

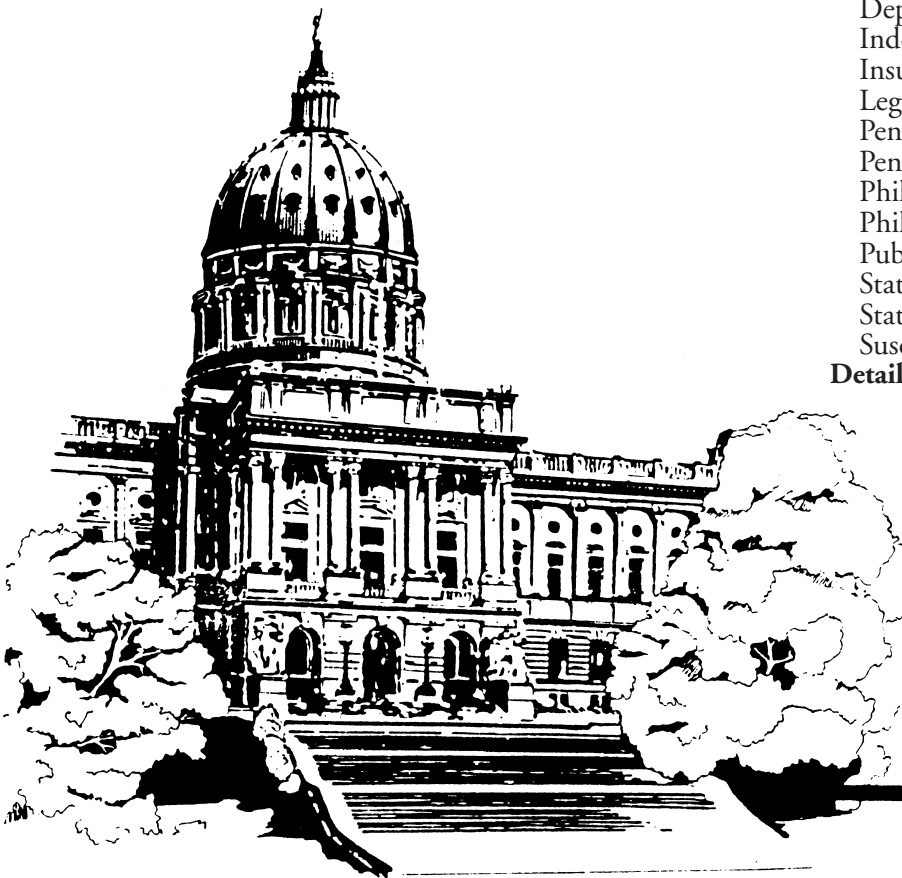
# PENNSYLVANIA BULLETIN

Volume 43  
Saturday, January 19, 2013 • Harrisburg, PA  
Number 3  
Pages 291—424

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Department of Environmental Protection  
Department of General Services  
Department of Health  
Department of Labor and Industry  
Department of Military and Veterans Affairs  
Department of State  
Independent Regulatory Review Commission  
Insurance Department  
Legislative Reference Bureau  
Pennsylvania Municipal Retirement Board  
Pennsylvania Public Utility Commission  
Philadelphia Parking Authority  
Philadelphia Regional Port Authority  
Public School Employees' Retirement Board  
State Board of Nursing  
State Employees' Retirement Board  
Susquehanna River Basin Commission

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

**No. 458, January 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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### Printing Format

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

### Fiscal Notes

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

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

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## List of Pa. Code Chapters Affected

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

<b>4 Pa. Code (Administration)</b>		<b>210 Pa. Code (Appellate Procedure)</b>	
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# THE COURTS

## Title 210—APPELLATE PROCEDURE

### PART II. INTERNAL OPERATING PROCEDURES

[ 210 PA. CODE CH. 65 ]

#### Amendments to the Superior Court Operating Procedures

The judges of the Superior Court of Pennsylvania have approved amendments to the Court's Internal Operating Procedures. These amendments are reflected in the Superior Court Internal Operating Procedures with amendments to Pa. Code. 65 et. seq.

Rule 65.1 was adopted and Rule 65.1a was renumbered September 19, 2012, effective immediately. Rule 65.43 was rescinded June 1, 2012, effective immediately.

Additions appear in boldface. Deletions are bracketed and boldface.

#### Annex A

#### TITLE 210. APPELLATE PROCEDURE

#### PART II. INTERNAL OPERATING PROCEDURES

#### CHAPTER 65. INTERNAL OPERATING PROCEDURES OF THE SUPERIOR COURT

#### ADMINISTRATIVE OFFICES AND STAFF

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

#### § 65.1. Introduction

These internal operating procedures are intended to implement Article V of the Constitution of Pennsylvania, statutory provisions, the Pennsylvania Rules of Appellate Procedure and the customs and traditions of this Court. No substantive or procedural rights are created, nor are any such rights diminished.

#### § [ 65.1 ] 65.1a. Executive Administrator.

The President Judge may appoint an Executive Administrator who shall be the administrative officer of the Superior Court and who shall report directly to the President Judge. The Executive Administrator shall carry out assignments necessary to the efficient operation of the court including:

1. analyzing administrative operations;
2. conducting independent research;
3. preparing the budget and providing for expenditure control, financial accounting, procurement of supplies, facilities management, and telecommunications.

#### [ APPELLATE MEDIATION PROGRAM ]

#### § 65.43. [ Policy ] (Reserved).

[ The Appellate Mediation Program facilitates settlements or otherwise assists in the resolution of eligible Civil, Family and Orphans' Court appeals. Attorneys with the requisