/2013

**Permit No. 0713507 MA, Minor Amendment**, Public Water Supply.

Applicant	<b>Westood Park Water Company</b>
Municipality	Logan Township
County	<b>Blair</b>
Responsible Official	George Sackandy, President 3832 Juniata Gap Road Altoona, PA 16601
Type of Facility	Installation of 50' of 14" contact pipe to increase chlorine contact time to meet 4-Log Treatment of Viruses for GWR.
Consulting Engineer	Kerry D Tyson, P.E. Nittany Engineering & Associates LLC 2836 Earlstown Road Centre Hall, PA 16828
Permit to Construct Issued:	6/26/2013

**Permit No. 0712504**, Public Water Supply.

Applicant	<b>Martinsburg Municipal Authority</b>
Municipality	North Woodbury Township
County	<b>Blair</b>
Responsible Official	Jeffrey L Garner, President 110 South Walnut Street Martinsburg, PA 16662
Type of Facility	Construction of replacement well source Well No. RW-1 to replace existing well source Well No. 1.
Consulting Engineer	Lawrence J Lennon, P.E. Lennon, Smith, Souleret Engineering, Inc. 846 Fourth Ave. Coraopolis, PA 15108-1522
Permit to Construct Issued:	6/27/2013

**Permit No. 2213502 MA, Minor Amendment, Public Water Supply.**

Applicant **Mountainview Thoroughbred Racing Association**  
 Municipality East Hanover Township  
 County **Dauphin**  
 Responsible Official Dihn Vu  
 777 Hollywood Boulevard  
 Grantville, PA 17028  
 Type of Facility Application for the repainting of the finished water storage tank located at the Penn National Race Course.  
 Consulting Engineer Not Available  
 Permit to Construct 6/20/2013  
 Issued:

**Operations Permit** issued to: **J & T Rentals**, 7220048, Washington Township, **Dauphin County** on 6/19/2013 for the operation of facilities approved under Construction Permit No. 2212502 MA.

**Operations Permit** issued to: **GSP Management Company**, 4070050, Allegheny Township, **Blair County** on 6/21/2013 for the operation of facilities approved under Construction Permit No. 0712501 MA.

**Operations Permit** issued to: **Timber Service Corporation**, 7380022, South Londonderry Township, **Lebanon County** on 6/19/2013 for the operation of facilities approved under Construction Permit No. 3812504 MA.

**Operations Permit** issued to: **Locust Grove MHP**, 7380008, East Hanover Township, **Lebanon County** on 6/21/2013 for the operation of facilities approved under Construction Permit No. 3812505 MA.

**Operations Permit** issued to: **Berks Leisure Living**, 3060132, Bern Township, **Berks County** on 6/17/2013 for the operation of facilities approved under Construction Permit No. 0612512 MA.

**Operations Permit** issued to: **Ore Hill Water Association**, 4070297, Taylor Township, **Blair County** on 6/25/2013 for the operation of facilities approved under Construction Permit No. 0713504 MA.

**Operations Permit** issued to: **Dillsburg Area Authority**, 7670071, Carroll Township, **York County** on 6/17/2013 for the operation of facilities approved under Construction Permit No. 6713509 MA.

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

**Permit No. MA-GWR—Operation Public Water Supply.**

Applicant **Mount Eagle Water Association**  
 Township/Borough Howard Township  
 County **Centre**  
 Responsible Official Mr. Matthew Milliron  
 2705 Old 220 Road  
 Howard, PA 16841  
 Type of Facility Public Water Supply  
 Consulting Engineer K. Alan Uhler, Jr., P.E., PLS  
 Kerry A. Uhler & Assoc., Inc.  
 140 West High Street  
 Bellefonte, PA 16823

Permit Issued 6/21/13  
 Description of Action 4-log inactivation of viruses at Entry Point 100 (Well No. 1).

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

Applicant **Irvona Municipal Authority**  
 Township/Borough Beccaria Township  
 County **Clearfield**  
 Responsible Official Mr. Don Morrison  
 Irvona Municipal Authority  
 P.O. Box 247  
 230 Hemlock Street  
 Irvona, PA 16656  
 Type of Facility Public Water Supply  
 Consulting Engineer N/A  
 Permit Issued 6/25/13  
 Description of Action Interconnection with BCI Municipal Authority.

**Mountaintop Regional Water Authority and Pine Glenn Water Association** (Public Water Supply), **Centre County**: On June 28, 2013, the Safe Drinking Water Program approved the Source Water Protection (SWP) plan for Mountaintop Regional Water Authority and Pine Glenn Water Association. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP plan was funded by the Department of Environmental Protection (John C. Hamilton, P.E. (570) 327-3650).

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

**Operations Permit** issued to: **Pittsburgh Water & Sewer Authority**, Penn Plaza I, 1200 Penn Avenue, Pittsburgh, PA 15222, (PWSID #5020038) City of Pittsburgh, **Allegheny County** on June 20, 2013 for the operation of facilities approved under Construction Permit # 0212519MA.

**Operations Permit** issued to: **North Fayette County Municipal Authority**, 1634 University Drive, PO Box 368, Dunbar, PA 15431, (PWSID #5260019) Dunbar Township, **Fayette County** on June 20, 2013 for the operation of facilities approved under Construction Permit # 2611503.

**Operations Permit** issued to: **North Fayette County Municipal Authority**, 1634 University Drive, PO Box 368, Dunbar, PA 15431, (PWSID #5260019) Dunbar Township, **Fayette County** on June 20, 2013 for the operation of facilities approved under Construction Permit # 2610510MA.

**Operations Permit** issued to: **North Fayette County Municipal Authority**, 1634 University Drive, PO Box 368, Dunbar, PA 15431, (PWSID #5260019) Dunbar Township, **Fayette County** on June 20, 2013 for the operation of facilities approved under Construction Permit # 2610511MA.

**Operations Permit** issued to: **Borough of Brackenridge**, 1000 Brackenridge Avenue, Brackenridge, PA 15014, (PWSID #5020006) Brackenridge Borough, **Allegheny County** on June 24, 2013 for the operation of facilities approved under Construction Permit # 0289508A2.

**Operations Permit** issued to: **Dunkard Valley Joint Municipal Authority**, PO Box 193, Greensboro, PA 15338, (PWSID #5300005) Monongahela Township, **Greene County** on June 26, 2013 for the operation of facilities approved under Construction Permit # 3008501.

**Operations Permit** issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, (PWSID #5320025) White Township, **Indiana County** for the operation of facilities approved under an emergency permit issued on June 26, 2013.

**Permit No. 0213509MA, Minor Amendment.** Public Water Supply.

Applicant **Borough of Sewickley Water Authority**  
601 Thorn Street  
Sewickley, PA 15143

[Borough or Township] Sewickley Heights Borough

County **Allegheny**

Type of Facility Water system

Consulting Engineer The EADS Group, Inc.  
450 Aberdeen Drive  
Somerset, PA 15501

Permit to Construct June 27, 2013  
Issued

**Permit No. 0213518MA, Minor Amendment.** Public Water Supply.

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

[Borough or Township] South Fayette Township

County **Allegheny**

Type of Facility Mayview water storage tanks

Consulting Engineer Lennon, Smith, Souleret  
Engineering, Inc.  
846 Fourth Avenue  
Coraopolis, PA 15108

Permit to Construct June 20, 2013  
Issued

**Permit No. 0310509GWR, Minor Amendment.** Public Water Supply.

Applicant **Eastern Armstrong County Municipal Authority**  
PO Box 262  
Elderton, PA 15736

[Borough or Township] Elderton

County **Armstrong**

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Co.,  
Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650

Permit to Operate June 20, 2013  
Issued

**Permit No. 0488512-T1, Minor Amendment.** Public Water Supply.

Applicant **Robert Borland, Owner**  
Whispering Woods  
479 Big Knob Road  
Rochester, PA 15074

[Borough or Township] New Sewickley

County **Beaver**

Type of Facility Water system

Consulting Engineer

Permit to Operate June 20, 2013  
Issued

**Permit No. 6589504-T2, Minor Amendment.** Public Water Supply.

Applicant **Covenant Mobile Park, LLC**  
1 Vandercastle Road  
Sterling, VA 20167

[Borough or Township] Unity Township

County **Westmoreland**

Type of Facility Water system

Consulting Engineer

Permit to Operate June 20, 2013  
Issued

**Permit No. 0409511GWR, Minor Amendment.** Public Water Supply.

Applicant **S2 Properties**  
PO Box 24509  
831 Sleepy Hollow Road, Apt. E  
Pittsburgh, PA 15234

[Borough or Township] New Sewickley Township

County **Beaver**

Type of Facility Colonial Glenn Estates water system

Consulting Engineer

Permit to Operate June 20, 2013  
Issued

**Permit No. 0409511GWR, Minor Amendment.** Public Water Supply.

Applicant **Stonewood Family Partnership, LP**  
116 East Pittsburgh Street  
Greensburg, PA 15601

[Borough or Township] Independence Township

County **Beaver**

Type of Facility Independence Park water system

Consulting Engineer

Permit to Operate June 20, 2013  
Issued

**Permit No. 3211502GWR, Minor Amendment.** Public Water Supply.

Applicant **Clymer Borough Municipal Authority**  
470 Adams Street  
Clymer, PA 15728

[Borough or Township] Clymer Borough

County **Indiana**  
 Type of Facility Water system  
 Consulting Engineer  
 Permit to Operate June 27, 2013  
 Issued

**Permit No. 4560299-T1, Minor Amendment.** Public Water Supply.

Applicant **Cairnbrook Improvement Association**  
 PO Box 264  
 Cairnbrook, PA 15924

[Borough or Township] Shade Township  
 County **Somerset**  
 Type of Facility Water system  
 Consulting Engineer  
 Permit to Operate June 26, 2013  
 Issued

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

**Operation Permit** issued to **Burch Farms, Inc.**, PWSID #6250994, North East Township, **Erie County**. Permit Number 2512511 issued June 20, 2013 for the operation of the Burch Farms Country market water treatment upgrades. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on June 5, 2013.

**Operation Permit** issued to **Carl E. Ames d/b/a Ames Mobile Home Park**, PWSID #6200054, Oil Creek Township, **Crawford County**. Permit Number 2007505-T1-MA1 issued June 25, 2013 for the operation of 4-Log treatment of viruses for Entry Points 101 and 102. This action is taken under the requirements of the Groundwater Rule.

**Construction/Operation Permit** issued to **Barkeyville Municipal Authority**, PWSID #6610036, Barkeyville Borough, **Venango County**, for the construction/operation of the existing wells known as "Well No. 1" and "Well No. 2". Construction and Operation authorized simultaneously under permit number 6112503 issued June 27, 2013.

**Permit No. 4313503** Public Water Supply  
 Applicant **New Wilmington Livestock Auction, Inc.**  
 Township or Borough Wilmington Township  
 County **Mercer**  
 Type of Facility Public Water Supply  
 Consulting Engineer Norman P. Straub, P.E.  
 404 Elliott Road  
 Grove City, PA 16127  
 Permit to Construct June 26, 2013  
 Issued

**Operation Permit** issued to **LMR Enterprises, Inc.**, PWSID #5100016, Summit Township, **Butler County**. Permit Number 1095505-MA1 issued June 26, 2013 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

**Operation Permit** issued to **Pennsylvania American Water Company**, PWSID #6370011, Various Municipalities, **Beaver, Butler and Lawrence Counties**. Per-

mit Number 3713501 issued June 28, 2013 for removal of the Jackson Township well and treatment from the existing consolidated Ellwood City permit.

**Cancellation of Permit** issued to **Pennsylvania American Water Company**, PWSID #6370011, Various Municipalities, **Beaver, Butler and Lawrence Counties**. This action represents the cancellation of Permit Number 3702502 issued May 11, 2004. This action is a result of the Department being unable to take action against Permit No. 3702502 without impacting the permit status of the remainder of the facilities covered by the permit, the Department will reissue the operation permit minus the Jackson Township Industrial Park facilities.

**Operation Permit** issued to **Mr. Michael C. Ernst d/b/a Eagle Crest Manor Mobile Home Park**, PWSID #6200074, Union Township, **Crawford County**. Permit Number 2097502-MA1 issued June 28, 2013 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

**Emergency Operation Permit** issued to **Winslow Township**, PWSID #6330020, Winslow Township, **Jefferson County** on June 28, 2013. This permit is issued for the construction and operation of the Sodium Hypochlorite booster chlorination facilities at the Soldier Water System booster pump station. This permit expires on October 25, 2013.

**Operation Permit** issued to **Mr. James Frederick d/b/a Frederick's Mobile Home Park**, PWSID #6370025, New Beaver Borough, **Lawrence County**. Permit Number 3787505-T1-MA1 issued July 1, 2013 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

**Operation Permit** issued to **Ms. Anna Woodworth d/b/a Country Village Mobile Home Estates**, PWSID #6430064, South Shenango Township, **Crawford County**. Permit Number 2087504-MA1 issued July 1, 2013 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

**Operation Permit** issued to **Meadows Manor, Inc.**, PWSID #5100424, Jefferson Township, **Butler County**. Permit Number 1003502-MA1 issued July 1, 2013 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

#### WATER ALLOCATIONS

**Actions taken on applications received under the Act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.**

*Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**WA 18-116B, Water Allocations.** The City of Lock Haven, 20 East Church Street, Lock Haven, PA 17745, City of Lock Haven, **Clinton County**. This Water Allocation Permit grants the City of Lock Haven the right to withdraw an annual average of 2,900,000 gallons per day and a maximum of 3,900,000 gallons per day from Keller Reservoir in Wayne Township, Clinton County.

**WA-231A, Water Allocations.** Coudersport Borough Authority, 201 South West Street, Coudersport, PA 16915, Coudersport, **Potter County**. This Water Alloca-



tion Permit Modification Order orders that Coudersport Borough Authority's Water Allocation Permit be modified to remove East Spring as a source of water approved under the allocation permit issued on December 12, 1986. This source is not used for public water supply purposes and is not connected in any way to the public water system.

#### 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>
Upper Mifflin Township	455 Whiskey Run Road Newville, PA 17241	Cumberland

*Plan Description:* Approval of a revision to the official plan of Upper Mifflin Township, Cumberland County. The project is known as Thomas J. Derick. The plan provides for one new single family dwelling served by a small flow treatment facility with discharge to an un-named tributary of Three Square Hollow Run. The proposed development is located at 1101 Roxbury Road. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-21931-103-3s and the APS Id is 811490. Any permits must be obtained in the name of the property owner.

###### Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lower Allen Township	2233 Gettysburg Road Camp Hill, PA 17011-7302	Cumberland

*Plan Description:* Approval of a revision to the official plan of Lower Allen Township, Cumberland County. The project is known as Josephine Snead. The plan provides for the sewage system repair of one single family dwelling with a small flow treatment facility and discharge to an un-named tributary of the Yellow Breeches Creek. The proposed development is located at 1465 Raven Hill Road. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-21912-231-3s and the APS Id is 811155. Any permits must be obtained in the name of the property owner.

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

#### Notice of Proposed Interim Response Kwiatkowski Landfill Site Hickory Township, Lawrence County

The Pennsylvania Department of Environmental Protection ("Department"), under the authority of the Hazardous Sites Cleanup Act, 35 P. S. § 6020.101 et. seq. ("HSCA"), has determined that an interim response is necessary at the Kwiatkowski Landfill Site ("site"). The site is located approximately one mile east of the city of

New Castle in Hickory Township, Lawrence County, Pennsylvania, on the north side of County Line Road.

The site consists of an approximately 85-acre abandoned mixed waste landfill, currently owned by the estates of brothers, Rudolph and Chester Kwiatkowski. The site lies to the north of County Line Road. An industrial area is located at the main entrance to the site. The main disposal area is located 100 feet west of the industrial area. Part of the site has three waste disposal impoundments, located in the southwest corner of the site, immediately adjacent to County Line Road. The impoundments are accessed from County Line Road via an access road. Two of these areas ("sludge lagoon 1 & 2") contain industrial sludge wastes. Each lagoon measures approximately 40 feet by 15 feet by 5 feet deep. A third area ("pottery waste impoundment") previously contained pottery waste which has degraded over time. The pottery waste impoundment measures approximately 90 feet by 40 feet by 1 foot. Collectively, sludge lagoons 1 & 2 and the pottery waste impoundment are identified as Operable Unit 1. Operable Unit 1 is the subject of this response.

In, 1985, 1987 and 1993 the United States Environmental Protection Agency ("USEPA") conducted environmental investigations at the Site that included sampling the wastes and sediments in Operable Unit 1. In 1995, 1996 and 2004, the Department also investigated and sampled surface wastes and surface water at Operable Unit 1 the site.

These investigations revealed elevated levels of chlorinated solvents, and aromatic compounds. Specifically, soils and sediments in Operable Unit 1 contained high concentrations trichloroethylene, xylene, 1,1,2,2-tetrachloroethane, 1,1,2-trichloroethane, 1,2-dichloroethene, 1,2-dichloropropane, benzene, bromodichloromethane, carbon tetrachloride, chloroform, methyl chloride, tetrachloroethene, toluene, vinyl chloride, 2,4-dinitro-phenol, bis(2-chloroethyl)ether, hexachlorobenzene, m-nitro-aniline, N-nitrosodi-N-propylamine, and pentachlorophenol. Several heavy metals, including lead, arsenic were also detected over the Statewide Health Standards for Residential Direct Contact pursuant to the Pennsylvania Land Recycling and Environmental Remediation Standards Act ("Act 2").

These elements and chemical compounds are "hazardous substances" pursuant to Section 103 of the HSCA, 35 P. S. § 6020.103. The presence of these hazardous substances in Site surface water, sediment, and waste and soil constituted a "release" and "threatened release" of hazardous substances at the Site pursuant to Section 103 of the HSCA, 35 P. S. § 6020.103.

The Department's two main objectives of the interim response action proposed for the site were: 1) to protect the public and environmental receptors from direct contact and inhalation risks with site-related hazardous substances, and 2) to eliminate the ongoing release and threat of release of hazardous substances into the environment from contaminated soil.

The Department considered three alternatives for the interim response: 1) no action, 2) fencing Operable Unit 1, and 3) excavation and removal of wastes contained in Operable Unit 1 and associated contaminated soils for proper off-site disposal.

In light of the above objectives, the Department evaluated each alternative to determine: (1) the extent to which each alternative protects the public health and the environment; (2) the extent to which each alternative is

feasible, effective, implementable and permanent; (3) the relative cost of each alternative; and (4) the extent to which each alternative complies with or otherwise addresses the cleanup standards of Act 2, Pennsylvania Solid Waste Management Act, the Pennsylvania Clean Streams Law, and other Applicable or Relevant and Appropriate Requirements (“ARARs”); the extent to which each alternative was feasible, effective, implementable and permanent; and the relative cost effectiveness of each alternative.

Pursuant to Section 505(b) of HSCA, 35 P. S. § 6020.505(b), the Department proposes Alternative 3 as the interim response at the site. Alternative 3 is proposed because it would, in the most cost effective manner, protect the public and environmental receptors from direct contact with site-related hazardous substances and eliminate the ongoing release and threat of release of hazardous substances into the environment.

The response protects the public health and environment; complied with or otherwise addressed all ARARs relating contaminated soil removal and disposal, was feasible, implementable, permanent and effective to the maximum extent practicable; and was cost effective. The proposed action addressed the identified immediate threats to human health and the environment.

The proposed interim response is not a final remedial response pursuant to Section 504 of HSCA, and, therefore, is not required to meet the cleanup standards that apply to final remedial responses. However, the proposed alternative is consistent with any potential future remedial actions and future investigation activities.

This notice is being provided pursuant to Section 506(b) of HSCA. The administrative record, which contains the information that forms the basis and documents the selection of this response, is available for public review and comment. The administrative record is located at the Department’s Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, and is available for review Monday through Friday from 8:00 a.m. to 4:00 p.m. Please telephone for an appointment at: 814-332-6648.

The administrative record will be open for comment from June 29, 2013 until September 27, 2013. Persons may submit written comments into the record during this time only. Comments should be sent to Mr. Colin Kosinski, Project Manager, at the Department’s Northwest Regional Office or by delivering them to the office in person.

The Department will hold a public meeting on August 7, 2013, at 6:00 p.m., to briefly describe the Department’s proposed interim response. The meeting’s purpose will be for the Department to answer the public’s questions concerning the response at the site. The meeting will be held at Laurel high School, located at 2497 Harlansburg Road, New Castle, PA 16101. Also, the public will have an opportunity to present oral comments, for inclusion into the administrative record, regarding the proposed interim response, at a public hearing following the public meeting.

Persons with a disability who wish to attend the meeting or hearing and require auxiliary aid, service or other accommodations to participate in the proceedings, should call Mr. Kosinski at (814) 332-6648 or through the Pennsylvania AT & T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 2

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

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

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

The Department has received the following plans and reports:

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

**Bethlehem Commerce Center Site**—SI-1 Area, City of Bethlehem, Northampton County, James Koval, HDR Engineering, Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015-2165 has submitted a Remedial Investigation Report/Cleanup Plan on behalf of his client Mr. Kerry Wrobel, Lehigh Valley Industrial Park, Inc., 1720 Spillman Drive, Suite 150, Bethlehem, PA 18015-2164, concerning the proposed remediation measures will include fencing off the entire site to restrict access and with portions of the site capped with an appropriate soil cover which will eliminate the potential for any long-term direct contact exposure pathways. Land use restrictions will also be placed on the site to prohibit future development and the construction of buildings and sub-grade infrastructure. The applicant proposes to remediate the

site to meet the Site-Specific Standards for soil. A summary of the notice was published in *The Morning Call*, on March 31, 2013.

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

**Cardinal USA Fuel Oil Company**, Home Heating Oil Tanker Rollover, 731-733 Nottingham Road, Peach Bottom, PA 17563, Fulton Township, **Lancaster County**. Crawford Environmental Services, LLC, 195 Proudfoot Drive, Birdsboro, PA 19508, on behalf of Cardinal USA Fuel Oil Company, 4985 Lancaster Avenue, Philadelphia, PA 19131; Barnyard Boys, 731 Nottingham Road, Peach Bottom, PA 17563; Samuel Stoltzfus, 733 Nottingham Road, Peach Bottom, PA 17563; and Crum & Forster, 10350 Richmond Avenue, Suite 300, Houston, TX 77042, submitted a Final Report concerning remediation of site soils and groundwater contaminated with No. 2 Fuel Oil released from a tanker truck accident. The report is intended to document remediation of the site to meet the Residential Statewide Health standard.

**Peter Styer Residence**, 17 Church Street, Lititz, PA 17543, Warwick Township, **Lancaster County**. Reliance Environmental, Inc., 130 East Chestnut Street, Lancaster, PA 17602, on behalf of Peter Styer and Sandra Kaye Styer, 17 Church Street, Lititz, PA 17543, submitted a Final Report concerning remediation of site soils and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health and Site Specific standards.

**Homes at Thackston Park**, 335 West College Avenue, York, PA 17401, City of York, **York County**. SSM Group, Inc., 1047 North Park Road, PO Box 6307, Reading, PA 19610-0307, on behalf of Thackston Park, LP, 31 South Broad Street, York, PA 17403, submitted a Remedial Investigation/Final Report concerning remediation of site soils contaminated with chlorinated solvents and No. 2 fuel oil. The report is intended to document remediation of the site to meet a combination of the Residential Statewide Health and Site Specific standards. Groundwater will be addressed in a separate report.

**Fillings Dry Cleaners**, 3885 Columbia Avenue, Mountville, PA 17554, West Hempfield and Manor Townships, **Lancaster County**. Geological Services, Inc., PO Box 578, Rock Hall, MD 21661, on behalf of Fillings Clothing, 681 Harrisburg Avenue, Lancaster, PA 17603, submitted a Remedial Investigation Report concerning site soils and groundwater contaminated with chlorinated solvents. The site is being remediated to the Site Specific standard.

**Donegal Springs Airpark**, 186 Airport Road, Marietta, PA 17547-9105, East Donegal Township, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of N71, Incorporated, PO Box 269, Dameron, MD 20626, submitted a Remedial Investigation and Final Report for site soils contaminated with trimethylbenzenes. The combined report is intended to document remediation of the site to meet the Site Specific standard.

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

**Former CSX Bayfront Site**, West Sassafras Street approximately 1,600 feet on north side of Bayfront Highway, City of Erie, **Erie County**. AMEC Environment & Infrastructure, Inc., 800 North Bell Avenue, Suite 200,

Pittsburgh, PA 15106, on behalf of Erie County Convention Center Authority, submitted a Remedial Investigation/Risk Assessment Report/Cleanup Plan concerning the remediation of site soil contaminated with Aluminum, Antimony, Arsenic, Cadmium, Chromium, Cobalt, Iron, Manganese, Thallium, Zinc, Benzo[a]-anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Benzo[g,h,i]perylene, Benzo[k]fluoranthene, Carbazole, Dibenz[a,h]anthracene, Indeno[1,2,3-cd]pyrene, Phenanthrene and site groundwater contaminated with Arsenic, Barium, Chromium, Cobalt, Iron, Lead, Manganese, Thallium, Acenaphthylene, Benzo[a]anthracene, Benzo[a]-pyrene, Benzo[b]fluoranthene, Benzo[g,h,i]perylene, 1,1'-Biphenyl, Carbazole, Dibenz[a,h]anthracene, Dibenzofuran, Di-n-octylphthalate, Indeno[1,2,3-cd]pyrene, 2-Methylnaphthalene, Naphthalene, Phenanthrene, Benzene, cis-1,2-Dichloroethene, Ethylbenzene, and Methylcyclohexane. The report is intended to document remediation of the site to meet the Site-Specific Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

**7311 Airport Road (Keystone Cement Company)**, 7311 Airport Road, East Allen Township, **Northampton County**, Patrick Crawford, Crawford Environmental Services, has submitted a Final Report on behalf of his client Jeff Smith, 7311 Airport Road, Bath, PA 18014, concerning the remediation of soil resulting from a spill due to an overflow of 60 gallons of heating oil to a 4000 gallon aboveground storage tank. The report documented attainment of the Non-Residential Statewide Health Standard for soil and was approved on June 19, 2013. The report was submitted within 90 days of the release.

**Rutkowski 6H Well site**, 3846 Glenwood Road, Lenox Township, **Susquehanna County**, Dawn Washo, Resource Environmental, has submitted a Final Report on behalf of her client, Andy Mehalko, Cabot Oil & Gas, 5 Penn Center West, Suite 401, Pittsburgh, PA 15276, concerning the remediation of soil resulting from virgin brine (superior liquid salt-bulk brine solution) release. The report documented attainment of the Background Standard for soil and was approved on June 25, 2013. The report was submitted within 90 days of the release.

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

**Kaufman Hall (Dickinson College)**, 400 West North Street, Carlisle, PA 17013, Borough of Carlisle, **Cumberland County**. Herbert, Rowland & Grubic, Inc., 369 East Park Drive, Harrisburg, PA 17111, on behalf of Dickinson College, PO Box 1773, Carlisle, PA 17013, submitted a Remedial Investigation Report/Final Report concerning remediation of site soils and groundwater contaminated with chlorinated solvents, PAHs, PCBs and VOCs from the historical manufacture of radio crystals and electrical components. The Remedial Investigation/Final Report did not demonstrate attainment of the Site Specific and Residential Statewide Health standards, and was disapproved by the Department on June 27, 2013.

**Landisville Railroad**, East Hempfield Township, **Lancaster County**. Herbert, Rowland & Grubic, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Landisville Railroad, LLC, 3901 Nolt Road, Landisville, PA 17538, and Amherst Industries, Inc., 3901 Nolt Road, Landisville, PA 17538, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with VOCs, SVOCs and inorganics. The combined report demonstrated attainment of the Statewide Health and Site Specific standards, and was approved by the Department on June 26, 2013.

**Hershey 19 East Facility—The Hershey Company**, 19 East Chocolate Avenue, Hershey, PA 17033, Derry Township, **Dauphin County**. Langan Engineering and Environmental Services, PO Box 1569, Doylestown, PA

18901, on behalf of Chocolate Realty DST, 10 Tara Boulevard, Suite 103, Nashua, NH 03062 and The Hershey Company, 100 Crystal A Drive, Hershey, PA 17033, submitted a Remedial Investigation Report concerning remediation of site soils and groundwater contaminated with VOCs, SVOCs, pesticides and inorganics. The Report was disapproved by the Department on June 18, 2013. The site is being remediated to a combination of the Residential Statewide Health and Site Specific standards.

**Norfolk Southern / Rutherford Intermodal Transfer Facility**, 5050 Paxton Street, Harrisburg, PA 17111, Swatara Township, **Dauphin County**. Cardno MM&A, 535 Industrial Road, Bluefield, VA 24605, on behalf of Consolidated Rail Corporation, 1000 Howard Boulevard, Mount Laurel, NJ, 08054; and Norfolk Southern Railway Company, 1200 Peachtree Street, NE—Box 13, Atlanta, GA 30309 submitted a Final Report concerning groundwater contaminated with PCBs, chlorinated solvents and VOCs. The Final Report did not demonstrate attainment of the Site Specific standard, and was disapproved by the Department on June 18, 2013.

**Former Glidden Paints Facility / City Limits Industrial Park**, 1853 North 3rd Street, Reading, PA, City of Reading, **Berks County**. Liberty Environmental, Inc., 50 North 5th Street, 5th Floor, Reading, PA 19601, on behalf of Greater Berks Development Fund, PO Box 8621, Reading, PA 19603-8621, submitted a Baseline Remedial Investigation Work Plan concerning the remediation of site soils and groundwater contaminated with VOCs, SVOCs, and metals. The site is being remediated as a Special Industrial Area. The Work Plan was approved by the Department on June 21, 2013.

**Former Exxon Mobil Oil Corporation—Mt. Union Terminal #37-058**, 15534 Croghan Pike, Mt. Union, PA 17260, Shirley Township, **Huntingdon County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of ExxonMobil Environmental Services, 38 Varick Street, Brooklyn, NY 11222, submitted a combined Remedial Investigation Report and Final Report concerning remediation of site soils and groundwater contaminated with leaded and unleaded gasoline. The combined Remedial Investigation and Final Report did not demonstrate attainment of the Nonresidential Statewide Health and Site Specific standards, and was disapproved by the Department on June 28, 2013.

**Carlisle Town Center**, 321 Cherry Street, Carlisle, PA 17103, Carlisle Borough, **Cumberland County**. BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011, on behalf of Downtown Construction Company, LLC, 2201 Barren Hill Road, Conshohocken, PA 19428, submitted a combined Remedial Investigation and Final Report for groundwater contaminated with petroleum and chlorinated VOCs. The combined report demonstrated attainment of the Site-Specific standard, and was approved by the Department on June 21, 2013. Soils were addressed in a separate report.

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

**Former Invensys Appliance Controls Facility**, Former Robertshaw Controls, Solvent Impacted Act 2 Site, New Stanton Borough, **Westmoreland County**. CB & I Inc., 2970 Mossie Boulevard, Monroeville, PA 15146 on behalf of the Invensys Inc., 33 Commercial Street, Foxboro, Massachusetts, 02035 has submitted a Human Health/Ecological Risk Assessment for the Solvent Im-

pacted Act 2 Site concerning the remediation of site soil and groundwater contaminated with chlorinated solvents. The Remedial Investigation Report was noticed in the *Pittsburgh Tribune Review* on May 17 2013.

#### HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

**Applications issued, under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate or for the closure and post-closure care of a Hazardous Waste Treatment, Storage or Disposal Facility.**

*Southwest Regional Office, Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000.*

**Permit ID No. PAD987335379. Babcock & Wilcox Power Generation Group, Inc.,** 20 South Van Buren Avenue, Barberton, OH, 44203-0351. B&W EAF Dust Landfill, Mount Street, Koppel Steel Mill, Koppel, PA 16136. Post-closure care of a closed hazardous waste landfill located in Koppel and Big Beaver Boroughs, **Beaver County**. Post-closure Permit Renewal issued in the Regional Office on June 24, 2013.

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

**Permit(s) issued under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Southwest Regional Office, Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412.442.4000.*

**Permit ID No. 101082, City of Latrobe,** 901 Jefferson Street, P.O. Box 829, Latrobe, PA 15650. Latrobe Transfer Station, 696 Mission Road, Latrobe PA 15650. 10 year permit renewal of a municipal waste transfer facility in the City of Latrobe, **Westmoreland County**. Permit issued in the Regional Office on June 19, 2013.

**Permit ID #301193. South Taylor Environmental Park Residual Waste Landfill, US Steel Corporation,** 600 Grant Street, Pittsburgh, PA 15230. Permit renewal of a residual waste landfill located in West Mifflin Borough, **Allegheny County** issued in the Regional Office on June 20, 2013.

**Permits deemed administratively complete under the Solid Waste Management Act and Regulations to Operate Solid Waste Processing or Disposal area or Site.**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200*

**Permit No. 301300 PPL Brunner Island, LLC,** Ash Basin 6. Two North Ninth Street, Allentown, PA 18101-1179. The permit application is for the closure of residual waste Ash Basin 6 at PPL Brunner Island SES, located in East Manchester Township, **York County**. The application was deemed to be administratively complete on September 10, 2012.

Comments concerning the application should be directed to Mr. John Oren, Permits Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. Person interested in obtaining more information about this permit application may contact the Southcentral Regional Office at (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

#### 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.**

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.*

**GP1-21-05051: PA State System of Higher Education—Shippensburg University** (1871 Old Main Drive, Shippensburg, PA 17257-2299) on June 25, 2013, for 21 small natural gas-fired boilers (1-6 MMBtu/hr each) and 2 small #2 oil-fired temporary boilers (3 MMBtu/hr each), under GP1, at the university facility in Shippensburg Borough, **Cumberland County**.

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

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

**GP5-41-236: Seneca Resources Corp.** (5800 Corporation Drive, Suite 300, Pittsburgh, PA 15237) on June 18, 2013, to construct and operate an 840 bhp natural gas-fired four-stroke rich-burn Waukesha model F3524GSI/C16013/1 compressor booster engine with a Miratech model IQ2-28-12-EC2 catalytic oxidizer pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at their Gamble Pad well site in Gamble Township, **Lycoming County**.

**GP5-59-192D: Seneca Resources Corp.** (5800 Corporation Drive, Suite 300, Pittsburgh, PA 15237) on June 21, 2013, to construct and operate two (2) 1,380 bhp Waukesha model L5794GSI four stroke, rich burn, natural gas-fired compressor engines, both equipped with a Maxim Silencers, Inc. model QAC4-67-14 catalytic oxidizer and two (2) 5,880 gallon production water tanks pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at their Covington/Cherry Flats Compressor Station in Covington Township, **Tioga County**.

**GP5-41-710A: NFG Midstream Trout Run, LLC** (6363 Main Street, Williamsville, NY 14221-5887) on June 24, 2013, to construct and operate seven (7) natural gas-fired compressor engines, four (4) natural gas-fired micro turbines, two (2) storage tanks and a 200 million cubic foot per day tri-ethylene dehydrator pursuant to the General Plan Approval And/Or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP5) at their Liberty Drive Interconnect Station Loyalsock 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*

**GP2-03-00062: Freeport Terminals, Inc.** (514 N. Main Street, P.O. Box 29, Butler, PA 16003) on June 18, 2013, to allow the installation of internal floating roofs on and storage of crude oil in aboveground storage tanks #4 and #5 at the Freeport Terminals facility, located in Freeport Borough, **Armstrong County**.

**GP9-65-00235B: Alcoa Technical Center, Alcoa Inc.** (100 Technical Drive Alcoa Center, PA 15069) on June 20, 2013, to allow the installation and operation of one (1) C15DITA Caterpillar, emergency diesel-fired engine, rated at 619 bhp, at their Alcoa Technical Center located in Upper Burrell Township, **Westmoreland County**, PA.

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

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

**GP5-37-339A: SWEPI, LP—Shell Appalachia—Patterson Compressor Station** (Walker & Beaver Dam Road, New Galilee, PA 16141) on June 20, 2013, to operate one (1) natural gas fired compressor engine (Caterpillar, G3508B LE), 7.0 mmscf/d glycol reboiler, and 400 bbl condensed water storage tank (BAQ-GPA/GP-5) in Little Beaver Township, **Lawrence County**.

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

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

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

**15-0021A: Glasgow, Inc.—Catanach Asphalt Plant and Quarry** (660 North Morehall Road, Malvern, PA 19355) on June 27, 2013, for removal and replacement of a scalping screen and primary crusher at their facility in East Whiteland Township, **Chester County**.

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

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

**35-322-013: Keystone Sanitary Landfill, Inc.** (249 Dunham Drive, Dunmore, PA 18512) on June 24, 2013, to construct and operate additional flares at the site in Throop & Dunmore Boroughs, **Lackawanna County**.

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.*

**67-03151A: Kenworthy Roth Funeral Home, Inc.** (269 Frederick Street, Hanover, PA 17331) on June 26, 2013, for operation of an existing human crematory facility in Hanover Borough, **York County**.

**06-050070: Carpenter Technology Corp.** (101 Bern Street, Reading, PA 19601) on June 24, 2013, for the construction of two (2) reheat furnaces at the specialty steel alloy facility in Muhlenberg Township, **Berks**

**County**. The new reheat furnaces will allow certain other equipment at the facility to run at a higher capacity than previously. The plan approval will also involve the removal of an emission cap from an existing hot box.

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

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

**25-1038A: Lord Corp.** (2455 Robison Road, Erie, PA 16509) on June 20, 2013, to relocate and combine their Erie operations in Summit Township, **Erie County**. Operations from the West 12th Street manufacturing plant and the Grandview Avenue corporate offices will relocate to the new facility. This is a State Only facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or 127.505, be incorporated into the State Only operating permit at a later date.

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

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

*Contact: Norman Frederick, Facilities Permitting Chief—Telephone: 570-826-2507*

**39-00040: Carpenter Co.** (P.O. Box 129, 57A Olin Way, Fogelsville, PA 18051-0519) on June 28, 2013, for renewal of a Title V Operating Permit in Upper Macungie Township, **Lehigh County**. The facility's major source of emissions includes the Plastic Material and Resins manufacturing area which primarily emits Volatile Organic Compounds (VOCs). The Title V Operating Permit include emission restrictions, work practice standards and testing, monitoring, recordkeeping, and reporting requirements to ensure compliance with all applicable Federal and State air quality regulations.

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

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

**65-00137: Allegheny Ludlum, LLC. /Vandergrift** (100 River Road, Brackenridge, PA 15014) on June 18, 2013, a renewal Title V Operating Permit (TVOP-65-000137) to Vandergrift facility to authorize the continued operation of a stainless steel sheets, strips and plates finishing operations facility located in Vandergrift Boro., **Westmoreland County**.

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

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

**37-00023: NRG Power Midwest LP—New Castle Power Plant** (PO Box 325, West Pittsburgh, PA 16160) on June 26, 2013, modified a Title V Operating Permit for their New Castle Power Plant in Taylor Township, **Lawrence County**. The modification is in accordance with 25 Pa. Code § 127.463. The permit expires April 30, 2017. NRG Power New Castle Power Plant is a major facility and is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapters F and G. The facility is subject to multiple State and Federal Regulations. The modification involves the incorporation of the requirements of 40 CFR 63 Subpart

DDDDD—National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters. These requirements became effective April 1, 2013. The Department is required to revise the permit because the expiration date of the current permit is more than 3 years from the effective date of Subpart DDDDD. The facility has an auxiliary boiler used for building heat and freeze protection. Source 030 is a Clayton Industries boiler (model EO-204-1) rated at 8.2 mmbtu/hr. The boiler is fueled with #2 oil. This boiler is subject to the tune-up and energy assessment work practice standards of Subpart DDDDD.

Minor changes were also made to the permit to reflect the amended language of 40 CFR 63 Subpart ZZZZ—NESHAPs for Stationary Reciprocating Internal Combustion Engines. The name of the owner was changed from Genon to NRG Power Midwest LP during the permit review. The Tax ID, Responsible Official and Permit Contact remain the same.

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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*

**46-00147: Chemalloy Co., Inc.** (P. O. Box 350 Bryn Mawr, PA 19010) on June 26, 2013, for a primary metal products manufacturing minor facility at 1301 Conshohocken Road, Conshohocken, PA 19428, Plymouth Township, **Montgomery County**. This action is a renewal of the facility's State Only Operating Permit originally issued on December 13, 2007. The renewal does not allow any new changes other than updating of source inventory and changes of minor significance. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

**09-00135: Met-Pro Corp—Fybroc Division** (700 Emlen Way, Telford, PA 18969) on June 26, 2013, for renewal of a State Only Operating Permit for a pumps and pumping equipment manufacturing facility in Telford Borough, **Bucks County**. The facility is a natural minor facility for VOC and HAP emissions. This facility is limited to 3.5 tons per year of VOC/HAP emissions. This Operating Permit renewal includes emission restrictions, monitoring, recordkeeping and work practice requirements designed to ensure this facility complies with all applicable air quality regulations.

**15-00095: Longwood Gardens** (410 Street Rd., Kennett Square, PA 19348) on June 27, 2013, for a non-Title V, State-Only, Synthetic Minor Operating Permit in East Marlborough Township, **Chester County**. This action is a renewal of the State Only Operating Permit. The permit was initially issued on 5-21-2003 and was subsequently renewed on 6-26-2008. Longwood Gardens is a non-profit business activity focused on horticulture. The primary emission sources include four (4) diesel-fired emergency generators that are used in the event of a power interruption and three (3) main boilers that are used to heat the greenhouses in the cool months of the year. The renewed permit will include monitoring,

recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**15-00085: Lincoln University** (1570 Baltimore Pike, Lincoln University, PA 19352) on June 27, 2013, for a state-only, natural minor operating permit in Lower Oxford Township, **Chester County**. This action is a renewal of the State Only Operating Permit. The permit was issued on 12-10-2002 and was subsequently renewed on 11-30-2007. The facility is a college campus that has three (3) boilers, thirty-one (31) combustion sources, and thirteen (13) generators as primary pollution sources. The facility has reported an average 8.16 tons of NO<sub>x</sub> emission for CY2010-2011. The permit will include monitoring, recordkeeping, reporting, and work practice standards 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 William Weaver, Program Manager—Telephone: 717-705-4702.*

**67-03094: Rocher, Inc.—dba Del Wood Kitchens, Inc.** (1856 Dubs Church Road, Hanover, PA 17331-8581) on June 18, 2013, for their wood kitchen cabinet manufacturing facility in Manheim Township, **York County**. The State-only permit was renewed.

**21-05051: PA State System of Higher Education—Shippensburg University** (1871 Old Main Drive, Reed Operations Center, Shippensburg, PA 17257-2299) on June 20, 2013, for the boilers and emergency generators at the Shippensburg University in Shippensburg Borough, **Cumberland County**. The State-only permit was renewed.

**29-03002: P & W Excavating, Inc.** (882 Pigeon Cove Road, PO Box 128, Warfordsburg, PA 17267) on June 18, 2013, for the batch asphalt plant in Bethel Township, **Fulton County**. The State-only permit was renewed.

**38-05031: Supreme Mid Atlantic Corp.** (PO Box 779, 411 Jonestown Road, Jonestown, PA 17038-0779) on June 17, 2013, for their industrial truck body manufacturing facility in Union Township, **Lebanon County**. The State-only permit was renewed.

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

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

**12-00002: GKN Sinter Metals, Inc.** (15420 Route 120, PO Box 493, Emporium, Pa 15834) on June 12, 2013, for their powdered metal production facility in Shippen Township, **Cameron County**. The operating permit renewal includes emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

**60-00007: U.S. Department of Justice** (2400 Robert Miller Drive, Lewisburg, PA 17837) on June 25, 2013, to issue a state only operating permit for their Lewisburg Penitentiary in Kelly Township, **Union County**. The facility's main sources include four (4) natural gas/#2 fuel oil-fired boilers, one (1) #2 fuel oil-fired fire pump and two (2) 32 fuel oil-fired emergency generators. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**55-00017: Durabuilt Home, LLC** (PO Box 407, Selinsgrove, PA 17870-0407) on June 25, 2013, for their facility in Monroe Township, **Snyder County**. The operating permit renewal includes emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

**17-00027: River Hill Coal Company, Inc.** (48 Memorial Road, PO Box 141, Kylertown, Pa 15834) on June 26, 2013, for their coal tipple and processing facility in Karthaus Township, **Clearfield County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**60-00017: Eastern Industries, Inc.—a division of New Enterprise Stone and Lime Co., Inc.** (4401 Camp Meeting Road, Center Valley, PA 18034) on June 27, 2013, for operation of their Lewisburg Plant facility in Buffalo Township, **Union County**. The State Only operating permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

**55-00019: Professional Building Systems, Inc.** (72 East Market Street, Middleburg, PA 17842-1064) on June 27, 2013, to issue a state only operating permit for their facility in Middleburg Borough, **Snyder County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**60-00012: Ritz-Craft Corporation of PA, Inc.** (15 Industrial Road, Mifflinburg, PA 17844) on June 27, 2013, to issue a state only operating permit for their facility in Mifflinburg Borough, **Union County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

**65-00613: Tube City IMS LLC** (1155 Business Center Drive, Horsham, PA 19044) on June 24, 2013, to issue a State Only Operating Permit (SOOP) to Tube City IMS LLC to authorize the continued operation of their Patton Site in Belle Vernon, Rostraver Township, **Westmoreland County**.

**63-00616: Therm-O-Rock East, Inc.** (1 Pine Street, New Eagle, PA 15067) on June 26, 2013, to issue a State Only Operating Permit for the operation blending, bagging and thermally expanding various nonmetallic minerals (perlite and vermiculite) in the New Eagle Borough, **Washington County**. The subject facility consists of three perlite furnaces, three vermiculite furnaces, various storage silos, material handling and transferring. The facility has the potential to emit 23.0 tpy PM; 8.0 tpy NO<sub>x</sub>, 0.05 tpy SO<sub>x</sub>; 6.5 tpy CO; and 0.43 tpy VOC. The facility is required to conduct a weekly survey of the facility during daylight hours while the facility is operating to ensure compliance with the visible emission, fugitive emission and malodor restrictions. Records of the weekly survey performed must be recorded. Monthly preventative maintenance inspections are to be performed on the control devices and recorded in an on-site log. Particulate matter emissions are not to exceed 0.04

gr/dscf. The proposed authorization is subject to State and Federal Regulations (UUU). The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.

**04-00083: Beaver Valley Alloy Foundry Co.** (4165 Brodhead Road, Monaca, PA 15061) on June 27, 2013, for a State Only Operating Permit (SOOP) to Beaver Valley Alloy to authorize the continued operation of their foundry operation located in Monaca Borough, **Beaver County**.

**65-00064: Specialty Seal Group, Inc.—Latrobe Plant** (1001 Lloyd Avenue, Latrobe, PA 15650) on June 28, 2013, to issue a State Only Operating Permit for operation of electronic components having a hermetic seal in the Unity Township, **Westmoreland County**. The subject facility consists of 12 electric furnaces, ammonia storage tank, nickel plating line and an electroless nickel plating line. The facility has the potential to emit 0.02 tpy NO<sub>x</sub>, 0.18 tpy CO, 0.297 tpy VOC, and 0.761 tpy HAPs. The facility is required to conduct a weekly survey of the facility during daylight hours while the facility is operating to ensure compliance with the visible emission, fugitive emission and malodor restrictions. Records of the weekly survey performed must be recorded. The proposed authorization is subject to State and Federal Regulations. The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.

**04-00734: Sardello, Inc.** (1000 Corporation Drive, Aliquippa, PA 15001) On June 28, 2013, a State Only Operating Permit (SOOP) to Sardello, Inc. to authorize the continued operation of their Hopewell Facility in Hopewell Township, **Beaver County**.

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

*Contact: Matthew M. Williams, Environmental Program Manager—Telephone: 814-332-6636*

**10-00281: II VI, Inc.** (375 Saxonburg Boulevard, Saxonburg, PA 16056-9430) on June 27, 2013, to issue a renewal of the operating permit for their facility in Clinton Township, **Butler County**. The sources at the facility include miscellaneous combustion sources, batch vapor degreaser using a halogenated solvent, chemical vapor deposition units, hydrogen selenide gas production, thins film materials production, isopropyl alcohol vapor degreasers, batch vapor dryer, and emergency generators. The emergency generators are fueled with low sulfur diesel (15 ppmv). The conditions of the previous plan approval and operating permit were incorporated into the renewal permit. The halogenated solvent vapor degreaser is subject to 40 CFR 63 Subpart T—NESHAP for Halogenated solvent cleaning. The emergency generators are subject to 40 CFR 63 Subpart ZZZZ—NESHAP for Reciprocating Internal Combustion Engine (RICE). Emissions from the facility are less than the major source thresholds. The facility is a Natural Minor.

**25-00090: Zurn Industries, LLC** (1301 Raspberry Street, Erie, PA 16502) on June 26, 2013, renewed a State Only Operating Permit for their Cast Metals Division facility in the City of Erie, **Erie County**. The facility is a Synthetic Minor. The primary sources at the facility include emissions from 4 electric induction furnaces, sand handling, iron casting, and 1 paint dip operation. This facility is subject to 40 CFR Part 63 Subpart ZZZZZ, the NESHAPs for Iron & Steel Foundries, for which the applicable requirements are included in the renewal permit. The facility has taken a federally-enforceable



operating hour restriction of 2,550 hours per year. Potential emissions from the facility are VOC's 32.35 tpy; NO<sub>x</sub> 3.3 tpy; PM 23.91 tpy. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**33-00010: Humphrey Charcoal** (PO Box 440, Brookville, PA 15825) on June 11, 2013, renewed a State Only Operating Permit for their charcoal briquette processing and bagging facility in Pine Creek Township, **Jefferson County**. The facility is a Natural Minor. The primary sources at the facility include a natural gas space heater, a natural gas boiler rated < 2.5 million Btu/hr, material stockpiles, material handling, charcoal briquette process, lump charcoal process, a natural gas briquette dryer, and bagging operations. Potential emissions from the facility are NO<sub>x</sub> < 2 tpy; and PM < 1 tpy. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**42-00117: Zippo Manufacturing Co.** (401 Congress Street Extension, Bradford, PA 16701) on June 26, 2013, for renewal of a Natural Minor Permit to operate a fabricated metal products facility in the Township of Bradford, **McKean County**. The emitting sources associated with this facility included, 1) Two 200 HP and one 100 HP natural gas boilers, 2) Surface imprint operations, 3) New Chrome evaporator, 4) Plating machine, 5) Automatic hoist plating lines (2), 6) Burn off oven, 7) Edge buffing and six polishing lathes, 8) Old & new high polish buffing machine, 9) Acme edge buffing machine, 10) Emergency generators (4), 11) Centrifugal parts washer, 12) Rack coating curing oven and 13) Epoxy ovens 1 & 2 (2). The four existing emergency generators are subject to 40 CFR part 63 Subpart ZZZZ. All applicable requirements of Subpart ZZZZ have been included in the permit during this renewal. The facility has changed Hexavalent Chrome to Trivalent Chrome in the plating operation. All revised 40 CFR Part 63, Subpart N requirements have been included in the source level. The emissions of pollutants from the facility are less than Title V threshold limits. Thus, the facility is a natural minor.

**43-00339: Supreme-DSC Dredge, LLC** (327 Billy Boyd Road, Stoneboro, PA 16153) on June 11, 2013, to renew a State Only Operating Permit for their Metal Fabrication facility in New Vernon Township, **Mercer County**. The facility is a Natural Minor. The primary sources at the facility include emissions from metal blasting and metal coating operations. Potential emissions from the facility are HAPs < 2 tpy; VOC's < 2 tpy; PM < 1 tpy. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

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

**46-00121: Main Line Hospitals, Inc.—dba Lan-kenau Medical Center** (100 East Lancaster Avenue, Wynnewood, PA 19096) on June 27, 2013, located in Lower Merion Township, **Montgomery County**. The operating permit was amended to incorporate the requirements of Plan Approval 46-0121 and General Permit/General Plan Approval GP1-46-0243 into the facility's State Only Operating Permit, 46-00121. The sources consist of four (4) identical 28.574 MMBtu/hr, dual-fired, firetube boilers. This Administrative Amendment is issued in accordance with the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.*

**06-03087: Arkema, Inc.** (1112 Lincoln Road, Birdsboro, PA 19508-1804) on June 17, 2013, for the nylon polymer manufacturing facility in Exeter Township, **Berks County**. The State-only permit was revised via a minor modification to allow continuous measurement of scrubber water flow and differential pressure, with compliance with limits for those parameters to be based on a 1-hour average.

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

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

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

**24-00089: Mersen USA—St. Marys** (215 Stackpole St., St. Marys, PA 15846) for its facility located in the City of St. Marys, **Elk County**. The de minimis increases are a result of the removal of an existing carbon adsorption system associated with groundwater recovery and treatment processes, and the installation of a pitch melter. The Department has started a list of de minimis increases as prescribed in 25 PA Code 127.449(i).

Since the August 9, 2011 Title V Operating Permit issuance date, Mersen USA has notified the Department of the following de minimis emission increases:

Date	Source	PM <sub>10</sub> (tons)	SO <sub>x</sub> (tons)	NO <sub>x</sub> (tons)	VOC (tons)	CO (tons)
3/07/2013	Groundwater Treatment System(s)	0	0	0	0.37	0
3/07/2013	Pitch Melter	0.015	0.04	0	0.005	0
Total Reported Increases		0.015	0.04	0	0.375	0

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).**

### Coal Permits Actions

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

**56121301 and NPDES No. PA0236152. AK Coal Resources, Inc.**, (1134 Stoystown Road, Friedens, PA 15541). To operate the North Fork Mine in Jenner and Quemahoning Townships, **Somerset County** and related NPDES permit. Surface Acres Proposed 67.7, Underground Acres Proposed 1154.6, Subsidence Control Plan Acres Proposed 989.6. Receiving stream: Hoffman Run, classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority—Quemahoning Reservoir and intake Quemahoning Creek. The application was considered administratively complete on November 12, 2012. Application received May 14, 2012. Permit issued June 21, 2013.

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

**26950201 and NPDES Permit No. PA0201081. Mon River Energy Corp.** (P.O. Box 466, Brier Hill, PA 15415). Renewal permit for continued operation and reclamation issued to an existing bituminous surface mine, located in Redstone Township, **Fayette County**, affecting 124.5 acres. Receiving streams: unnamed tributary to Fourmile Run. Application received: July 23, 2012. Permit issued: June 20, 2013.

**63110101 and NPDES Permit No. PA0252069. Neiswonger Construction, Inc.** (17952 Route 322, Strattanville, PA 16258). Permit issued for commencement, operation and reclamation of a bituminous surface mine, located in Deemston Borough, **Washington County**, affecting 24.4 acres. Receiving streams: unnamed tributaries to Tenmile Creek and Tenmile Creek. Application received: January 28, 2011. Permit issued: June 20, 2013.

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

**61100101. K & A Mining** (P.O. Box 288, Grove City, PA 16127) Revision to an existing bituminous surface mine to change the post-mining land use from forestland to unmanaged natural habitat on the Gaylord L. & Bradley G. Matthews property in Irwin Township, **Venango**

**County**. Receiving streams: unnamed tributary to Williams Run, unnamed tributary to Scrubgrass Creek, and 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: April 17, 2013. Permit issued: June 25, 2013.

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

**17070114 and NPDES PA0256480. AMFIRE Mining Company LLC** (One Energy Place, Latrobe, PA 15650). Permit renewal for the continued operation and restoration of a bituminous surface mine in Girard Township, **Clearfield County** affecting 119.4 acres. Receiving streams: Bald Hill Run and Unnamed Tributaries to Bald Hill Run classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: March 15, 2013. Permit issued: June 14, 2013.

### Noncoal Permits Actions

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

**26972302. Solomon & Davis, Inc.** (P.O. Box 761, Republic, PA 15475). Final bond release for a small noncoal surface mine, located in Nicholson Township, **Fayette County**, affecting 9.3 acres. Receiving stream: Cats Run. Bond released: June 19, 2013.

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

**37070302. Quality Aggregates, Inc.** (4955 Steubenville Pike, Suite 245, Pittsburgh, PA 15205) Renewal of NPDES Permit No. PA0259423, Slippery Rock Township, **Lawrence County**. Receiving streams: Unnamed tributary to Slippery Rock Creek. Application received: January 29, 2013. Permit issued: June 26, 2013.

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

**08090303 and NPDES No. PA0257192. DeCristo, Inc.** (9070 Route 414, Canton, PA 17724). Revision to add 11.9 acres affecting 71.5 acres of an existing overburden, shale, sand, and gravel operation in LeRoy Township, **Bradford County**. Receiving streams: Unnamed Tributary to Towanda Creek classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: July 23, 2012. Permit issued: June 17, 2013.

**59120301. Chad E. Cross** (19316 Route 6, Mansfield, PA 16933). Commencement, operation and restoration of a large non-coal surface mine (shale, siltstone and sandstone) operation in Sullivan Township, **Tioga County** affecting 65.2 acres. Receiving streams: Unnamed Tributary to Corey Creek and Cory Creek classified for the following use(s): Cold Water Fishes. Application received: August 10, 2012. Permit issued: June 14, 2013

**59120301GP-104. Chad E. Cross** (19316 Route 6, Mansfield, PA 16933), hereby approves the Notice of Intent (NOI) submitted for coverage to discharge stormwater associated with the NPDES permit to the following surface waters in Sullivan Township, **Tioga County**. Receiving streams: Unnamed Tributary to Corey Creek and Corey Creek. Application received: August 10, 2012. Permit issued June 14, 2013.

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

**52110301 and NPDES Permit No. PA0225118.** Wayne D. Holbert, (115 Rocky Rift Farm Road, Lackawaxen, PA 18435), commencement, operation and restoration of a quarry operation in Lackawaxen Township, **Pike County** affecting 40.0 acres, receiving streams: Lackawaxen and Delaware Rivers. Application received: October 4, 2011. Permit issued: June 20, 2013.

**66090301 and NPDES Permit No. PA0225274.** Noxen Sand & Materials, (2162 Chase Road, Shavertown, PA 18708), commencement, operation and restoration of a quarry operation in Noxen Township, **Wyoming County** affecting 24.6 acres, receiving stream: Beaver Run Watershed. Application received: September 29, 2009. Permit issued: June 24, 2013.

**40132801. McClure Enterprises, Inc.,** (PO Box 3775, Scranton, PA 18505), commencement, operation and restoration of a cinder removal operation in West Wyoming Borough, **Luzerne County** affecting 5.0 acres, receiving stream: Abrahams Creek. Application received: February 12, 2013. Permit issued: June 24, 2013.

**40132801GP104. McClure Enterprises, Inc.,** (PO Box 3775, Scranton, PA 18505), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40132801 in West Wyoming Borough, **Luzerne County**, receiving stream: Abrahams Creek. Application received: February 12, 2013. Permit issued: June 24, 2013.

**ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

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

*Blasting Permits Actions*

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

**36134129. Keystone Blasting Service,** (15 Hopeland Road, Lititz, PA 17543), construction blasting for Devon Creek in East Lampeter Township, **Lancaster County** with an expiration date of June 30, 2014. Permit issued: June 21, 2013.

**36134130. Keystone Blasting Service,** (15 Hopeland Road, Lititz, PA 17543), construction blasting for Meadow Valley Church Cemetery in Ephrata Township, **Lancaster County** with an expiration date of December 30, 2013. Permit issued: June 21, 2013.

**52134107. Explosive Services, Inc.,** (7 Pine Street, Bethany, PA 18431), construction blasting for Koberlein

Septic in Palmyra Township, **Pike County** with an expiration date of June 17, 2014. Permit issued: June 21, 2013.

**22134103. Abel Construction Co., Inc.,** (PO Box 476, Mountville, PA 17554), construction blasting for Kendale Oaks in Lower Paxton Township, **Dauphin County** with an expiration date of January 31, 2014. Permit issued: June 24, 2013.

**39134105. Maine Drilling & Blasting, Inc.,** (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Cetronia Ambulance Building in South Whitehall Township, **Northampton County** with an expiration date of June 12, 2014. Permit issued: June 24, 2013.

**54134101. Maurer & Scott Sales, Inc.,** (122 Thomas Street, Coopersburg, PA 18036), construction blasting for Upper Mahangonto Township Creek Road Widening in Upper Mahangonto Township, **Schuylkill County** with an expiration date of August 31, 2013. Permit issued: June 24, 2013.

**58134133. Meshoppen Blasting, Inc.,** (P.O. Box 127, Meshoppen, PA 18630), construction blasting for Bridgewater Gas Pipeline in Bridgewater Township, **Susquehanna County** with an expiration date of September 30, 2013. Permit issued: June 27, 2013.

**58134134. MD Drilling & Blasting, Inc.,** (88 Goldledge Avenue, Suite 2, Auburn, NH 03032), construction blasting for Kinnear 12 Inch Pipeline in Springville and Lathrop Township, **Susquehanna County** with an expiration date of June 24, 2014. Permit issued: June 27, 2013.

**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*

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

**NPDES No. PA0213985 (Mining Permit No. 65130701 formerly 65831701), Eastern Associated Coal, LLC**, (PO Box 1233, Charleston, WV 25324). A renewal to the NPDES and mining activity permit for the Delmont Treatment Facility in South Huntingdon Township, **Westmoreland County**. Surface Acres Affected 2.85. Receiving stream: Sewickley Creek, classified for the following use: WWF. Sewickley Creek Watershed TMDL. The application was considered administratively complete on March 4, 2013. Application received December 27, 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.

*Outfall 001A* discharges to: Sewickley Creek

The proposed effluent limits for *Outfall 001A* (Lat: 40° 12' 26" Long: 79° 38' 47") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.32	-
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
Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		80	160	200
Sulfates (mg/l)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT

**NPDES No. PA0214957 (Mining Permit No. 56961303), Svonavec, Inc.**, (150 West Union Street, Suite 201, Somerset, PA 15501). A renewal to the NPDES and mining activity permit for the Milford Mine in Milford Township, **Somerset County**. Surface Acres Affected 50.5, Underground Acres Affected 386.2. Receiving stream: Unnamed Tributary to South Glade Creek, classified for the following use: WWF. Casselman River TMDL. The application was considered administratively complete on May 11, 2010. Application received February 24, 2010.

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

*Outfall 001* discharges to: Unnamed Tributary to South Glade Creek

The proposed effluent limits for *Outfall 001* (Lat: 39° 58' 09" Long: 79° 09' 34") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.365	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	1.5	1.9
Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		50	50	50
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

*Outfall 002* discharges to: Unnamed Tributary to South Glade Creek

The proposed effluent limits for *Outfall 002* (Lat: 39° 58' 15" Long: 79° 09' 43") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.365	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	1.5	1.9
Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		50	50	50
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

*Outfall 003* discharges to: Unnamed Tributary to South Glade Creek

The proposed effluent limits for *Outfall 003* (Lat: 39° 58' 08" Long: 79° 09' 21") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.365	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	1.5	1.9
Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		50	50	50
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

**NPDES No. PA0004588 (Mining Permit No. 32841319), The Florence Mining Company,** (PO Box 51, New Florence, PA 15944). A renewal NPDES and mining activity permit for the Florence No. 1 (Robinson) Mine in East Wheatfield and West Wheatfield Townships, **Indiana County**. Surface Acres Affected 1.0. Receiving streams: Conemaugh River, classified for the following use: WWF, Blacklick Creek, classified for the following use: TSF, and Mardis Run, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watersheds TMDL. The application was considered administratively complete on December 7, 2011. Application received July 28, 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.

*Outfall 003* discharges to: Blacklick Creek

The proposed effluent limits for *Outfall 003* (Lat: 40° 28' 38" Long: 79° 02' 33") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.01	-
Iron (mg/l)		1.6	3.2	4.0
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		1.0	2.0	2.5
Total Suspended Solids (mg/l)		35	70	90
Total Dissolved Solids (mg/l)		-	-	REPORT
Sulfates (mg/l)		-	-	REPORT

*Outfall 004* discharges to: Mardis Run

The proposed effluent limits for *Outfall 004* (Lat: 40° 27' 34" Long: 79° 02' 29") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.01	-
Iron (mg/l)		1.6	3.2	4.0
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		1.0	2.0	2.5
Total Suspended Solids (mg/l)		35	70	90
Total Dissolved Solids (mg/l)		-	-	REPORT
Sulfates (mg/l)		-	-	REPORT

*Outfall 005* discharges to: Conemaugh River

The proposed effluent limits for *Outfall 005* (Lat: 40° 23' 53" Long: 79° 07' 42") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	3.96	-
Iron (mg/l)		1.6	3.2	4.0
Manganese (mg/l)		0.7	1.3	1.7
Aluminum (mg/l)		1.0	2.0	2.5
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		55	109	136
Chlorides (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Sulfates (mg/l)		-	-	REPORT

*Outfall 006* discharges to: Conemaugh River

The proposed effluent limits for *Outfall 006* (Lat: 40° 23' 50" Long: 79° 07' 44") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.01	-
Iron (mg/l)		1.6	3.2	4.0
Manganese (mg/l)		0.7	1.3	1.7
Aluminum (mg/l)		1.0	2.0	2.5
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		55	109	136
Chlorides (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Sulfates (mg/l)		-	-	REPORT

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

**NPDES No. PA025225 (Mining permit no. 63120104), Neiswonger Construction, Inc.**, 17592 Route 322, Strattanville, PA 16258, new NPDES permit for a bituminous surface mine in Deemston Borough, **Washington County**, affecting 160.2 acres. Receiving streams: unnamed tributaries to Fishpot Run, Fishpot Run and unnamed tributary to Black Dog Run, classified for the following use(s): WWF. This receiving stream is included in the Monongahela River TMDL. Application received: October 22, 2012.

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

The treated wastewater outfall(s) listed below discharge to Fishpot Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>TYPE</i>
TP1	Y	Treatment Pond
TP2	Y	Treatment Pond
TP3	Y	Treatment Pond

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)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The treated wastewater outfall(s) listed below discharge to unnamed tributary to Fishpot Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>TYPE</i>
TP4	Y	Treatment Pond

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)	1.3	2.6	3.2
Manganese (mg/l)	0.8	1.6	2.0
Aluminum (mg/l)	0.7	1.4	1.7
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The treated wastewater outfall(s) listed below discharge to unnamed tributary to Black Dog Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>TYPE</i>
TP5	Y	Treatment Pond

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)	1.1	2.2	2.7
Manganese (mg/l)	0.6	1.2	1.5
Aluminum (mg/l)	0.6	1.1	1.5
Total Suspended Solids (mg/l)	35	70	90
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: unnamed tributaries to Fishpot Run, Fishpot Run and unnamed tributary to Black Dog Run

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>TYPE</i>
SP1, SP2, SP3, SP4 SP5, SP6, SP7, SP 8	Y	Sedimentation Pond

The proposed effluent limits for the above listed outfalls are as follows: for dry weather discharges

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	0.9	1.8	2.2
Manganese (mg/l)	0.5	1.0	1.2
Aluminum (mg/l)	0.6	1.3	1.5

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The proposed effluent limits for the above listed outfalls are as follows: for precipitation events less than or equal to a 10 year/24 hour storm event.

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	NA	NA	7.0
Total Suspended Solids (mg/l)	NA	NA	0.5ml/l
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

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

**NPDES No. PA0104779 (Permit No. 24880103). Energy Resources, Inc. (c/o Murray Energy Corporation,** 46226 National Road, St. Clairsville, OH 43950) Renewal of an NPDES permit for a bituminous surface mine in Horton Township, **Elk County**, affecting 541.0 acres. Receiving streams: Mead Run, classified for the following uses: CWF. TMDL: Little Toby Creek. Application received: March 26, 2013.

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 Mead Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
3TR	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)		2.4	4.8	6.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	1.5	1.88
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90

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

**NPDES No. PA0259080 (Permit No. 10110303). Allegheny Mineral Corporation** (P.O. Box 1022, Kittanning, PA 16201) New NPDES permit for a bituminous surface and limestone mine in Washington Township, **Butler County**, affecting 309.0 acres. Receiving streams: Unnamed tributaries to South Branch Slippery Rock Creek, classified for the following uses: CWF. TMDL: None. Application received: April 27, 2011.

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

The outfall(s) listed below discharge to unnamed tributary No. 4 to South Branch Slippery Rock Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TB	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)		3.0	6.0	7.0
Manganese (mg/l)		1.8	3.6	4.5
Aluminum (mg/l)		2.0	4.0	5.0
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35.0	70.0	90.0

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

The outfall(s) listed below discharge to unnamed tributary No. 4 to South Branch Slippery Rock Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
B	Y
C	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>				0.5
Total Settleable Solids (ml/l)				0.5

The outfall(s) listed below discharge to unnamed tributary No. 1 to South Branch Slippery Rock Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TD	Y
TE	Y
TF1	Y
TF2	Y
TA	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)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		1.7	3.4	4.3
Alkalinity greater than acidity <sup>1</sup>				0.5
Total Suspended Solids (mg/l)		35.0	70.0	90.0

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

The outfall(s) listed below discharge to unnamed tributary No. 1 to South Branch Slippery Rock Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
A	Y
D	Y
E	Y
F	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>				0.5
Total Settleable Solids (ml/l)				0.5

#### *Noncoal NPDES Draft Permits*

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

**NPDES No. PA0225355 on Surface Mining Permit Number 64130801. LCJ Partners, LLC**, (5087 State Route 492, Susquehanna, PA 18847), new NPDES permit for a bluestone quarry operation in Scott Township, **Wayne County**, affecting 5 acres. Receiving stream: Sherman Creek, classified for the following use: HQ—Cold water and migratory fishes. Application received April 8, 2013.

Non-discharge BMP's will apply to this site.

**NPDES No. PA0225347 on Surface Mining Permit Number 64132501. Kevin Schrader**, (PO Box 262, Lake Como, PA 18437), new NPDES permit for a bluestone quarry operation in Buckingham Township, **Wayne County**, affecting 10 acres. Receiving stream: Equinunk Creek is classified for the following use: HQ—Cold water and migratory fishes. Application received January 22, 2013.

Non-discharge BMP's will apply to this site.

## **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

nia Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

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**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.**

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

*Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401*

**E09-971. Milford Township**, P.O. Box 86, Spinnerstown, PA 18968, Milford Township, **Bucks County**, ACOE Philadelphia District.

To maintain an existing dry hydrant with intake structures in and along the Unami Creek (HQ, CWF) and to install and maintain appurtenant riprap protection. The site is located near the intersection of Trumbauersville and Canary Roads (Milford Square, PA USGS Quadrangle N: 6.75 inches; W: 6.75 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)].

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-1915, Telephone 570-826-2511.*

**E40-731. Earth Conservancy**, 101 South Main Street, Ashley, PA 18706. Hanover Township, **Luzerne County**, Army Corps of Engineers Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with the Askam Borehole Acid Mine Discharge Remediation Project:

1. To construct and maintain an on-stream AMD settling pond having a surface area of approximately 1.33 acres and a depth of 10 feet in Nanticoke Creek, with a high-volume aeration/oxidizing unit at the pond inlet.

2. To construct and maintain a 570-foot long "high-flow" riprap-lined trapezoidal bypass channel around the settling pond, having an 18-foot bottom width and 1.5 to 1 side slopes.

3. To construct and maintain a 200-L.F., 30-inch diameter concrete pipe and a 40-L.F., 24-inch diameter con-

crete pipe connecting the two Askam Borehole discharge locations to the on-stream settling pond.

The project will impact approximately 1.6 acres of wetlands and 800 feet of stream channel.

The project is located on the west side of Dundee Road immediately north of the S.R. 0029 Overpass (Wilkes-Barre West, PA Quadrangle Latitude: 41° 12' 01"; Longitude: -75° 57' 58"). Subbasin: 5B

**E54-325. Blythe Township**, P.O. Box 91, Combola, PA 17931. Blythe Township, **Schuylkill County**, Army Corps of Engineers Philadelphia District.

To relocate and reestablish the "historic" Little Wolf Creek (CWF) with the construction and maintenance of 6,700 feet of riprap-lined trapezoidal channel and a 1,600-foot long, 42-inch diameter HDPE stream enclosure; and to place fill in 0.3 acre of isolated wetlands. The encroachments are associated with the proposed construction and demolition waste landfill known as the Blythe Recycling and Demolition Site (BRADS). The permittee is required to provide for 0.3 acre of replacement wetlands by participating in the Pennsylvania Wetland Replacement Project. The project is located on the north SR 1006 (Burma Road), approximately 2.3 miles east of St. Clair (Pottsville, PA Quadrangle Latitude: 40° 44' 23"; Longitude: -76° 09' 22") in Blythe Township, Schuylkill County. Subbasin: 3A

**E54-354. Eagle Rock Co.**, 1 Country Club Road, Hazle Township, PA 18202 in East Union Township, **Schuylkill County**, Army Corps of Engineers Baltimore District.

To construct and maintain a road crossing of Little Tomhicken Creek (CWF) consisting of an open-bottom structural plate arch culvert having a span of 20'-8" and an underclearance of 5'-2" with upstream and downstream ends mitered to slope and protected with riprap. The purpose of the road crossing is to provide access to the Eagle Rock Resort, Hidden Forest Residential Subdivision, Phase 2. This permit also authorizes the construction and maintenance of a rip rap lined stormwater outfall channel in the floodway of Little Crooked Run (HQ-CWF, MF). The project is located on the west side of SR 1005 (Nuremberg Road) approximately 0.4 mile north of its intersection with Cove Mountain Drive (Nuremberg, PA Quadrangle Latitude: 40° 54' 30"; Longitude: -76° 08' 23"). Subbasin: 5E

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717.705.4802.*

**E28-347: Eric H. and Denise F. Hammond**, 3110 Philadelphia Avenue, Chambersburg, PA 17201 in Greene Township, **Franklin County**, ACOE Baltimore District

To maintain 220 feet of dumped rock protection and approximately 358 cubic yards of fill on the western bank in the floodway of a water course in the basin of Conococheague Creek (CWF). The project is located at 3110 Philadelphia Avenue (Scotland, PA Quadrangle, N: 18.5 inches, W: 0.2 inch; Latitude: 39° 58' 39", Longitude: 77° 37' 37") in Greene Township, Franklin County.

**E07-439: Duncansville Borough**, PO Box 308, Duncansville, PA 16635 in Duncansville Borough and Allegheny Township, **Blair County**, ACOE Baltimore District

To install and maintain 2 rock deflectors, 3 rock cross vanes, 344 linear feet of rip rap protection, 935 feet of rip rap bank toe protection, re-grade and re-vegetate 785 linear feet of streambank to a 3:1 slope, remove 435

linear feet of gravel bar, and relocate 190 linear feet of stream channel, all in and along Gillans Run (CWF, MF) for the purpose of streambank stabilization and stream restoration. The project is located along or near the northern municipal limits of Duncansville Borough and adjacent areas of Allegheny Township, Blair County (Holidaysburg, PA Quadrangle N: 9.0 inches, W: 7.6 inches; Latitude: 40°25'28.5", Longitude: - 78°25'46.7").

**E22-575: Pennsylvania Turnpike Commission**, PO Box 67676, Harrisburg, PA 17106 in Londonderry and Lower Swatara Townships, and Middletown Borough in **Dauphin County**, ACOE Baltimore District

To place and maintain fill in 0.46 acre of Palustrine Emergent/Palustrine Scrub Shrub/Palustrine forested wetlands; 2) relocate and maintain 553.0 feet of an unnamed tributary to Swatara Creek (WWF, MF); 3) relocate and maintain 314.0 feet of an unnamed tributary to Swatara Creek (WWF, MF); 4) construct and maintain a 75.0-foot long, 18.0-inch RCCP pipe conveying an unnamed tributary to Swatara Creek (WWF, MF); 5) construct and maintain an 83.0-foot long 54.0-inch diameter RCCP culvert extension in an unnamed tributary to Swatara Creek (WWF, MF); 6) install and maintain two 30.0-foot long, 24.0-inch diameter RCP pipes with rip rap apron in an unnamed tributary to Swatara Creek (WWF, MF); 7) construct and maintain a 125.5-foot wide, 610.0-foot long four span continuous bridge with a multiple welded plate girder superstructure, composite concrete decking, and three solid wall type piers in Swatara Creek (WWF, MF); 8) install and maintain a 631.0-foot long temporary construction causeway in Swatara Creek (WWF, MF), all for the purpose of increasing traffic capacity. This project will permanently impact 1,229 linear feet of streams and 0.50 acre of wetlands, and temporarily affect 704 linear feet of streams and 0.03 acre of wetlands. The project is located between MP 250 and MP 252 (Latitude: 40°12'40.3"; Longitude: -76°43'13.3") in Londonderry and Lower Swatara Townships, Dauphin County.

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

**E60-213. Pennsylvania House Redevelopment, LP**, 280 Madison Avenue, Suite 800, New York, NY 10016-0801. Penn House Commons, in East Buffalo Township, **Union County**, ACOE Baltimore District (Lewisburg, PA Quadrangle N: 40° 57' 42"; W: -76° 54' 07").

To 1) cut, fill and maintain new topography in the 100-year floodplain area for stream crossings, roadways, utilities, storm drains, floodplain benching and to raise the proposed building pad elevations 1.5 feet above the 100-year flood elevation with a net loss in floodplain fill, 2) construct and maintain new single span 35-foot 9-inch by 7-foot 9-inch galvanized steel arch over Limestone Run at the North 10th Street to serve as the primary entrance to the development and includes filling 0.018 acre of intermittent stream, 3) to remove of the existing steel bridge and low-head concrete dam, followed by the construction and maintenance of a 60-foot long by single span 35-foot 9-inch by 7-foot 9-inch galvanized steel arch over Limestone Run Bridge Crossing at the North 11th Street, 4) remove a 87.57 linear foot existing corrugated metal pipe stream enclosure, fill 0.157 acre of the isolated sections of the intermittent stream, then construct and maintain 594 linear feet of new stream channel to convey the upslope runoff through the site and allow for the construction of the main access street through the site, 5) fill 0.012 acre of wetlands, construct and maintain 120

linear feet of 81-inch wide by 59-inch high spiral rib pipe arch enclosure to convey the flows of the existing intermittent stream to the constructed stream for the access street crossing, 6) removal of the Peking Garden restaurant building and support piers that sit over/in the stream, 7) removal of the old railroad piers located a few feet west of the restaurant, 8) replace an existing sanitary sewer main under Limestone Run, 9) filling 0.62 acre of wetlands, 10) implementation of a eel stocking program to mitigate for the stream impacts, 11) construct 0.995 acre of replacement wetlands on site (Lewisburg, PA Quadrangle N: 40° 57' 42"; W: -76° 54' 07") in East Buffalo Township, Union County. This permit also includes 401 Water Quality Certification.

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

**E02-1673. Neville Island Terminals Corporation**, PO Box 2621, Harrisburg, PA 17105, Neville Township, **Allegheny County**; ACOE Pittsburgh District

Applicant has been given consent to operate and maintain the existing barge mooring facility, originally approved under permit E0275723, approximately 522.0 linear feet in length and 128.0 feet in width (as measured from the normal pool elevation) in the channel and along the left bank of the Ohio River (WWF-N), to dredge and maintain the channel along the left bank of said stream for a distance of approximately 482.0 linear feet and 50.5 feet in width (average), to replace the existing pipe rack and wiring attached to the existing walkway, to replace the existing dock winch and to construct and maintain a shelter at the end of the existing walkway in the channel of said stream for the purpose of improving the existing barge mooring facility. The project is located on and along the left bank of said stream, approximately 1,500.0 feet downstream from the Emsworth Dam (Emsworth, PA Quadrangle N: 0.75 inch; W: 13.25 inches; Latitude: 40° 30' 14"; Longitude: 80° 05' 42") in Neville Township, Allegheny County.

*Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, 16335.*

**E25-762, Pennsylvania Electric Company**, 76 South Main Street, Akron, OH 44308 in Harborcreek Township, **Erie County**, ACOE Pittsburgh District

to construct and maintain a 2 feet diameter culvert and 10 inch conduit-duct crossing of an unnamed tributary to Fourmile Creek; to construct and maintain utility poles and accompanying guywire anchors within wetland areas resulting in 0.01 acre of permanent impact to PEM wetlands; and to temporarily impact 12 linear feet of an unnamed tributary to Fourmile Creek and 0.72 acre of PEM wetlands for construction access all associated with an electric substation upgrade and all within an existing, previously cleared right-of-way at a point approximately 300 feet northwest of the Jordan Road and Harborsgreene Road intersection (Hammett, PA Quadrangle N: 42°, 06', 12.7"; W: 79°, 59', 00.1").

**E25-764, Municipal Authority of the Borough of Waterford**, 30 South Park Row, Waterford, PA 16441 in the Borough of Waterford, **Erie County**, ACOE Pittsburgh District

to construct and maintain a 6 inch diameter C-900 PVC force main crossing of Trout Run and adjoining floodplain wetlands via directional drill and to construct and maintain a pump station and settling tank within the FEMA mapped 100-year floodplain of Trout Run all at a point

approximately 300 feet west of the West Street and West 2nd Street intersection (Waterford, PA Quadrangle N: 41° 56', 18.5"; W: -79° 59', 28").

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

**E0829-068: Appalachia Midstream, LLC**, 100 IST Center, Horseheads, NY 14845, Wilmot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 8,888 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°33'13", Longitude: -76°18'25");

2. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 1,597 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°33'14", Longitude: -76°18'25");

3. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 1,418 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°33'15", Longitude: -76°18'26");

4. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 8,133 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°33'17", Longitude: -76°18'25");

5. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 1,159 square feet of a Palustrine Emergent Wetland (EV) and Palustrine Scrub-Shrub Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°33'20", Longitude: -76°18'24");

6. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 3,724 square feet of a Palustrine Emergent Wetland (EV) and Palustrine Scrub-Shrub Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°33'25", Longitude: -76°18'22");

7. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 3,389 square feet of a Palustrine Emergent Wetland (EV) and Palustrine Scrub-Shrub Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°33'27", Longitude: -76°18'23");

8. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 870 square feet of a Palustrine Emergent Wetland (EV) and Palustrine Scrub-Shrub Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°33'28", Longitude: -76°18'22");

9. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 150 linear feet of an unnamed tributary to North Branch Mehoopany Creek (CWF, MF) and impacting 9,197 square feet of an adjacent Palustrine Forested Wetland (EV) and impacting 10,559 square feet of an adjacent Palustrine Scrub-Shrub Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°33'31", Longitude: -76°18'22");

The project will result in 150 linear feet or 1,373 square feet of temporary stream impacts and 39,737 square feet (0.91 acre) of PEM and PSS wetlands and 9,197 square feet (0.21 acre) of permanent conversion of a PFO wetland all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Wilmot Township, Bradford County. The permittee will provide 0.21 acre of wetland enhancement mitigation at the Wilmot Mitigation Site (Colley, PA Quadrangle, Latitude: 41°33'31", Longitude: -76°18'22").

**E5829-050. Williams Field Services Company, LLC**; 1605 Coraopolis Heights Road, Moon Township, PA 15108; Lenox Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 12-inch natural gas pipeline and timber bridge crossing impacting 51 lineal feet of an unnamed tributary to Tower Branch (CWF-MF) (Lenoxville, PA Quadrangle; N 41° 42' 16" Lat., W -75° 43' 02" Long.),

2) a 12-inch natural gas pipeline and timber bridge crossing impacting 50 lineal feet of an unnamed tributary to Tower Branch (CWF-MF) (Lenoxville, PA Quadrangle; N 41° 42' 09" Lat., W -75° 43' 06" Long.),

3) a timber bridge crossing impacting 6 lineal feet of an unnamed tributary to Tower Branch (CWF-MF) (Lenoxville, PA Quadrangle; N 41° 42' 09" Lat., W -75° 43' 08" Long.),

4) a 12-inch natural gas pipeline and timber bridge crossing impacting 106 lineal feet of an unnamed tributary to Tower Branch (CWF-MF) (Lenoxville, PA Quadrangle; N 41° 42' 10" Lat., W -75° 43' 11" Long.),

5) a 12-inch natural gas pipeline and timber bridge crossing impacting 127 lineal feet of an unnamed tributary to Millard Creek (CWF-MF) (Lenoxville, PA Quadrangle; N 41° 41' 18" Lat., W -75° 43' 48" Long.),

6) a 12-inch natural gas pipeline and timber bridge crossing impacting 123 lineal feet of an unnamed tributary to Millard Creek (CWF-MF) (Lenoxville, PA Quadrangle; N 41° 41' 19" Lat., W -75° 43' 58" Long.),

7) a 12-inch natural gas pipeline and timber bridge crossing impacting 137 lineal feet of an unnamed tributary to Millard Creek (CWF-MF) (Lenoxville, PA Quadrangle; N 41° 41' 06" Lat., W -75° 43' 50" Long.),

8) a timber bridge crossing impacting 0.09 (3,920 s.f.) acre of PEM wetlands (Lenoxville, PA Quadrangle; N 41° 42' 30" Lat., W -75° 42' 48" Long.),

9) a 12-inch natural gas pipeline and timber bridge crossing impacting 0.15 (6,534 s.f.) acre of PSS wetlands (Lenoxville, PA Quadrangle; N 41° 42' 17" Lat., W -75° 43' 01" Long.),

10) a 12-inch natural gas pipeline and timber bridge crossing impacting 0.52 (22,651 s.f.) acre of PSS wetlands and 0.14 (6,098 s.f.) acre of PFO wetlands (Lenoxville, PA Quadrangle; N 41° 42' 11" Lat., W -75° 43' 03" Long.),

11) a timber bridge crossing impacting 0.04 (1,742 s.f.) acre of PSS wetlands (Lenoxville, PA Quadrangle; N 41° 42' 09" Lat., W -75° 43' 08" Long.),

12) a 12-inch natural gas pipeline and timber bridge crossing impacting 0.05 (2,178 s.f.) acre of PSS wetlands (Lenoxville, PA Quadrangle; N 41° 42' 11" Lat., W -75° 43' 11" Long.),

13) a 12-inch natural gas pipeline and timber bridge crossing impacting 0.04 (1,742 s.f.) acre of PSS wetlands (Lenoxville, PA Quadrangle; N 41° 41' 18" Lat., W -75° 43' 48" Long.),

14) a timber bridge crossing impacting 0.02 (871 s.f.) acre of PEM wetlands (Lenoxville, PA Quadrangle; N 41° 41' 05" Lat., W -75° 43' 50" Long.).

The project consists of constructing approximately 3.56 miles of 12" natural gas gathering line from the Zick Well Pad routed in a northerly direction to the Stalter Pipeline in Lenox Township, Susquehanna County. The project will result in 600 lineal feet of stream impacts and 1.05 acres

of wetland impact, of which 0.94 acre are permanent wetland conversion impacts, all for the purpose of conveying Marcellus Shale natural gas to market. Mitigation will be provided off site at the North Branch Land Trust site (Howland Mitigation Area) located in Washington Township, Wyoming County. The mitigation site will create 0.94 acre of new PSS and PFO wetlands and provide 0.12 acre of enhancement of two existing PEM wetlands by plantings.

**E5829-051. Williams Field Services Company, LLC;** 1605 Coraopolis Heights Road, Moon Township, PA 15108; Lenox Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 12-inch natural gas pipeline and timber bridge crossing impacting 76 lineal feet of Millard Creek (CWF-MF, NRT) (Lenoxville, PA Quadrangle; N 41° 40' 27" Lat., W - 75° 43' 46" Long.),

2) a 12-inch natural gas pipeline and timber bridge crossing impacting 44 lineal feet of an unnamed tributary to Utley Brook (CWF-MF, NRT) (Lenoxville, PA Quadrangle; N 41° 40' 16" Lat., W - 75° 44' 15" Long.),

3) a 12-inch natural gas pipeline and timber bridge crossing impacting 93 lineal feet of Utley Brook (CWF-MF, NRT) (Lenoxville, PA Quadrangle; N 41° 40' 16" Lat., W - 75° 44' 16" Long.),

4) an access road within adjacent floodway of Utley Brook (CWF-MF, NRT) impacting 355 square feet (Lenoxville, PA Quadrangle; N 41° 40' 09" Lat., W - 75° 44' 16" Long.),

5) a 12-inch natural gas pipeline and timber bridge crossing impacting 84 lineal feet of Willow Brook (CWF-MF, NRT) (Lenoxville, PA Quadrangle; N 41° 39' 42" Lat., W - 75° 44' 56" Long.),

6) an 18 inch temporary culvert crossing impacting 28 lineal feet of an unnamed tributary to Willow Brook (CWF-MF, NRT) (Hop Bottom, PA Quadrangle; N 41° 40' 00" Lat., W - 75° 45' 06" Long.),

7) an access road within adjacent floodway of unnamed tributary to Willow Brook (CWF-MF, NRT) impacting 134 square feet (Lenoxville, PA Quadrangle; N 41° 40' 00" Lat., W - 75° 44' 06" Long.),

8) a 10-inch natural gas pipeline and timber bridge crossing impacting 78 lineal feet of an unnamed tributary to Willow Brook (CWF-MF, NRT) (Hop Bottom, PA Quadrangle; N 41° 39' 28" Lat., W - 75° 45' 30" Long.),

9) a 10-inch natural gas pipeline and timber bridge crossing impacting 70 lineal feet of an unnamed tributary to Martins Creek (CWF-MF) (Hop Bottom, PA Quadrangle; N 41° 39' 21" Lat., W - 75° 46' 19" Long.),

10) a 10-inch natural gas pipeline and timber bridge crossing impacting 76 lineal feet of an unnamed tributary to Martins Creek (CWF-MF) (Hop Bottom, PA Quadrangle; N 41° 39' 40" Lat., W - 75° 46' 22" Long.),

11) a 12-inch natural gas pipeline and timber mat/bridge crossing impacting 0.44 (19,166 s.f.) acre of PFO wetlands (Lenoxville, PA Quadrangle; N 41° 40' 16" Lat., W - 75° 44' 11" Long.),

12) a timber mat/bridge crossing impacting 0.01 (436 s.f.) acre of PEM wetlands (Lenoxville, PA Quadrangle; N 41° 40' 15" Lat., W - 75° 44' 18" Long.),

13) a 12-inch natural gas pipeline and timber mat/bridge crossing impacting 0.15 (6,534 s.f.) acre of PSS wetlands (Lenoxville, PA Quadrangle; N 41° 40' 09" Lat., W - 75° 44' 28" Long.),

14) a 12-inch natural gas pipeline and timber mat/bridge crossing impacting 0.07 (3,049 s.f.) acres of PEM wetlands (Hop Bottom, PA Quadrangle; N 41° 39' 42" Lat., W - 75° 45' 01" Long.),

15) a 10-inch natural gas pipeline and timber mat/bridge crossing impacting 0.09 (3,920 s.f.) acre of PEM wetlands (Hop Bottom, PA Quadrangle; N 41° 39' 22" Lat., W - 75° 45' 40" Long.),

16) a timber mat/bridge crossing impacting 0.01 (436 s.f.) acre of PEM wetlands (Hop Bottom, PA Quadrangle; N 41° 39' 22" Lat., W - 75° 46' 19" Long.).

The project consists of constructing approximately 5.14 miles (collectively) of 10" and 12" natural gas gathering line from the McClean Well Pad routed in a northeasterly direction to the Millard Pipeline in Lenox Township, Susquehanna County. The project will result in 549 lineal feet of direct stream impacts, 489 square feet of floodway only impacts, and 0.77 acre of wetland impact, of which 0.15 acre of permanent wetland conversion impacts, all for the purpose of conveying Marcellus Shale natural gas to market. Mitigation totaling 0.18 acre of wetland creation is provided for at the mitigation site, to account for the 0.15 acre of permanent conversion impacts from the Hickory Ridge pipeline project. The Howland Mitigation Project is located at the North Branch Land Trust (NBLT) property in Washington Township, Wyoming County.

**E4029-003: UGI Energy Services, Inc.,** 1 Meridian Boulevard, Suite 2C01, Wyomissing, PA 19610, Franklin, Kingston, & West Wyoming Townships, **Luzerne County**, ACOE Baltimore District.

To construct, operate and maintain the Auburn Line Extension Project, which consists of a 27.4 mile long, 20-inch diameter steel natural gas pipeline and associated facilities, with the following impacts:

1) 164 linear feet of a UNT to Cider Run (CWF, MF) and 1,208 square feet of permanent impacts to Palustrine Forested (PFO) Wetlands via open cut trenching and temporary timber matting (Center Moreland, PA Quadrangle, Latitude: N41°24'13.64", Longitude: W75°54'14.74");

2) 5,575 square feet of permanent impacts to Palustrine Forested (PFO) Wetlands via open cut trenching and temporary timber matting (Center Moreland, PA Quadrangle, Latitude: N41°24'12.37", Longitude: W75°54'13.83");

3) 84 linear feet of a UNT to Cider Run (CWF, MF) via open cut trenching and temporary timber matting (Center Moreland, PA Quadrangle, Latitude: N41°24'11.59", Longitude: W75°54'13.22");

4) 19 linear feet of a UNT to Cider Run (CWF, MF) via open cut trenching and temporary timber matting (Center Moreland, PA Quadrangle, Latitude: N41°23'47.32", Longitude: W75°53'55.64");

5) 71 linear feet of a UNT to Cider Run (CWF, MF) via open cut trenching and temporary timber matting (Center Moreland, PA Quadrangle, Latitude: N41°23'46.13", Longitude: W75°53'48.93");

6) 104 linear feet of a UNT to Sutton Creek (CWF, MF) and 665 square feet of temporary impacts to Palustrine Scrub-Shrub (PSS) Wetlands via open cut trenching and temporary timber matting (Center Moreland, PA Quadrangle, Latitude: N41°22'59.58", Longitude: W75°53'01.23");

7) 1,304 square feet of permanent impacts to Palustrine Forested (PFO) Wetlands via open cut trench-

ing and temporary timber matting (Center Moreland, PA Quadrangle, Latitude: N41°22'58.75", Longitude: W75°53'00.95");

8) 117 linear feet of a UNT to Sutton Creek (CWF, MF) via open cut trenching and temporary timber matting (Center Moreland, PA Quadrangle, Latitude: N41°22'58.24", Longitude: W75°53'00.10");

9) 81 linear feet of Sutton Creek (CWF, MF) via open cut trenching and temporary timber matting (Center Moreland, PA Quadrangle, Latitude: N41°22'46.89", Longitude: W75°52'57.27");

10) 4,156 square feet of temporary impacts to Palustrine Scrub-Shrub (PSS) Wetlands via open cut trenching and temporary timber matting (Center Moreland, PA Quadrangle, Latitude: N41°22'46.60", Longitude: W75°52'57.01");

11) 69 square feet of permanent impacts to Palustrine Forested (PFO) Wetlands via open cut trenching and temporary timber matting (Kingston, PA Quadrangle, Latitude: N41°22'17.79", Longitude: W75°52'44.14");

12) 4,601 square feet of permanent impacts to Palustrine Forested (PFO) Wetlands via open cut trenching and temporary timber matting (Kingston, PA Quadrangle, Latitude: N41°22'03.71", Longitude: W75°52'33.64");

13) 23,577 square feet of permanent impacts to Palustrine Forested (PFO) Wetlands via open cut trenching and temporary timber matting (Kingston, PA Quadrangle, Latitude: N41°21'27.07", Longitude: W75°52'53.28");

14) 86 linear feet of a UNT to Abrahams Creek (CWF, MF) via open cut trenching and temporary timber matting (Kingston, PA Quadrangle, Latitude: N41°21'25.11", Longitude: W75°52'54.34");

15) 1,555 square feet of permanent impacts to Palustrine Forested (PFO) Wetlands via open cut trenching and temporary timber matting (Kingston, PA Quadrangle, Latitude: N41°20'35.77", Longitude: W75°52'41.21");

16) 2,508 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and temporary timber matting (Kingston, PA Quadrangle, Latitude: N41°20'18.38", Longitude: W75°52'35.87");

17) 6,474 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and temporary timber matting (Kingston, PA Quadrangle, Latitude: N41°20'13.98", Longitude: W75°52'31.79");

18) 37 linear feet of Abrahams Creek (CWF, MF) via open cut trenching and temporary timber matting (Kingston, PA Quadrangle, Latitude: N41°20'12.38", Longitude: W75°52'30.42");

19) 441 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and temporary timber matting (Kingston, PA Quadrangle, Latitude: N41°20'11.25", Longitude: W75°52'30.47");

20) 109 linear feet of a UNT to Abrahams Creek (CWF, MF) via open cut trenching and temporary timber matting (Kingston, PA Quadrangle, Latitude: N41°20'10.46", Longitude: W75°52'30.42");

21) 4,038 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut

trenching and temporary timber matting (Kingston, PA Quadrangle, Latitude: N41°20'09.38", Longitude: W75°52'31.17");

22) 156 linear feet of a UNT to Abrahams Creek (CWF, MF) via open cut trenching and temporary timber matting (Pittston, PA Quadrangle, Latitude: N41°19'41.73", Longitude: W75°41'12.60");

23) 119 linear feet of a UNT to Abrahams Creek (CWF, MF) via open cut trenching and temporary timber matting (Pittston, PA Quadrangle, Latitude: N41°19'27.17", Longitude: W75°52'17.61");

24) 122 linear feet of a UNT to Abrahams Creek (CWF, MF) and 24,636 square feet of permanent impacts to Exceptional Value (EV) Palustrine Forested (PFO) Wetlands via open cut trenching and temporary timber matting (Pittston, PA Quadrangle, Latitude: N41°19'25.33", Longitude: W75°52'20.24");

25) 26 linear feet of a UNT to Abrahams Creek (CWF, MF) via open cut trenching and temporary timber matting (Pittston, PA Quadrangle, Latitude: N41°19'25.21", Longitude: W75°52'19.59");

26) 62 linear feet of a UNT to Abrahams Creek (CWF, MF) via open cut trenching and temporary timber matting (Pittston, PA Quadrangle, Latitude: N41°19'25.28", Longitude: W75°52'20.90");

27) 97 linear feet of a UNT to Abrahams Creek (CWF, MF) via the installation of an 85.5 foot long, 18-inch diameter culvert for a permanent access road (Kingston, PA Quadrangle, Latitude: N41°19'22.97", Longitude: W75°52'43.12"); and

28) 65 linear feet of a UNT to Abrahams Creek (CWF, MF) via the installation of a 58.0 foot long, 36-inch diameter culvert for a permanent access road (Kingston, PA Quadrangle, Latitude: N41°19'20.62", Longitude: W75°52'41.90").

The project will result in 1,519 linear feet of stream impacts, 13,461 square feet (0.31 acre) of temporary impacts to Palustrine Emergent (PEM) Wetlands, 4,821 square feet (0.11 acre) of temporary impacts to Palustrine Scrub-Shrub (PSS) Wetlands, 37,889 square feet (0.87 acre) of permanent impacts to Palustrine Forested (PFO) Wetlands and 24,636 square feet (0.57 acre) of permanent impacts to Exceptional Value (EV) Palustrine Forested (PFO) Wetlands; all for the purpose of installing a 27.4 mile long, 20-inch diameter steel natural gas pipeline and associated facilities.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA22-019: City of Harrisburg**, 123 Walnut Street, Harrisburg, PA 17101 in Susquehanna Township, **Dauphin County**, ACOE Baltimore District

To 1.) re-grade and maintain 342.0 feet of Asylum Run (WWF, MF); 2.) remove of 988 cubic yards of fill from the floodway of Asylum Run (WWF, MF); 3.) install and maintain 342.0 feet of rock toe bank revetment along Asylum Run (WWF, MF); 4.) remove two 192.0-foot long, 30.0-inch diameter CMP pipes in an unnamed tributary to Asylum Run (WWF, MF); 5.) install and maintain two 143.0 foot long 30.0 inch diameter HDPE pipes with concrete riser and end wall structures in an unnamed tributary to Asylum Run (WWF, MF); 6.) remove 637 cubic yards of fill from the floodway and floodplain of an unnamed tributary to Asylum Run (WWF, MF); all for the purposes of restoring the stream and floodplain and

reducing the downstream flooding risk. The project is located off of State Farm Drive (Latitude: 40° 17' 29.2"N; Longitude: 76° 51' 36.6"W) in Susquehanna Township, Dauphin County.

*Central Office: Bureau of Watershed Management, Rachel Carson State Office Building, Floor 10, P.O. Box 8775 Harrisburg, PA 17105-8775*

**EA9915-04. Division of Habitat Management, PA Fish & Boat Commission**, 450 Robinson Lane, Bellefonte, PA 16823. Statewide coverage. ACOE Baltimore, Pittsburgh and Philadelphia Districts.

The PA Fish & Boat Commission's (PAFBC) request for a programmatic Environmental Assessment (EA) approval based upon the information provided is sufficient to meet the Environmental Assessment (EA) as required under section 105.15(a) for the Cooperative Habitat Improvement Program (CHIP). The environmental assessment required for the utilization of Chapter 105.12(a)(16) waiver of permit requirements for activities undertaken and conducted for habitat improvement and/or habitat restoration of stream and lake resources across the Commonwealth is hereby conditionally approved. The activities performed by the CHIP program constitute restoration activities and therefore meet the provisions of Chapter 105.12(a)(16). This approval does not include a 401 Water Quality Certification.

#### DAM SAFETY

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17105-8460*

**D63-140. Ohio Valley Lutheran Bible Camp Association**. P.O. Box 115, Hickory, PA 15340. To modify Camp Agape Dam across a tributary to South Fork Cross Creek (HQ-WWF) for the purpose of recreation. Permit issued to modify Camp Agape Dam across a tributary to South Fork Cross Creek (HQ-WWF) for the purpose of recreation. The top of dam elevation will be lowered so that the maximum depth of water is less than 15 feet. Upon completion of the modifications, the dam will be non-jurisdictional.

(Midway, PA Quadrangle; Latitude: 40.276N, Longitude: 80.341W) in Mount Pleasant Township, **Washington County**.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

ESCGP-1 # ESX13-115-0065

Applicant Name WPX Energy Marcellus Gathering, LLC  
Contact Person David Freudenrich  
Address 6000 Town Center Blvd., Suite 300  
City, State, Zip Canonsburg, PA 15317  
County Susquehanna County  
Township(s) Forest Lake Township  
Receiving Stream(s) and Classification(s) Forest Lake Creek (CWF/MF) and UNTs to Middle Branch Wyalusing Creek (CWF/MF)

ESCGP-1 # ESX13-115-0031

Applicant Name Chesapeake Appalachia, LLC  
Contact Person Eric Haskins  
Address 101 North Main Street  
City, State, Zip Athens, PA 18810  
County Susquehanna County  
Township(s) Auburn Township  
Receiving Stream(s) and Classification(s) Baker Creek (CWF/MF), Dority Creek (CWF/MF)

ESCGP-1 # ESX13-015-0001 (01)

Applicant Name Anadarko Marcellus Midstream, LLC  
Contact Person Rane Wilson  
Address 33 W. Third Street, Suite 200  
City, State, Zip Williamsport, PA 17701  
County Clinton County  
Township(s) Colebrook, Bald Eagle and Grugan Townships  
Receiving Stream(s) and Classification(s)

ESCGP-1 # ESX13-117-0018

Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 2100 Georgetown Drive, Suite 400  
City, State, Zip Sewickley, PA 15143  
County Tioga County  
Township(s) Sullivan Township  
Receiving Stream(s) and Classification(s) UNT to Elk Run (TSF/MF);  
Secondary: Elk Run (TSF/MF)

ESCGP-1 # ESX13-115-0060

Applicant Name Williams Field Services Company, LLC  
Contact Person Scott Gregory  
Address 51 Warren Street  
City, State, Zip Tunkhannock, PA 18657  
County Susquehanna County  
Township(s) Dimock Township  
Receiving Stream(s) and Classification(s) West Branch Meshoppen Creek (CWF/MF)

ESCGP-1 # ESX13-115-0050

Applicant Name Cabot Oil & Gas Corporation  
Contact Person Kenneth Marcum  
Address Five Penn Center West, Suite 401  
City, State, Zip Pittsburgh, PA 15276  
County Susquehanna County  
Township(s) Bridgewater Township  
Receiving Stream(s) and Classification(s) UNT to Snake Creek (CWF/MF)

ESCGP-1 # ESX13-115-0062  
 Applicant Name Williams Field Services Company, LLC  
 Contact Person Sandra Lojek  
 Address 2000 Commerce Drive  
 City, State, Zip Pittsburgh, PA 15275  
 County Susquehanna County  
 Township(s) Jessup Township  
 Receiving Stream(s) and Classification(s) UNT to East  
 Branch Wyalusing Creek (CWF/MF)

ESCGP-1 # ESG13-081-0027  
 Applicant Name Anadarko E&P Onshore, LLC  
 Contact Person Nathan Bennett  
 Address 33 W. Third Street, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) Gamble Township  
 Receiving Stream(s) and Classification(s) Shoemaker Run,  
 UNT to Shoemaker Run (HQ-CWF/MF);  
 Secondary: Lycoming Creek (EV/MF)

ESCGP-1 # ESX11-035-0015 (01)  
 Applicant Name Anadarko Marcellus Midstream, LLC  
 Contact Person Rane Wilson  
 Address 33 W. Third Street, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Clinton County  
 Township(s) Beech Creek Township  
 Receiving Stream(s) and Classification(s) Swamp Branch  
 (EV/MF);  
 Secondary: East Branch Big Run (EV/MF)

ESCGP-1 # ESG13-015-0028  
 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) Franklin Township  
 Receiving Stream(s) and Classification(s) Falls Creek  
 (HQ-CWF/MF);  
 Secondary: Schrader Creek (HQ-CWF/MF)

ESCGP-1 # ESG13-115-0054  
 Applicant Name Susquehanna Gathering Company 1,  
 LLC  
 Contact Person John Miller  
 Address P.O. Box 839, 1299 Oliver Road  
 City, State, Zip New Milford, PA 18834  
 County Susquehanna County  
 Township(s) New Milford Township  
 Receiving Stream(s) and Classification(s) UNTs to East  
 Lake Creek (HQ-CWF/MF), UNT to Smith Creek  
 (HQ-CWF/MF)

ESCGP-1 # ESX13-117-0019  
 Applicant Name SWEPI LP  
 Contact Person Jason Shoemaker  
 Address 2100 Georgetown Drive, Suite 400  
 City, State, Zip Sewickley, PA 15143  
 County Tioga County  
 Township(s) Sullivan Township  
 Receiving Stream(s) and Classification(s) UNT to Corey  
 Creek (CWF);  
 Secondary: Corey Creek (CWF)

ESCGP-1 # ESG13-115-0063  
 Applicant Name Susquehanna Gathering Company 1,  
 LLC  
 Contact Person John Miller  
 Address P.O. Box 839, 1299 Oliver Road  
 City, State, Zip New Milford, PA 18834  
 County Susquehanna County

Township(s) New Milford Township  
 Receiving Stream(s) and Classification(s) UNTs to East  
 Lake Creek (HQ-CWF, MF) and Salt Lick Creek  
 (HQ-CWF/MF)

ESCGP-1 # ESX13-131-0001 (01)  
 Applicant Name UGI Energy Services, Inc.  
 Contact Person Jeff England  
 Address 1 Meridian Boulevard  
 City, State, Zip Wyomissing, PA 19610  
 County Wyoming and Luzerne Counties  
 Township(s) Washington, Mehoopany, Eaton,  
 Northmoreland, Franklin and Kingston  
 Townships, West Wyoming Borough  
 Receiving Stream(s) and Classification(s)  
 SUSQUEHANNA RIVER (WWF/MF), SUGAR  
 HOLLOW CREEK (HQ-CWF, ME), BOWMAN CREEK  
 (HQ-CWF/MF), MONEYPENNY CREEK (CWF/MF),  
 THURSTON HOLLOW CREEK (CWF/MF), MARSH  
 CREEK (HQ-CWF/MF), MILL CREEK (CWF/MF),  
 WHITELOCK CREEK (CWF/MF), CIDER RUN  
 (CWF/ MF), SUTTON CREEK (CWF/MF), ABRAHAM'S  
 CREEK (CWF/MF)

ESCGP-1 # ESG13-081-0029  
 Applicant Name Anadarko Marcellus Midstream LLC  
 Contact Person Nathan Bennett  
 Address 33 W. Third Street, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) Cascade Township  
 Receiving Stream(s) and Classification(s) Slacks Run  
 (HQ);  
 Secondary: Lycoming Creek (EV)

ESCGP-1 # ESX13-115-0048  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 14 Chesapeake Lane  
 City, State, Zip Sayre, PA 18840  
 County Susquehanna County  
 Township(s) Auburn Township  
 Receiving Stream(s) and Classification(s) Nine Creek  
 (CWF/MF), Riley Creek (CWF/MF)

ESCGP-1 # ESX13-015-0037  
 Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Randy DeLaune  
 Address 100 Ist Center  
 City, State, Zip Horseheads, NY 14845  
 County Bradford County  
 Township(s) West Burlington Township  
 Receiving Stream(s) and Classification(s) UNTs to Sugar  
 Creek, Tom Jack Creek (All TSF/MF)

ESCGP-1 # ESX12-015-0046 (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) Warren Township  
 Receiving Stream(s) and Classification(s) Corbin Creek &  
 Dewing Creek (CWF/MF)

ESCGP-1 # ESX11-081-0009 (01)  
 Applicant Name Southwestern Energy Production  
 Company  
 Contact Person Dave Sweeley  
 Address 917 State Route 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Lycoming County  
 Township(s) McIntyre Township



Receiving Stream(s) and Classification(s) Lycoming Creek (EV);  
 Secondary: Susquehanna River (WWF)  
 ESCGP-1 # ESX13-115-0066  
 Applicant Name Susquehanna Gathering Company I, LLC  
 Contact Person John Miller

Address P.O. Box 839, 1299 Oliver Road  
 City, State, Zip New Milford, PA 18834  
 County Susquehanna County  
 Township(s) Jackson Township  
 Receiving Stream(s) and Classification(s) Drinker Creek (CWF/MF), Butler Creek (CWF, MF-NRT)

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

<i>ESCGP-2 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
63138001-1	Equitrans, LP 625 Liberty Avenue Suite 1700 Pittsburgh, PA 15222	Allegheny	California Borough, Carroll Township, Centerville Borough, Deemston Borough, East Bethlehem Township, Fallowfield Township, Forward Township, Jefferson Township, Jefferson Hills Borough, Monongahela City, Union Township, West Pike Run Township, Allegheny County Greene County, and Washington County	Lobbs Run, UNT to Kelly Run, UNT to South Fork of Tenmile Run, UNT to Monongahela River, UNT to Little Pike Run, Pike Run, UNT to Tenmile Run, Barneys Run (TSF & WWF)

*Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481  
 Clarion County Conservation District, 330 West Main Street, Rm 9, Clarion PA 16214*

<i>ESCGP -1 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
1613802	Columbia Gas of Pennsylvania 4000 Energy Drive Bridgeville PA 15107	Clarion	Parker and Perry Townships	Unts Allegheny River WWF

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

ESCGP-1 #ESX12-121-0020A—Allam to National Fuel Pipeline Project-Major Modification  
 Applicant Halcon Field Services  
 Contact Rich DiMichele  
 Address 1000 Louisiana St., Suite 6700  
 City Houston State TX Zip Code 77002  
 County Venango Township(s) Frenchcreek and Mineral(s)  
 Receiving Stream(s) and Classification(s) South Sandy Creek, Sulphur Run, Sandy Creek, Little Sandy Creek, HQ WWF, CWF

ESCGP-1 #ESX13-019-0030—West Pad 75  
 Applicant Penn Energy Resources, LLC  
 Contact Mr. Joseph Schwab  
 Address 1000 Commerce Drive; Park Place One, Suite 100  
 City Pittsburgh State PA Zip Code 15275  
 County Butler Township(s) Clinton(s)  
 Receiving Stream(s) and Classification(s) Lardintown Run, UNT to Lardintown Run / Lower Allegheny River Watershed.

ESCGP-1 #ESG13-031-0003—Swartfager-Moore Unit 1M Well and Utility Line  
 Applicant Snyder Brothers, Inc  
 Contact Melanie Pelegrinelli  
 Address P.O. Box 1022  
 City Kittanning State PA Zip Code 16201

County Clarion Township(s) Porter(s)  
 Receiving Stream(s) and Classification(s) Leatherwood Creek

ESCGP-1 #ESX13-073-0002—Mahoning Leeper Well Pad  
 Applicant Hilcorp Energy Company  
 Contact Stephanie McMurray  
 Address 1201 Louisiana Street, Suite 1400  
 City Houston State TX Zip Code 77002  
 County Lawrence Township(s) Mahoning(s)  
 Receiving Stream(s) and Classification(s) UNT to Mahoning River—WWF, Mahoning River—WWF

ESCGP-1 #ESG13-073-0001—DGA Pipeline Phase 1A  
 Applicant Swepi LP  
 Contact Jason Shoemaker  
 Address 2100 Georgetown Drive, Suite 400  
 City Sewickley State PA Zip Code 15143  
 County Lawrence Township(s) North Beaver, Little Beaver, New Beaver Boro(s)  
 Receiving Stream(s) and Classification(s) Jenkins Run (WWF), Tribs to Jenkins Run (WWF), Trib to Beaverdam Run (HQ-CWF)

ESCGP-1 #ESG13-019-0031—Ursa Major Well Pad  
 Applicant EM Energy Pennsylvania, LLC  
 Contact William Ottaviani  
 Address 50 Abele Road, Suite 1005  
 City Bridgeville State PA Zip Code 15017  
 County Butler Township(s) Concord and Oakland(s)  
 Receiving Stream(s) and Classification(s) Tribs. 35321 & 35322 to Connoquenessing Creek

ESCGP-1 #ESX13-085-0013—Shenango-Radkowski Well Pad

Applicant Hilcorp Energy  
 Contact Stephanie McMurray  
 Address 1201 Louisiana Street, Suite 1400  
 City Houston State TX Zip Code 77002  
 County Mercer Township(s) Shenango(s)  
 Receiving Stream(s) and Classification(s) Shenango River (WWF)

ESCGP-1 #ESX13-123-0001

Applicant Autumn Ridge Energy LLC  
 Contact Jesse L Malner  
 Address P.O. Box 175  
 City Burbank State OH Zip Code 44214-0175  
 County Warren Township(s) Mead(s)  
 Receiving Stream(s) and Classification(s) UNT to Allegheny Reservoir: Allegheny River Basin in PA—CWF, Allegheny River—WWF

### OIL AND GAS MANAGEMENT

The following Well Permits have been issued with a waiver under 58 Pa.C.S. § 3215(b)(4) (relating to well location restrictions).

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 which the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not in and of itself create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

*Southwest District Oil and Gas Operations, Program Manager, 400 Waterfront Drive Pittsburgh, PA 15222-4739*

Well Permit #: 129-28854  
 Well Farm Name: DesLauriers Unit 2H  
 Applicant Name: Penneco Oil Company, Inc.  
 Contact Person: D. Marc Jacobs, Jr.  
 Address: 6608 US Rte 22 Delmont, PA 15626-2408  
 County: Westmoreland  
 Municipality Name/City, Borough, Township: City of Lower Burrell

Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Tributary #42385 to Pucketa Creek (TSF)

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

Well Permit #: 015-20981-00-01  
 Well Farm Name Hayward 5H  
 Applicant Name: Chesapeake Appalachia, LLC.  
 Contact Person: Eric Haskins  
 Address: 14 Chesapeake Lane, Sayre, PA 18840  
 County: Susquehanna  
 Municipality Rome Township:

Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Rome, Wysox Creek.

Well Permit #: 115-20579-00-00  
 Well Farm Name Carty 4H  
 Applicant Name: WPX Energy Appalachia, LLC.  
 Contact Person: David R. Freudenrich  
 Address: 6000 Town Center Boulevard, Suite 300, Canonsburg, PA 15317  
 County: Susquehanna  
 Municipality Liberty Township:

Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Franklin Forks

Well Permit #: 131-2021700-01  
 Well Farm Name Colcam WYO 1H  
 Applicant Name: Chesapeake Appalachia, LLC.  
 Contact Person: Eric Haskins  
 Address: 101 North Main Street, Athens, PA 18810  
 County: Wyoming  
 Municipality Meshoppen Township:

Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Meshoppen, Meshoppen Creek

## STORAGE TANKS

### SITE-SPECIFIC INSTALLATION PERMITS

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

SSIP Permit No.	Applicant Name & Address	County	Municipality	Tank Type	Tank Capacity
13-67-009	York Hospital 1001 S. George St. York, PA 17403-3676 Attn: George Baker	York	Spring Garden Township	1 AST storing diesel fuel	30,000 gallons

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**SPECIAL NOTICES**


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**Notice of Certification to Perform Radon-Related Activities in Pennsylvania**

In the month of June 2013 Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P. L. 238, No. 43 (63 P. S. Sections 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon-related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P.O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
AccuStar Labs	929 Mt. Zion Rd. Lebanon, PA 17046	Laboratory Analysis
Chad Albright	4101 Beale Ave. Altoona, PA 16601	Testing
Tina Artigliere	PO Box 4475 Reading, PA 19606	Testing
Scott Barone	715 Stanley Ave. Springdale, PA 15144	Testing
Richard Benchoff, Jr. Radon Detection & Control III	PO Box 419 South Heights, PA 15081	Mitigation
William Boni	5135 Interboro Ave. Pittsburgh, PA 15207	Testing & Mitigation
Robert Bruno Boro Environmental	501 Sharp Ave. Glenolden, PA 19036	Testing
CA Construction	4101 Beale Ave. Altoona, PA 16601	Mitigation
Jeffrey Chase	124 Merino Dr. Canonsburg, PA 15317	Testing
Steven Clayton	PO Box 278 Blairsville, PA 15717	Mitigation
Carl Distenfeld TCS Industries, Inc.	4326 Crestview Rd. Harrisburg, PA 17112	Laboratory Analysis
Scott Feeser Bloodhounds Inspection Team	16 W. Hanover St. Gettysburg, PA 17325	Testing
Aaron Flook	106 E. Genessee St. Pittsburgh, PA 15223	Testing
Vilas Godbole	6314 Hilltop Dr. Brookhaven, PA 19015	Testing
Thomas Hollingsworth	23 Ravine Ln. Levittown, PA 19055	Mitigation
Chris Kessler New Leaf Home Inspection	950 Capehorn Rd. York, PA 17402	Testing
Michael Lieb	407 Burmont Rd. Drexel Hill, PA 19026	Testing
Jeremy Ling	3544 N. Progress Ave. Suite 200 Harrisburg, PA 17110	Mitigation
Thomas Moore	421 Redgate Rd. Sewickley, PA 15143	Testing
Jonathan Musselman	517 Park Ave. Harleysville, PA 19438	Testing
Jerry Petrill	290 Forbes Trail Rd. Greensburg, PA 15601	Mitigation
Gerald Petrone	1520 Orchard Dr. McMurray, PA 15317	Testing
Pillar to Post Philadelphia LLC	8001 Roosevelt Blvd. Suite 400 Philadelphia, PA 19152	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Shawn Price Air Chek, Inc.	1936 Butler Bridge Rd. Mills River, NC 28759	Laboratory Analysis
Eric Rode	290 S. Mill Rd. Milton, PA 17847	Testing
Troy Rudy Allied Home Inspections, Inc.	PO Box 4214 Lancaster, PA 17604	Testing
Mark Runge	1189 Fairview Dr. Reading, PA 19605	Mitigation
Eugene John Spoehr, Jr.	6303 Hilltop Dr. Brookhaven, PA 19015	Testing
Kevin Thompson	PO Box 242 Unionville, PA 19375	Testing
Charles Toy	579 Franklin St. Freeport, PA 16229	Testing
Lawrence Transue	289 Town Center Rd. #204 Easton, PA 18040	Testing
Thomas Wilson	PO Box 9 Mingoville, PA 16856	Testing
Eric Zigga	835 Murray St. Throop, PA 18512	Mitigation

[Pa.B. Doc. No. 13-1254. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Bid Opportunity

**OOGM 13-3, Cleaning Out and Plugging Three Abandoned Oil Wells (Jill C. Hoch and Lloyd M. Burkhouse, Jr. Properties), Keating and Foster Townships, McKean County.** The principal items of work and approximate quantities are to clean out and plug three abandoned oil wells, estimated to be 1,700 feet in depth, to Department of Environmental Protection specifications; to prepare and restore well sites; and to mobilize and demobilize plugging equipment. This project issues on July 12, 2013, and bids will be opened on August 20, 2013, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid conference is planned for July 25, 2013, at 10 a.m. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@pa.gov for more information on this bid.

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-1255. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Mining and Reclamation Advisory Board Meeting Update

The Mining and Reclamation Advisory Board (Board) will meet on July 11, 2013, from 9 a.m. to 11:30 a.m. at the Cambria District Mining Office, 286 Industrial Park Road, Ebensburg, PA 15931.

Questions concerning the meeting can be directed to Daniel E. Snowden, D.Ed. at (717) 783-8846 or dsnowden@pa.gov. The agenda and meeting materials for the meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.dep.state.pa.us> (DEP Keywords: "Public Participation, Participate").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden, D.Ed. at the previously listed number or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-1256. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Ohio River Valley Water Sanitation Commission; Public Hearing on Revisions to Pollution Control Standards Regarding Date of Elimination of Mixing Zones

Under the authority in Article VI of the Ohio River Valley Water Sanitation Compact and by direction of the Ohio River Valley Water Sanitation Commission (Commission), a public hearing will be held by the Commission on Tuesday, August 13, 2013, at the Airport Holiday Inn, 1717 Airport Exchange Boulevard, Erlanger, KY.

The Department of Environmental Protection (Department) is publishing this notice as a member state of ORSANCO and to ensure that the citizens of this Commonwealth who may be affected by changes to stream standards on the Ohio River have an opportunity to comment on the proposed changes.

The hearing will be conducted from 4:30 p.m. until 7 p.m. or until completed on August 13, 2013. The record of the hearing shall remain open and written testimony accepted for 30 calendar days after the hearing or until 12 a.m. on Thursday, September 12, 2013.

The purpose of the hearing will be to receive comments concerning the proposed amendment to the Commission's Pollution Control Standards for the modification or treatment of all sewage and industrial wastes discharged or permitted to flow into the Ohio River by extending from October 16, 2013, to October 16, 2015, the date by which all mixing zones for Bioaccumulative Chemicals of Concern must be eliminated for discharges to the Ohio River.

Parties whose interest may be affected by the hearing or by any action of the Commission which may be taken as the result of the hearing will be given adequate opportunity to express, either orally or in writing, their views upon the issue to be considered. Brief oral summaries and submission of written summaries are encouraged.

Interested parties desiring additional information concerning the amendment to be considered at the hearing or concerning the conduct of the hearing or desiring information with regard to evidence, views or recommendations to be submitted at the hearing may obtain information through the Commission's web site at [www.orsanco.org](http://www.orsanco.org) or by contacting the Commission at 5735 Kellogg Avenue, Cincinnati, OH 45230, (513) 231-7719. In addition, announcements of informational workshops or webinars will be posted on the Commission's previously listed web site.

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-1257. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Oil and Gas Technical Advisory Board Subcommittee Meetings

The Oil and Gas Technical Advisory Board will be convening subcommittees to discuss recommendations concerning the draft proposed rulemaking under 25 Pa. Code Chapter 78, Subchapter C (relating to environmental protection performance standards). Four subcommittees have been established and will discuss matters concerning public resource protection, prehydraulic fracturing assessment, waste management at well sites and water supply restoration standards. These subcommittee meetings will be open to the public.

The first round of subcommittee meetings is scheduled to be held on Wednesday, July 17, 2013, from 10 a.m. to 4:30 p.m. and on Thursday, July 18, 2013, from 8:30 a.m. to 3 p.m. at the Westmoreland County Conservation District—Donohoe Center, 218 Donohoe Road, Greensburg, PA 15601.

The second round of subcommittee meetings are scheduled for Wednesday, August 14, 2013, from 10 a.m. to 4:30 p.m. and on Thursday, August 15, 2013, from 8:30 a.m. to 3 p.m. in the Nittany Room, Ramada Inn State College, 1450 South Atherton Street, State College, PA 16801.

The final subcommittee meetings will be held on Wednesday, September 18, 2013, from 10 a.m. to 4:30 p.m. and on Thursday, September 19, 2013, from 8:30 a.m. to 3 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Questions concerning the schedule or agenda items can be directed to Kurt Klappkowski at (717) 783-9645 or [kklappkowski@pa.gov](mailto:kklappkowski@pa.gov). The schedules, agendas for the meet-

ing and notices of meeting changes will be available through the Public Participation Center on the Department of Environmental Protection's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us).

Persons in need of accommodations, as provided by the Americans with Disabilities Act of 1990 should contact Kurt Klappkowski at the previously listed contact number or e-mail.

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-1258. Filed for public inspection July 12, 2013, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Lease Office Space to the Commonwealth Allegheny County

Proposals are invited to provide the Department of General Services with 2,631 usable square feet of office space for the Pennsylvania Public School Employees' Retirement System in Allegheny County. For more information on SFP No. 94493, which is due on Friday, August 16, 2013, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact Scott Shelton at (717) 787-5546.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 13-1259. Filed for public inspection July 12, 2013, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Changes to Payment Methodology for Birth Centers

The Department of Public Welfare (Department) is announcing it will modify the current payment methodology for birth center services to include separate payments for the facility and the practitioner for dates of service on and after September 1, 2013.

#### *Background*

On March 23, 2010, the Patient Protection and Affordable Care Act (Pub. L. No. 111-148) was enacted and on March 30, 2010, the Health Care and Education Reconciliation Act of 2010 (Pub. L. No. 111-152) was enacted. Together, they are known as the Affordable Care Act (ACA). Section 2301(a)(3)(C) of the ACA, regarding coverage for freestanding birth centers, requires state Medicaid programs to make separate payments to the birth center and practitioners for administering antepartum, labor and delivery and postpartum care (42 U.S.C.A. § 1396d(1)(3)(c)).

The Department currently pays an all-inclusive trimester payment to birth centers, which includes payment for the services provided by individual practitioners for antepartum, labor and delivery, and postpartum care.

To comply with 42 U.S.C.A. § 1396d(1)(3)(c), the Department will make separate payments to the birth center for facility services and to the practitioners who provide antepartum, labor and delivery, and postpartum care in birth centers.

#### *Payment Methodology*

The Department recognizes the importance of birth centers as part of the continuum of care for female Medical Assistance (MA) beneficiaries.

The Department obtained 12 months of cost data from the MA Program enrolled birth centers and summarized the data to determine an average reported cost per birth for both the facility and practitioner. The average reported cost per birth for the facility and practitioner were used to determine the rate of payment to both the birth center and the practitioner for providing antepartum, labor and delivery, and postpartum services in the birth center. The Department apportioned the payments currently made to birth centers based on the percentage of the birth centers costs that reflect facility costs and practitioner costs.

The new birth center facility and practitioner trimester payments are structured on a payment percentage basis similar to the trimester payments made under the MA Program's Healthy Beginnings Plus Program.

The maximum allowable payment to the birth center over the course of all three trimesters, when a delivery occurs at the birth center, will be \$1,328. The maximum allowable payment to the birth center over the course of all three trimesters when a delivery occurs at the hospital will be \$628.

Payments are restricted to only one practitioner per trimester. The maximum allowable payment to the practitioner over the course of all three trimesters, when a delivery occurs at the birth center, will be \$1,060. The maximum allowable payment to the practitioner over the course of all three trimesters when a delivery occurs at the hospital will be \$510.

The Department will pay birth centers for antepartum, labor and delivery and postpartum care on a trimester basis as follows:

- First Trimester: \$149 (11% of total payment)
- Second Trimester: \$179 (14% of total payment)
- Third Trimester: \$1,000 (75% of total payment)  
(With Delivery at Birth Center)
- Third Trimester: \$300  
(When Delivery occurs at Hospital)

The Department will pay practitioners for antepartum, labor and delivery and postpartum care services provided in a birth center on a trimester basis as follows:

- First Trimester: \$80 (8% of total payment)
- Second Trimester: \$80 (8% of total payment)
- Third Trimester: \$900 (84% of total payment)  
(With Delivery at Birth Center)
- Third Trimester: \$350  
(When Delivery occurs at Hospital)

Similar to the Healthy Beginnings Plus Program model, the Department will make a "per visit" payment to the facility and the practitioner when the beneficiary makes only a single visit, during the trimester, to the birth center. Once the beneficiary makes a second visit during the trimester, the facility and practitioner are paid the trimester package rate. The birth center facility and practitioner "per visit" payments are structured on a payment percentage basis similar to the percentage distribution between the facility and the practitioner trimester payments. The facility payment for a single beneficiary visit will be \$24 (60% of total payment). The practitioner payment for a single beneficiary visit will be \$16 (40% of total payment).

Birth centers and practitioners are to submit claims to the MA Program using the applicable procedure code, provider type/specialty and modifier combinations as follows:

<i>Procedure Code</i>	<i>National Description</i>	<i>Old Birth Center MA Description</i>	<i>Provider</i>	<i>Specialty</i>	<i>Place of Service</i>	<i>Pricing Modifier</i>	<i>Info Modifier</i>	<i>MA Fee</i>	<i>MA units</i>	<i>Limits</i>
59425	Antepartum care only; 4-6 visits	First trimester OB services (Birth Center)	47	470	25	TH		\$149	1	1 per 1st trimester
59426	Antepartum care only; 7 or more visits	First Trimester OB services (CRNP)	09	All Spec	25	TH	SA	\$80	1	Payment restricted to 1 practitioner/practitioner group per 1st trimester
59426	Antepartum care only; 7 or more visits	First Trimester OB services (physician)	31	All Spec	25	TH	AF	\$80	1	Payment restricted to 1 practitioner/practitioner group per 1st trimester
59426	Antepartum care only; 7 or more visits	First Trimester OB services (nurse midwife)	33	335	25	TH	SB	\$80	1	Payment restricted to 1 practitioner/practitioner group per 1st trimester
59425	Antepartum care only; 4-6 visits	Second trimester OB services (Birth Center)	47	470	25	U9		\$179	1	1 per 2nd trimester
59426	Antepartum care only; 7 or more visits	Second Trimester OB services (CRNP)	09	All Spec	25	U9	SA	\$80	1	Payment restricted to 1 practitioner/practitioner group per 2nd trimester
59426	Antepartum care only; 7 or more visits	Second Trimester OB services (physician)	31	All Spec	25	U9	AF	\$80	1	Payment restricted to 1 practitioner/practitioner group per 2nd trimester
59426	Antepartum care only; 7 or more visits	Second Trimester OB services (nurse midwife)	33	335	25	U9	SB	\$80	1	Payment restricted to 1 practitioner/practitioner group per 2nd trimester

<i>Procedure Code</i>	<i>National Description</i>	<i>Old Birth Center MA Description</i>	<i>Provider</i>	<i>Specialty</i>	<i>Place of Service</i>	<i>Pricing Modifier</i>	<i>Info Modifier</i>	<i>MA Fee</i>	<i>MA units</i>	<i>Limits</i>
59425	Antepartum care only; 4-6 visits	Third trimester OB services with delivery at Birth Center (Birth Center)	47	470	25	U5		\$1,000	1	1 per 3rd trimester
59426	Antepartum care only; 7 or more visits	Third trimester OB services with delivery at Birth Center (physician)	31	All Spec	25	U5	AF	\$900	1	Payment restricted to 1 practitioner/practitioner group per 3rd trimester
59426	Antepartum care only; 7 or more visits	Third trimester OB services with delivery at Birth Center (nurse midwife)	33	335	25	U5	SB	\$900	1	Payment restricted to 1 practitioner/practitioner group per 3rd trimester
59425	Antepartum care only; 4-6 visits	Third trimester OB services with delivery at Hospital (Birth Center)	47	470	25	U4		\$300	1	1 per 3rd trimester
59426	Antepartum care only; 7 or more visits	Third trimester OB services with delivery at Hospital (CRNP)	09	All Spec	25	U4	SA	\$350	1	Payment restricted to 1 practitioner/practitioner group per 3rd trimester
59426	Antepartum care only; 7 or more visits	Third trimester OB services with delivery at Hospital (physician)	31	All Spec	25	U4	AF	\$350	1	Payment restricted to 1 practitioner/practitioner group per 3rd trimester
59426	Antepartum care only; 7 or more visits	Third trimester OB services with delivery at Hospital (nurse midwife)	33	335	25	U4	SB	\$350	1	Payment restricted to 1 practitioner/practitioner group per 3rd trimester
99211	First Trimester Individual Visit	First Trimester Individual Visit (Birth Center)	47	470	25	U4		\$24	1	First visit only; first trimester
99211	First Trimester Individual Visit	First Trimester Individual Visit (CRNP)	09	All Spec	25	U5	SA	\$16	1	First visit only; first trimester



<i>Procedure Code</i>	<i>National Description</i>	<i>Old Birth Center MA Description</i>	<i>Provider</i>	<i>Specialty</i>	<i>Place of Service</i>	<i>Pricing Modifier</i>	<i>Info Modifier</i>	<i>MA Fee</i>	<i>MA units</i>	<i>Limits</i>
99211	First Trimester Individual Visit	First Trimester Individual Visit (physician)	31	All Spec	25	U5	AF	\$16	1	First visit only; first trimester
99211	First Trimester Individual Visit	First Trimester Individual Visit (nurse midwife)	33	335	25	U5	SB	\$16	1	First visit only; first trimester
99212	Second Trimester Individual Visit	Second Trimester Individual Visit (Birth Center)	47	470	25	U4		\$24	1	First visit only; second trimester
99212	Second Trimester Individual Visit	Second Trimester Individual Visit (CRNP)	09	All Spec	25	U5	SA	\$16	1	First visit only; second trimester
99212	Second Trimester Individual Visit	Second Trimester Individual Visit (physician)	31	All Spec	25	U5	AF	\$16	1	First visit only; second trimester
99212	Second Trimester Individual Visit	Second Trimester Individual Visit (nurse midwife)	33	335	25	U5	SB	\$16	1	First visit only; second trimester
99213	Third Trimester Individual Visit	Third Trimester Individual Visit (Birth Center)	47	470	25	U4		\$24	1	First visit only; third trimester
99213	Third Trimester Individual Visit	Third Trimester Individual Visit (CRNP)	09	All Spec	25	U5	SA	\$16	1	First visit only; third trimester
99213	Third Trimester Individual Visit	Third Trimester Individual Visit (physician)	31	All Spec	25	U5	AF	\$16	1	First visit only; third trimester
99213	Third Trimester Individual Visit	Third Trimester Individual Visit (nurse midwife)	33	335	25	U5	SB	\$16	1	First visit only; third trimester

*Note:* The Department does not pay certified registered nurse practitioners for obstetrical deliveries.

#### *Fiscal Impact*

The payment methodology maintains budget neutrality for birth center services and does not impose any additional or new fiscal impact on the MA Program.

#### *Public Comment*

Interested persons are invited to submit written comments regarding the revised payment methodology to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered by the Department.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

BEVERLY D. MACKERETH,  
*Secretary*

**Fiscal Note:** 14-NOT-839. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 13-1260. Filed for public inspection July 12, 2013, 9:00 a.m.]

## **Disproportionate Share and Supplemental Hospital Payments**

The Department of Public Welfare (Department) is announcing its intent to continue the additional class of disproportionate share hospital (DSH) payments and the additional classes of supplemental payments for inpatient hospitals that were initiated in conjunction with the act of July 9, 2010 (P. L. 336, No. 49) (Act 49). The Department is also announcing its intent to continue the Fiscal Year (FY) 2012-2013 payment methodologies for inpatient DSH, outpatient supplemental and direct medical education payments and to continue its DSH and Supplemental Reconciliation process.

In addition, the Department is announcing the process and data it intends to use to determine the eligibility of new hospitals for certain DSH and supplemental payments effective July 1, 2013.

#### *Background*

Among other things, Act 49 added Article VIII-G to the Public Welfare Code (62 P. S. §§ 801-G—816-G) authorizing the Department to impose a monetary assessment on the net operating revenue of all Commonwealth licensed hospitals, other than exempt hospitals.

Under Act 49, funds generated by the hospital assessment must be deposited into a restricted account called the Quality Care Assessment Fund (see 62 P. S. § 805-G(a)) and are to be used to update the Medical Assistance (MA) fee-for-service (FFS) payment system for inpatient services for acute care general hospitals, modify some existing DSH and supplemental payments, create several new DSH and supplemental payments for MA hospital providers and generally support the MA Program. In compliance with Act 49, the Department imposed a monetary assessment, updated the MA FFS payment system for inpatient acute care services, modified some existing DSH and supplemental payments and created new DSH and supplemental payments for hos-

pital providers after receiving Centers for Medicare and Medicaid Services (CMS) approval for both the assessment and the payment changes.

The assessment under Act 49 was effective for a 3-year period ending June 30, 2013. The Department and the hospital community are seeking to reauthorize the assessment and continue the hospital payments from the Quality Care Assessment Fund beyond June 30, 2013.

#### *Continuation of DSH and Supplemental Payments from the Quality Care Assessment Fund*

Subject to CMS's approval of the assessment and the hospital payments made from the Quality Care Assessment Fund, the Department intends to continue the following payment programs utilizing the FY 2012-2013 eligibility criteria and payment distribution methodologies; MA Stability Payments; MA Dependency Payments; Enhanced Payments to Certain Disproportionate Share Hospitals; MA Rehabilitation Adjustment Payments and Small and Sole Community Hospital DSH Payments. The Department also intends to continue Community Access Fund; Inpatient DSH; Outpatient Supplemental and Medical Education payments as modified under the Quality Care Assessment program. The methodology used to determine hospitals that qualify for these payments and the calculation of the payment amounts for each payment program will not be changed.

Finally, the Department intends to continue its existing payment reconciliation process for certain DSH and supplemental payments.

#### *FFS All Patient Refined-Diagnosis Related Group (APR-DRG) Base Rate, DSH and Supplemental Payments for New Hospitals*

The current State Plan methodologies for determining eligibility for the DSH and supplemental payments initiated in conjunction with Act 49 use historical MA data from FY 2007-2008. Accordingly, hospitals that were not required to file an FY 2007-2008 MA 336 hospital cost report (new hospitals) do not qualify for these DSH and supplemental payments due to the lack of required historical MA and Medicare data to determine whether to apply the MA dependency or teaching adjustment to a hospital's FFS APR-DRG Base Rate. Since a new hospital does not have this information on file, it does not qualify for either adjustment based on historical data.

Beginning in FY 2013-2014 and subject to CMS's approval of the assessment and the hospital payments made from the Quality Care Assessment Fund, the Department intends to institute a process to collect data from new hospitals using forms designated by the Department. The Department intends to use this data to determine whether a new hospital qualifies for the MA dependency and teaching adjustments for its APR-DRG base rate as well as the hospital's eligibility and, if eligible, payment amounts for the payment programs created in conjunction with Act 49 beginning with the hospital's first full State fiscal year of MA enrollment. The payment programs for which a new hospital may qualify through this process are limited to the MA Stability Payments; MA Dependency Payments; Enhanced Payments to Certain Disproportionate Share Hospitals; MA Rehabilitation Adjustment Payments and Small and Sole Community Hospital DSH Payments. A detailed description of the eligibility criteria and payment methodologies for each of these payments was described in a public notice published at 42 Pa.B. 6048 (September 22, 2012). For the first full State fiscal year of MA enrollment of a new hospital that qualifies for one or more of these

supplemental or DSH payments, the payment amounts will be prorated in accordance with the period of time the hospital was in operation during its first year of enrollment in the MA Program. The Department intends to consider the rates and payments established for new hospitals as a result of this process to be interim rates and payments. The Department will reconcile the rates and payments once MA 336 hospital cost report data and other necessary Medicare data is available for the new hospital's first full State fiscal year of MA enrollment.

The eligibility criteria, payment distribution methodology and the source of data for all other DSH and supplemental programs in existence prior to the enactment of Act 49 remain unchanged and will continue to rely on historical data.

#### *Fiscal Impact*

The FY 2013-2014 impact is \$566.856 million (\$264.005 million in State general funds).

#### *Public Comment*

Interested persons are invited to submit written comments regarding these proposed changes to the Department of Public Welfare, Office of Medical Assistance Programs, Attention, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

BEVERLY D. MACKERETH,  
*Secretary*

#### **Fiscal Note:** 14-NOT-837. (1) General Fund;

(7) MA—Inpatient; (2) Implementing Year 2012-13 is \$0; (3) 1st Succeeding Year 2013-14 is \$236,053,000; 2nd Succeeding Year 2014-15 through 5th Succeeding Year 2017-18 are \$0; (4) 2011-12 Program—\$325,685,000; 2010-11 Program—\$243,809,000; 2009-10 Program—\$371,515,000;

(7) MA—Outpatient; (2) Implementing Year 2012-13 is \$0; (3) 1st Succeeding Year 2013-14 is \$27,953,000; 2nd Succeeding Year 2014-15 through 5th Succeeding Year 2017-18 are \$0; (4) 2011-12 Program—\$645,095,000; 2010-11 Program—\$467,929,000; 2009-10 Program—\$435,939,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 13-1261. Filed for public inspection July 12, 2013, 9:00 a.m.]

### **Information Regarding the Department of Public Welfare's Intent to Implement Modified Adjusted Gross Income-Based Eligibility Criteria Early**

The purpose of this notice is to announce that the Department of Public Welfare (Department) intends to begin using the Modified Adjusted Gross Income (MAGI)-based eligibility criteria as described in 42 CFR 435.603 (relating to application of modified adjusted gross income (MAGI)) effective October 1, 2013. This will provide a simplified method of determining eligibility and is expected to result in an increase in individuals who qualify for Medicaid.

Effective January 1, 2014, eligibility for health coverage under all health insurance affordability programs generally will be based on a new MAGI methodology. Calculating applicants' MAGI-based income will require defining household composition and executing income-counting procedures according to rules that differ from those currently in effect for Medicaid.

The Department proposes to apply the MAGI-based eligibility determination rules as described in 42 CFR 435.603 effective October 1, 2013, to the following populations:

- Infants and children under 19 years of age.
- Pregnant women, through their postpartum period.
- Parents and caretaker relatives.
- Women applying for or receiving SelectPlan for Women.
- Individuals under 26 years of age who were receiving Foster Care and Medical Assistance (MA) when they reached 21 years of age.

The Federal government is creating a health insurance exchange that will allow individuals to apply for healthcare through the exchange beginning October 1, 2013. This health insurance exchange will begin determinations of health care eligibility for applicants and then direct their application to the proper agency. While the exchange will begin accepting applications and determining eligibility on October 1, 2013, MAGI-based Medicaid would not actually begin until January 1, 2014, without special permission (Section 1115 Demonstration Waiver) from the Federal government to start earlier. This period from October 1, 2013, to December 31, 2013, is referred to as the open enrollment period.

During the 2013 open enrollment period (October 1 to December 31), eligibility for certain applicants will be determined using MAGI-based rules for coverage, and would be scheduled to start on January 1, 2014, without the waiver. People applying for or renewing Medicaid during the open enrollment period would also need to have their eligibility determined based on existing Medicaid rules. As a result, for the populations subject to MAGI-based rules, the Department will have to determine Medicaid eligibility under both the current rules and the MAGI-based rules during this limited period of time.

The Department is requesting a Section 1115 Demonstration Waiver that will enable the Commonwealth to avoid having to operate two sets of Medicaid eligibility rules for children, pregnant women, parents and caretaker relatives during this period. If approved, the waiver will allow the Department to implement, on a Statewide basis, MAGI-based eligibility determination methods to populations subject to MAGI beginning on October 1, 2013, to coincide with the start of the open enrollment period. The Department believes this more coordinated open enrollment process will help ensure the Commonwealth's capacity to process applications in a timely fashion. The Department projects that 27,991 individuals will be affected by this waiver.

The following areas are affected by MAGI determination rules:

- Application Processing
  - Both the COMPASS online application and the paper application are being updated to include the neces-

sary questions to allow for an individual to apply for all insurance affordability programs beginning October 1, 2013.

- **MAGI Household Composition and Income**

- Household composition will be based on tax household with specific filer and nonfiler rules. If an individual is a tax filer or claimed as a dependent, their household will be based on those who are a part of the tax household. If an individual is a nonfiler and is not claimed as a dependent on anyone else's taxes, their household will be based on existing relationship rules.

- Income calculation will be based on gross income minus 5% of the Federal Poverty Income Limit for the tax household size, plus other possible tax deductions. These deductions are claimed on a Form 1040, lines 23 to 35.

- Certain incomes shall be excluded for MAGI determinations such as the following:

- Income of a child or tax dependent if the child or dependent is not required to file a tax return.
- Child support.
- Worker's Compensation.
- Veteran's benefits.
- Depreciation of business expenses.
- Scholarships, awards or fellowship grants used for education and not for living expenses.
- American Indian/Alaska Native income.

- Lump sums shall be counted as income only in the month received. Any remainder of the lump sum in subsequent months shall be considered a resource.

- **MAGI Household Resources**

- Household resources, such as bank accounts and vehicles, will be excluded in determining eligibility for MAGI-based Medicaid groups.

The new MAGI-based regulations will only affect the Medicaid eligibility rules for the groups listed previously. There will be no changes to the medical benefits received by this population and there will be no new cost sharing requirements. The delivery system and payment rates for services used to provide these benefits will also remain the same.

The Department is not requesting Section 1115 expenditure authority as the affected population is comprised of Medicaid state plan eligibility groups; therefore, no budget neutrality agreement is needed in conjunction with this demonstration.

The Department intends to conduct at least three public meetings to receive comments from its citizens. These meetings will be held as follows:

- June 27, 2013, at Temple University at Strawberry Square from 10 a.m. to 12 p.m.
- July 24, 2013, in Room 129 of the Health and Welfare Building from 1 p.m. to 3 p.m.
- July 25, 2013, at Temple University at Strawberry Square from 10 a.m. to 12 p.m.

The Department also intends to hold a formal public hearing regarding its intent to implement MAGI rules early on July 29, 2013, from 10 a.m. to 12 p.m. at the Clothes Tree Building, DGS Annex Complex, 25 Beech Drive, Harrisburg, PA. This public hearing will have telephonic and web conference capabilities. To call into the hearing call, toll free, (877) 668-4493 and use access

code 648 071 646. To participate in the web conference go to <https://copa.webex.com/copa/j.php?J=648071646>. Individuals may be asked to enter name and e-mail address. The password for the meeting is public.

A copy of the Department's Section 1115 Waiver application may be found at [www.dpw.state.pa.us/foradults/healthcaremedicalassistance/index.htm](http://www.dpw.state.pa.us/foradults/healthcaremedicalassistance/index.htm). To request a physical copy of the Waiver application, contact the Office of Income Maintenance Bureau of Policy at (717) 787-4081.

*Public Comment*

Interested persons are invited to submit written comments, suggestions or objections regarding this information to the Department of Public Welfare, Office of Income Maintenance, Tamila Lay, Acting Director, Bureau of Policy, Room 431 Health and Welfare Building, Harrisburg, PA 17120. Comments may also be submitted to [RA-OIMcomments@pa.gov](mailto:RA-OIMcomments@pa.gov). Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

BEVERLY D. MACKERETH  
*Secretary*

**Fiscal Note:** 14-NOT-840. (1) General Fund; (2) Implementing Year 2013-14 is \$8,658,000; (3) 1st Succeeding Year 2014-15 is \$0; 2nd Succeeding Year 2015-16 is \$0; 3rd Succeeding Year 2016-17 is \$0; 4th Succeeding Year 2017-18 is \$0; 5th Succeeding Year 2018-19 is \$0; (4) 2012-13 Program—\$3,631,373; 2011-12 Program—\$3,301,109; 2010-11 Program—\$2,478,449; (7) MA—Capitation; (8) recommends adoption. The MA—Capitation appropriation is able to absorb the increased cost.

[Pa.B. Doc. No. 13-1262. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Pharmacy Prior Authorization

The Department of Public Welfare (Department) announces it will add the following to the Medical Assistance (MA) Program's list of services and items requiring prior authorization:

—Natroba.

—Colony Stimulating Factors designated as preferred on the Department's Preferred Drug List (PDL).

—Irritable Bowel Syndrome Agents designated as preferred on the Department's PDL.

These prior authorization requirements apply to prescriptions dispensed on or after July 24, 2013.

Section 443.6(b)(7) of the Public Welfare Code (62 P. S. § 443.6(b)(7)) authorizes the Department to add items and services to the list of services requiring prior authorization by publication of notice in the *Pennsylvania Bulletin*.

The Department will issue MA Bulletins to providers enrolled in the MA Program specifying the procedures for obtaining prior authorization of prescriptions for each of the medications listed previously.

*Fiscal Impact*

Currently there is no utilization of this class of drugs in the MA Program; therefore, it is anticipated that the prior authorization requirement will have no fiscal impact.

*Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revisions to these prior authorization requirements.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

BEVERLY D. MACKERETH,  
Secretary

**Fiscal Note:** 14-NOT-838. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 13-1263. Filed for public inspection July 12, 2013, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Gold Rush '13 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 Gold Rush '13.

2. *Price:* The price of a Pennsylvania Gold Rush '13 instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania Gold Rush '13 instant game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33

(THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Gold Nugget (GLDNGT) symbol and a Gold Bar (GLDBAR) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTN), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$150 (ONEHUNFTY), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$300,000 (THRHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$10, \$15, \$20, \$30, \$50, \$100, \$150, \$200, \$400, \$500, \$1,000, \$10,000 and \$300,000. A player can win up to 15 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for the Pennsylvania Gold Rush '13 instant game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$300,000 (THRHUNTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(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 \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Nugget (GLDNGT) symbol and a prize symbol of \$1,000 (ONE THO) appears under the Gold Nugget (GLDNGT) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar (GLDBAR) symbol and a prize symbol of \$100 (ONE HUN) appears in five of the "Prize" areas and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Nugget (GLDNGT) symbol and a prize symbol of \$500 (FIV HUN) appears under the Gold Nugget (GLDNGT) symbol, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar (GLDBAR) symbol and a prize symbol of \$100 (ONE HUN) appears in three of the "Prize" areas, a prize symbol of \$50<sup>00</sup> (FIFTY) appears in two of the "Prize"

areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Nugget (GLDNGT) symbol and a prize symbol of \$400 (FOR HUN) appears under the Gold Nugget (GLDNGT) symbol, on a single ticket, shall be entitled to a prize of \$400.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar (GLDBAR) symbol and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in ten of the "Prize" areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(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 \$200 (TWO HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Nugget (GLDNGT) symbol and a prize symbol of \$200 (TWO HUN) appears under the Gold Nugget (GLDNGT) symbol, on a single ticket, shall be entitled to a prize of \$200.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar (GLDBAR) symbol and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the "Prize" areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$150 (ONEHUNFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$150.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Nugget (GLDNGT) symbol and a prize symbol of \$150 (ONEHUNFTY) appears under the Gold Nugget (GLDNGT) symbol, on a single ticket, shall be entitled to a prize of \$150.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar (GLDBAR) symbol and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in fifteen of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$150.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Nugget

(GLDNGT) symbol and a prize symbol of \$100 (ONE HUN) appears under the Gold Nugget (GLDNGT) symbol, on a single ticket, shall be entitled to a prize of \$100.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Nugget (GLDNGT) symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears under the Gold Nugget (GLDNGT) symbol, on a single ticket, shall be entitled to a prize of \$50.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$30<sup>00</sup> (THIRTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Nugget (GLDNGT) symbol and a prize symbol of \$30<sup>00</sup> (THIRTY) appears under the Gold Nugget (GLDNGT) symbol, on a single ticket, shall be entitled to a prize of \$30.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Nugget (GLDNGT) symbol and a prize symbol of \$20<sup>00</sup> (TWENTY) appears under the Gold Nugget (GLDNGT) symbol, on a single ticket, shall be entitled to a prize of \$20.

(z) 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 \$15<sup>00</sup> (FIFTN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(aa) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Nugget (GLDNGT) symbol and a prize symbol of \$15<sup>00</sup> (FIFTN) appears under the Gold Nugget (GLDNGT) symbol, on a single ticket, shall be entitled to a prize of \$15.

(bb) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(cc) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Nugget (GLDNGT) symbol and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the Gold Nugget (GLDNGT) symbol, on a single ticket, shall be entitled to a prize of \$10.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate

number of winners, amounts of prizes, and approximate odds of winning:

*When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:*

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 10,800,000 Tickets
\$10 w/ GOLD NUGGET	\$10	8.57	1,260,000
\$10	\$10	30	360,000
\$15 w/ GOLD NUGGET	\$15	20	540,000
\$15	\$15	60	180,000
\$10 × 2	\$20	200	54,000
\$20 w/ GOLD NUGGET	\$20	30	360,000
\$20	\$20	200	54,000
\$15 × 2	\$30	300	36,000
\$30 w/ GOLD NUGGET	\$30	100	108,000
\$30	\$30	200	54,000
\$10 × 5	\$50	300	36,000
\$30 + \$20	\$50	600	18,000
\$50 w/ GOLD NUGGET	\$50	120	90,000
\$50	\$50	300	36,000
\$10 × 10	\$100	600	18,000
\$20 × 5	\$100	600	18,000
\$50 × 2	\$100	600	18,000
\$100 w/ GOLD NUGGET	\$100	300	36,000
\$100	\$100	600	18,000
GOLD BAR w/ (\$10 × 15)	\$150	1,000	10,800
\$30 × 5	\$150	12,000	900
\$50 × 3	\$150	12,000	900
\$150 w/ GOLD NUGGET	\$150	12,000	900
\$150	\$150	12,000	900
GOLD BAR w/ ((\$20 × 5) + (\$10 × 10))	\$200	3,000	3,600
\$20 × 10	\$200	12,000	900
\$50 × 4	\$200	12,000	900
\$100 × 2	\$200	12,000	900
\$200 w/ GOLD NUGGET	\$200	12,000	900
\$200	\$200	12,000	900
GOLD BAR w/ ((\$30 × 10) + (\$20 × 5))	\$400	3,000	3,600
\$50 × 8	\$400	24,000	450
\$100 × 4	\$400	24,000	450
\$400 w/ GOLD NUGGET	\$400	24,000	450
\$400	\$400	24,000	450
GOLD BAR w/ ((\$100 × 3) + (\$50 × 2) + (\$10 × 10))	\$500	4,000	2,700
\$50 × 10	\$500	24,000	450
\$100 × 5	\$500	24,000	450
\$500 w/ GOLD NUGGET	\$500	24,000	450
\$500	\$500	24,000	450
GOLD BAR w/ ((\$100 × 5) + (\$50 × 10))	\$1,000	12,000	900
\$100 × 10	\$1,000	60,000	180
\$200 × 5	\$1,000	60,000	180
\$500 × 2	\$1,000	60,000	180
\$1,000 w/ GOLD NUGGET	\$1,000	60,000	180
\$1,000	\$1,000	60,000	180
\$1,000 × 10	\$10,000	270,000	40
\$10,000	\$10,000	270,000	40
\$300,000	\$300,000	720,000	15

Reveal a "GOLD NUGGET" (GLDNGT) symbol, win prize shown under it automatically.

Reveal a "GOLD BAR" (GLDBAR) symbol, win all 15 prizes shown!

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Gold Rush '13 instant game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Gold Rush '13 instant game, prize money from Pennsylvania Gold Rush '13 instant game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Gold Rush '13 instant game, the right of a ticket holder to claim the prize represented by the ticket,

if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Gold Rush '13 instant game or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 13-1264. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Pennsylvania Hot Numbers® 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 Hot Numbers®.

2. *Price:* The price of a Pennsylvania Hot Numbers® instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Hot Numbers® instant game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions printed in red ink and 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 (TWYNIN) and 30 (THIRTY). The play symbols and their captions printed in black ink and 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 (TWYNIN) and 30 (THIRTY). The play symbols and their captions printed in red ink and 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 (TWYNIN), 30 (THIRTY) and a Matchstick (MATCH) symbol. The play symbols and their captions printed in black ink and 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 (TWYNIN) and 30 (THIRTY).

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$250, \$500, \$1,000, \$10,000 and \$100,000. A player can win up to 12 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 14,400,000 tickets will be printed for the Pennsylvania Hot Numbers® instant game.

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

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “WINNING NUMBERS” play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$100,000 (ONEHUNTHO) appears in the “PRIZE” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “WINNING NUMBERS” play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$10,000 (TEN THO) appears in the “PRIZE” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in red ink, matches any of the “WINNING NUMBERS” play symbols, with the symbol and caption printed in red ink, and a prize symbol of \$1,000 (ONE THO) appears in the “PRIZE” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2,000.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “WINNING NUMBERS” play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$1,000 (ONE THO) appears in the “PRIZE” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in red ink, matches any of the “WINNING NUMBERS” play symbols, with the symbol and caption printed in red ink, and a prize symbol of \$500 (FIV HUN) appears in the “PRIZE” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Matchstick (MATCH) symbol and a prize symbol of \$250 (TWOHUNFTY) appears in two of the “PRIZE” areas and a prize symbol of





(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the "PRIZE" area to the right of

the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

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

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown To The Right Of The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 14,400,000 Tickets</i>
\$5	\$5	8.57	1,680,000
\$5 w/ RED MATCH	\$10	20	720,000
\$10	\$10	60	240,000
\$5 × 4	\$20	200	72,000
\$10 w/ RED MATCH	\$20	150	96,000
\$20	\$20	200	72,000
(\$10 × 2) + \$5	\$25	300	48,000
(\$5 w/ RED MATCH) × 2) + \$5	\$25	300	48,000
(\$10 w/ RED MATCH) + \$5	\$25	300	48,000
\$25	\$25	300	48,000
\$5 × 8	\$40	600	24,000
(\$10 w/ RED MATCH) × 2	\$40	600	24,000
\$20 w/ RED MATCH	\$40	300	48,000
\$40	\$40	600	24,000
\$10 × 5	\$50	600	24,000
(\$5 w/ RED MATCH) × 5	\$50	600	24,000
\$25 w/ RED MATCH	\$50	600	24,000
\$50	\$50	600	24,000
MATCHSTICK w/ ((\$25 × 2) + (\$5 × 10))	\$100	421.05	34,200
\$25 × 4	\$100	1,500	9,600
\$50 × 2	\$100	1,500	9,600
(\$10 w/ RED MATCH) × 5	\$100	1,500	9,600
\$50 w/ RED MATCH	\$100	1,500	9,600
\$100	\$100	1,500	9,600
MATCHSTICK w/ ((\$25 × 2) + (\$20 × 10))	\$250	3,429	4,200
\$50 × 5	\$250	24,000	600
(\$25 w/ RED MATCH) × 5	\$250	24,000	600
\$250	\$250	24,000	600
MATCHSTICK w/ ((\$50 × 2) + (\$40 × 10))	\$500	10,909	1,320
\$50 × 10	\$500	120,000	120
\$250 × 2	\$500	120,000	120
(\$50 w/ RED MATCH) × 5	\$500	120,000	120
\$250 w/ RED MATCH	\$500	120,000	120
\$500	\$500	120,000	120
MATCHSTICK w/ ((\$250 × 2) + (\$50 × 10))	\$1,000	24,000	600
\$500 × 2	\$1,000	120,000	120
\$500 w/ RED MATCH	\$1,000	120,000	120
\$1,000	\$1,000	120,000	120
(\$1,000 w/ RED MATCH) × 5	\$10,000	1,440,000	10
\$10,000	\$10,000	1,440,000	10
\$100,000	\$100,000	960,000	15

When matching numbers are red, win double the prize shown to the right of the matching number. Reveal a "MATCHSTICK" (MATCH) symbol, win all 12 prizes shown.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Hot Numbers® instant game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Hot Numbers® instant game, prize money from Pennsylvania Hot Numbers® instant game tickets will be retained by the Secretary for payment to the persons entitled thereto. If

no claim is made within 1 year of the announced close of the Pennsylvania Hot Numbers® instant game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may an-

nounce 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 Hot Numbers® instant game or through normal communications methods.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 13-1265. Filed for public inspection July 12, 2013, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Bureau of Maintenance and Operations; Access Route Approval

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation approved on June 26, 2013, the following access routes for use by the types of truck combinations as indicated:

1. ( ) 96" wide twin trailers (28 1/2' maximum length of each trailer).
2. (X) 102" wide 53' long trailer.
3. (X) 102" wide 48' long trailer.
4. ( ) 102" wide twin trailers (28 1/2' maximum length-each).
5. ( ) 102" wide maxi-cube.

<i>Route Identification</i>	<i>Route Description</i>	<i>Length Miles</i>
SR 995	from SR 16 to 11186 Welsh Run Road (Duffield Cycles/Duffield Farm)	3

Questions should be directed to Matthew Hedge at (717) 772-5462.

BARRY J. SCHOCH, P.E.,  
*Secretary*

[Pa.B. Doc. No. 13-1266. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Contemplated Sale of Land No Longer Needed for Transportation Purposes; Correction

An error occurred in the notice published at 43 Pa.B. 3311 (June 15, 2013). The intersection of the property has been updated as follows. The remainder of the notice is accurate as published.

The Department of Transportation (Department), under the Sale of Transportation Lands Act (71 P. S. §§ 1381.1—1381.3), intends to sell the following property owned by the Department.

The following is the location of the property available for sale by the Department:

Philadelphia Township, Philadelphia County. Parcel No. 230, located at 241 North 10th Street SR 67045 Section 10A. The parcel contains approximately 1,800 square feet on the corner of 10th and Winter Streets.

The estimated fair market value of this parcel is \$225,000. It has been determined that the land is no longer needed for present or future transportation purposes.

Interested public entities are invited to express their interest in purchasing this parcel within 30 calendar days from the date of publication of this notice by calling Mary C. Lambright at (610) 502-6507 or writing to the Department of Transportation, Engineering District—06, Lester C. Toaso, District Executive, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525.

BARRY J. SCHOCH, P.E.,  
*Secretary*

[Pa.B. Doc. No. 13-1267. Filed for public inspection July 12, 2013, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Approved Courses of Instruction in Boating Safety Education

Section 91.6(a)(1) of 58 Pa. Code (relating to Boating Safety Education Certificates) defines a Boating Safety Education Certificate for residents of this Commonwealth as a document issued by the Fish and Boat Commission (Commission) certifying that the person named on the certificate has established proof of competency through the successful completion of a course approved in accordance with 58 Pa. Code § 91.7 (relating to criteria for courses of instruction in boating safety education). Under 58 Pa. Code § 91.7, the Executive Director of the Commission may approve, by notice, boating safety education courses that meet the course criteria established under that section and will publish a list of approved boating safety education courses in the *Pennsylvania Bulletin* on an annual basis or more frequently as required. The Executive Director has approved the following courses in boating safety education for Commonwealth residents, effective July 1, 2013:

- Fish and Boat Commission (classroom course)
- United States Coast Guard Auxiliary (classroom course)
- United States Power Squadrons (classroom course)
- United States Sailing Association (classroom course)
- Kalkomey Enterprises, Inc., d/b/a Boat Ed (correspondence course)
- BoaterExam America, Inc. (Internet course)
- Kalkomey Enterprises, Inc., d/b/a Boat Ed (Internet course)

For nonresidents, a Boating Safety Education Certificate is a certificate, card or other official document that indicates on the certificate, card or other document successful completion of a course approved by the National Association of State Boating Law Administrators.

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 13-1268. Filed for public inspection July 12, 2013, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Independence Blue Cross; Rate Increase Filing for Several LTC Forms

Independence Blue Cross is requesting approval to increase the premium 19.5% on 2,104 policyholders with the following individual LTC policy form numbers: 5019, 5025, 5313, 5313 TQ, 5018-1, 5018-2, 5018-3, 5024, 5311-00, 5311-50, 5311-75, 5311-TQ100, 5311-TQ50 and 5311-TQ75.

Unless formal administrative action is taken prior to September 26, 2013, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-1269. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policies. The hearings will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional office in Pittsburgh, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Room 2015, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Michael A. Washington; file no. 13-116-134282; Erie Insurance Exchange; Doc. No. P13-03-014; August 7, 2013, 9 a.m.

Appeal of Jacqlyn and Cory Adams; file no. 13-115-140649; Allstate Property and Casualty Insurance Company; Doc. No. P13-05-027; August 7, 2013, 11 a.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the

party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-1270. Filed for public inspection July 12, 2013, 9:00 a.m.]

### State Farm Mutual Automobile Insurance Company; Rate Increase Filing for Form 97059

State Farm Mutual Automobile Insurance Company is requesting approval to increase the premium an aggregate 28.7% on 1,166 policyholders with form 97059PA.

Unless formal administrative action is taken prior to September 26, 2013, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-1271. Filed for public inspection July 12, 2013, 9:00 a.m.]

**United Security Assurance Company of Pennsylvania; Rate Increase Filing for Forms F-701, F-733, F-734, F-771, F-775 and F-778**

United Security Assurance Company of Pennsylvania is requesting approval to increase the premium 25% on 765 policyholders with forms F-701, F-733, F-734, F-771, F-775 and F-778. These forms were originally issued by Capital Blue Cross.

Unless formal administrative action is taken prior to September 26, 2013, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-1272. Filed for public inspection July 12, 2013, 9:00 a.m.]

## OFFICE OF OPEN RECORDS

**Hearing in the Matter of James Mollick v. Township of Worcester; Doc. Nos. 2009-09584, 2009-10067 and 2009-24448**

**Hearing in the Matter of James Mollick v. Township of Worcester; Doc. Nos. 2009-09584, 2009-10067 and 2009-24448 Remanded to the Office of Open Records by Order Dated June 15, 2012, of the Court of Common Pleas of Montgomery County**

A hearing on the previously-captioned Right-to-Know appeals will be held as follows:

*Date:* Wednesday August 7, 2013, and Thursday August 8, 2013

*Time:* 10 a.m.

*Location:* Hearing Room 3  
Plaza Level Commonwealth  
Keystone Building  
400 North Street  
Harrisburg, PA 17120

*Presiding:* Edward S. Finkelstein, Esq.  
Hearing Officer  
400 North Street, Plaza Level  
Harrisburg, PA 17120  
phone (717) 364-9973, fax (717) 425-5343

This hearing is being conducted for proceedings resulting from an Order of Remand from the Court of Common Pleas of Montgomery County dated June 15, 2012, in accordance with the Opinion and Order of the Common-

wealth Court of Pennsylvania filed December 7, 2011, concerning Doc. Nos. 2265 C.D. 2010, 2266 C.D. 2010 and 2267 C.D. 2010. The final date to file petitions or notices to intervene is July 31, 2013.

Persons with a disability who wish to attend the hearing should contact the Office of Open Records (OOR) to make arrangements for their special needs. Call the OOR at least 5 business days prior to the hearing to submit a request.

For persons who require an interpreter to participate in the hearings, the OOR will make every reasonable effort to have an interpreter present. Call the OOR at (717) 346-9903 at least 10 business days prior to the hearing to submit the request.

TERRY MUTCHLER,  
*Executive Director*

[Pa.B. Doc. No. 13-1273. Filed for public inspection July 12, 2013, 9:00 a.m.]

## PATIENT SAFETY AUTHORITY

### Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), announces a meeting of the Authority's Board to be held at the Conference Center, Central Penn College, 600 Valley Road, Summerdale, PA 17093 at 10 a.m. on Tuesday, July 23, 2013.

Individuals with questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

MICHAEL C. DOERING,  
*Executive Director*

[Pa.B. Doc. No. 13-1274. Filed for public inspection July 12, 2013, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Approval of an Internal Corporate Reorganization and De Facto Change of Control

**A-2013-2371587. Trans-Allegheny Interstate Line Company.** Application of Trans-Allegheny Interstate Line Company for approval of an internal corporate reorganization and de facto change of control.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before July 29, 2013. 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:* Trans-Allegheny Interstate Line Company

*Through and By Counsel:* Thomas P. Gadsden, Esquire, Anthony C. DeCusatis, Esquire, Morgan, Lewis & Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-1275. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Approval to Transfer Customers

**A-2013-2370224 and A-2013-2370291. Birch Communications, Inc. and Lightyear Network Solutions, Inc.** Joint application of Birch Communications, Inc. and Lightyear Network Solutions, Inc. for approval to transfer customers and assets.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before July 29, 2013. 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.

*Applicants:* Birch Communications, Inc., Lightyear Network Solutions, LLC

*Through and By Counsel:* Susan E. Bruce, Esquire, Adeolu A. Bakare, Esquire, McNees Wallace and Nurick, LLC, 100 Pine Street, P. O. Box 1166, Harrisburg, PA 17108-1166

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-1276. Filed for public inspection July 12, 2013, 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 July 29, 2013. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.**

**A-2012-2331876. Rock Star Limousine, LLC** (1928 8th Avenue, Beaver Falls, Beaver Falls, PA 15010)—

persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in Allegheny and Beaver Counties.

**A-2013-2348816. Vital Express Limo, Inc.** (7523 West Chester Pike, Upper Darby, Delaware County, PA 19082)—for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, from points in the Counties of Delaware and Montgomery, to points in Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

**A-2013-2353473. Foster Gary Watson, t/a Gary's Travel Service** (300 Vincent Avenue, Watsontown, Northumberland County, PA 17777)—for the right to begin to transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Clinton, Columbia, Lycoming, Monroe, Montour, Northumberland, Snyder, Sullivan and Union, to points in Pennsylvania, and return.

**A-2013-2356362. Freedom Excursions by Scully, LLC** (321 Maple Avenue, Altoona, Blair County, PA 16601)—for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Bedford and Blair, to points in Pennsylvania, and return.

**A-2013-2357038. Pyramids Executive Limousine Incorporated** (P. O. Box 101, Blue Bell, Montgomery County, PA 19422)—persons in limousine service, between points in the Counties of Bucks, Chester, Delaware, Montgomery and the City and County of Philadelphia; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

**A-2013-2357240. Jonathan and Lisa Weaver, Co-Tenants in Entirety** (464 East Main Avenue, Myerstown, PA 17067)—for the right to begin to transport as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lebanon, to points in Pennsylvania, and return.

**A-2013-2357435. Network Connect Tours, LLC** (137 Victoria Arms Circle, Kunkletown, PA 18058) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Lackawanna, Lehigh, Luzerne, Monroe and Northampton to all county, State and Federal correctional institutions located in Pennsylvania, and return.

**Application of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under the application.**

**A-2013-2356334. La Union Taxi, LLC** (1126 North Market Street, Berwick, Columbia County, PA 18603)—for the amended right to begin to transport, as a common carrier, by motor vehicle, persons in call or demand service, from points in the City of Hazleton and Hazle Township, Luzerne County, and within an airline distance of 10 statute miles of the said city and township, to points in Pennsylvania, and return. *Attorney:* Tara L. Kushner, Esquire, Slusser Law Firm, 1620 North Church Street, Suite 1, Hazleton, PA 18202.

**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-2013-2353691. Visit Vans, LLC** (905 Harrison Street, Allentown, PA 18103) for the right to begin to transport, as a common carrier, by motor vehicle, persons, in paratransit service, from points in the County of Philadelphia to correctional institutions within Pennsylvania, and return. Also, to transport, as a common carrier, by motor vehicle, elderly persons in assisted/independent living facilities in Lehigh and Northampton Counties, to retail and entertainment establishments and return: *So as to Permit* the transportation of persons in paratransit service, by motor vehicle, from points in the Counties of Lehigh, Northampton and Philadelphia, to any State correctional facility in Pennsylvania, and return; and elderly persons residing in assisted/independent living facilities within the Counties of Lehigh and Northampton, to retail and entertainment establishments and return.

**A-2013-2355899. Avalon Limousine, LLC** (1062 East Lancaster Avenue, Suite 12B, Bryn Mawr, PA 19010) for the additional right to begin to transport, as a common carrier by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver between points in Delaware County to points in Pennsylvania, and return.

**A-2013-2356615. Michael Mizur, t/a Limo 1** (3015 North Front Street, Whitehall, Lehigh County, PA 18052)—group and party service, in vehicles seating between 11 to 15 passengers, including the driver, from points in Northampton and Lehigh Counties, 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 as described under the application.**

**A-2013-2356176. Bestway Moving, LLC** (230 East Dorrance Street, Kingston, PA 18704) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in the Counties of Chester, Lancaster, Luzerne, Montgomery, Philadelphia and York.

**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-2013-2366877. Specialized Moving Services, Inc.** (1515 Cambridge Street, Natrona Heights, PA 15065) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, which is to be a transfer of all the rights authorized under the Certificate of Public Convenience issued at A-00120984 on November 22, 2004, to Sigmund Transfer Company, LLC. *Attorney:* William A. Gray, Vuono & Gray, LLC, 310 Grant Street, Suite 2310, Pittsburgh, PA 15219-2383.

**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-2013-2351644. Martha K. King, t/a Vu Gaesht Onna** (191 King Road, Honey Brook, Chester County, PA 19344) for the discontinuance of service and cancellation of her certificate at A-00122881, as a common carrier, by motor vehicle, authorizing the transportation of persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Township of White Deer, and within 35 miles of said township, to points in Pennsylvania, and return.

**A-2013-2357442. Hugh A. McKnight** (265 McKnight Road, McClure, Snyder County, PA 17841) for the discontinuance of service and cancellation of his Certificate of Public Convenience as a common carrier, by motor vehicle, at A-00122837 authorizing the transportation of persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Mifflin and Snyder to points in Pennsylvania and return.

**A-2013-2360884. Glenn P. Monk, t/d/b/a Monk's Van Service** (4344 White Oak Road, Paradise, PA 17562) for the discontinuance of service and cancellation of his Certificate of Public Convenience as a common carrier, by motor vehicle, at A-00121494 authorizing the transportation of persons in paratransit service, whose personal convictions prevent them from owning or operating motor vehicles, between points in the County of Lancaster, and from points in said county, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-1277. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Telecommunications

**A-2013-2371351. The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Verizon Wireless.** Joint petition of The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Verizon Wireless for approval of amendment No. 2 to the commercial mobile radio services interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Verizon Wireless, by its counsel, filed on June 28, 2013, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment No. 2 to the commercial mobile radio services 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 United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Verizon Wireless, 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. 13-1278. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Telecommunications

**A-2013-2371366. Verizon North, LLC and 365 Wireless, LLC.** Joint petition of Verizon North, LLC and 365 Wireless, LLC for approval of amendment No. 2 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and 365 Wireless, LLC, by its counsel, filed on June 28, 2013, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment No. 2 to 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, LLC and 365 Wireless, 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. 13-1279. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Telecommunications

**A-2013-2371356. Verizon Pennsylvania, LLC and 365 Wireless, LLC.** Joint petition of Verizon Pennsylvania, LLC and 365 Wireless, LLC for approval of amendment No. 2 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and 365 Wireless, LLC, by its counsel, filed on June 28, 2013, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment No. 2 to 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, LLC and 365 Wireless, 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. 13-1280. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Telecommunications

**A-2013-2371056. Windstream Pennsylvania, LLC and Comcast Phone of Pennsylvania, LLC and Comcast Business Communications, collectively d/b/a Comcast Digital Phone.** Joint petition of Windstream Pennsylvania, LLC and Comcast Phone of Pennsylvania, LLC and Comcast Business Communica-

tions, collectively d/b/a Comcast Digital Phone for approval of amendment No. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Windstream Pennsylvania, LLC and Comcast Phone of Pennsylvania, LLC and Comcast Business Communications, collectively, d/b/a Comcast Digital Phone, by its counsel, filed on June 26, 2013, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment No. 1 to 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 Windstream Pennsylvania, LLC and Comcast Phone of Pennsylvania, LLC and Comcast Business Communications, collectively, d/b/a Comcast Digital Phone 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. 13-1281. Filed for public inspection July 12, 2013, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-06-01 by the following named applicant. The company has applied to transfer the rights held by E&M Cab Co. (CPC No. 1000419-01, Medallion P-0766) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Kuljit Trans, Inc.**, 2301 Church Street, Philadelphia, PA 19124 registered with the Department of State on March 30, 2012.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by July 29, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1282. Filed for public inspection July 12, 2013, 9:00 a.m.]



### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-06-02 by the following named applicant. The company has applied to transfer the rights held by M & M Trans, Inc. (CPC No. 1000469-01, Medallion P-0762) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Metu, Inc.**, 1614 Porter Street, Philadelphia, PA 19145 registered with the Department of State on January 4, 2008.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by July 29, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1283. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-06-07 by the following named applicant. The company has applied to transfer the rights held by Nagi Cab Co., Inc. (CPC No. 1011787-01, Medallion P-1215 and 1305) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Amalia Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on March 1, 2013.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by July 29, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1284. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-06-11 by the following named applicant. The company has applied to transfer the rights held by Nagi Cab Co., Inc. (CPC No. 1011787-01, Medallion P-1148 and 1154) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Arielle Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on March 1, 2013.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by July 29, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1285. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-06-03 by the following named applicant. The company has applied to transfer the rights held by Nagi Cab Co., Inc. (CPC No. 1011787-01, Medallion P-0247 and 0333) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Effy Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on March 1, 2013.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by July 29, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1286. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-06-06 by the following named applicant. The company has applied to transfer the rights held by Nagi Cab Co., Inc. (CPC No. 1011787-01, Medallion P-1163 and 1170) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Igal Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on March 1, 2013.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by July 29, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1287. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-06-05 by the following named applicant. The company has applied to transfer the rights held by Nagi Cab Co., Inc. (CPC No. 1011787-01, Medallion P-1103 and 1138) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Joelle Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on March 1, 2013.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by July 29, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1288. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-06-12 by the following named applicant. The company has applied to transfer the rights held by Nagi Cab Co., Inc. (CPC No. 1011787-01, Medallion P-0857 and 0974) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Kareen Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on March 1, 2013.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by July 29, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1289. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-06-07 by the following named applicant. The company has applied to transfer the rights held by Nagi Cab Co., Inc. (CPC No. 1011787-01, Medallion P-0335 and 0369) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Paula Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on March 1, 2013.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by July 29, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1290. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-06-04 by the following named applicant. The company has applied to transfer the rights held by Nagi Cab Co., Inc. (CPC No. 1011787-01, Medallion P-1140 and 1143) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Veronique Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on March 1, 2013.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by July 29, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1291. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-05-14 by the following named applicant. The company has applied to transfer the rights held by Yellow 2000 of Philadelphia, Inc. (CPC No. 1000340-01, Medallion P-0706 and 0707) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Holiday Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on January 28, 2013.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by July 29, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1292. Filed for public inspection July 12, 2013, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 13-020.S, On-Call Hydrographic Surveying Services, until 2 p.m. on Thursday, August 8, 2013. Information (including mandatory prebid information) can be obtained from the web site [www.philaport.com](http://www.philaport.com) under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1293. Filed for public inspection July 12, 2013, 9:00 a.m.]

### Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 13-060.1, Pier 80 Roof Replacement, until 2 p.m. on Thursday, August 8, 2013. Information (including mandatory prebid information) can be obtained from the web site [www.philaport.com](http://www.philaport.com) under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1294. Filed for public inspection July 12, 2013, 9:00 a.m.]

## STATE BOARD OF BARBER EXAMINERS

### Bureau of Professional and Occupational Affairs v. Black Ice Style Hair Cutting Salon; Doc. No. 1174-42-2010

On April 23, 2013, Black Ice Style Hair Cutting Salon, of Upper Darby, Philadelphia County, was ordered to pay a civil penalty of \$1,000 for operating a barber shop without a license to do so.

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 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.

JOHN E. PAYNE, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 13-1295. Filed for public inspection July 12, 2013, 9:00 a.m.]

## STATE BOARD OF NURSING

### Bureau of Professional and Occupational Affairs v. Shannon Marie O'Connell, LPN; Doc. No. 0269- 51-13

Shannon Marie O'Connell, LPN, license no. PN279495, of Frackville, Schuylkill County, had her professional nursing license suspended for no less than 3 years, retroactive to February 26, 2013, based on findings she violated a previously issued order.

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schuller, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

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

ANN M. COUGHLIN, MBA, MSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 13-1296. Filed for public inspection July 12, 2013, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Public Review and Comment; Public Hearing on the 2013 Update of Comprehensive Plan

On June 20, 2013, the Susquehanna River Basin Commission (Commission) released a proposed 2013 Update of the Comprehensive Plan for the Water Resources of the Susquehanna River Basin Commission (2013 Update of the Comprehensive Plan) for public review and comment. In accordance with Section 14.1 of the Susquehanna River Basin Compact, the Commission shall develop and adopt and may from time to time review and revise a comprehensive plan for management of the basin's water resources. As part of the public comment process, the Commission will hold a public hearing to hear testimony on the 2013 Update of the Comprehensive Plan. Written comments may be submitted at any time during the public comment period.

The public hearing will convene on August 15, 2013, at 3 p.m. and will end at 5 p.m. or at the conclusion of public testimony, whichever is sooner. The deadline for the submission of written comments is August 26, 2013, at which time the public comment period will close.

The public hearing will be conducted at the Pennsylvania State Capitol, Room 8E-B, East Wing, Commonwealth Avenue, Harrisburg, PA.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436.

The 2013 Update of the Comprehensive Plan for the Water Resources of the Susquehanna River Basin and other related information are available at <http://www.srbc.net/planning/complanfiles.asp>.

#### *Opportunity to Appear and Comment*

At the public hearing for the 2013 Update to the Comprehensive Plan, interested parties may appear at the hearing to offer comments to the Commission. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Ground rules will be posted on the Commission's web site at [www.srbc.net](http://www.srbc.net) prior to the hearing for review. The presiding officer reserves the right to modify or supplement the rules at the hearing. Written comments may be mailed to Richard Cairo, General Counsel, Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391, or submitted electronically through <http://www.srbc.net/pubinfo/publicparticipation.htm>. Comments mailed or electronically submitted must be received by the Commission on or before August 26, 2013, to be considered.

#### *Supplementary Information*

On June 20, 2013, the Commission released a proposed 2013 Update of the Comprehensive Plan for public review and comment. The public should take note that the August 15, 2013, public hearing will be the only opportunity to offer oral comment to the Commission on the 2013 Update of the Comprehensive Plan. Written comments may be submitted at any time during the public comment period, which closes on August 26, 2013. The 2013 Update of the Comprehensive Plan is intended to be scheduled for Commission action at a future business meeting, tentatively scheduled for December 12, 2013, which will be noticed separately.

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

*Dated:* June 21, 2013.

PAUL O. SWARTZ,  
*Executive Director*

[Pa.B. Doc. No. 13-1297. Filed for public inspection July 12, 2013, 9:00 a.m.]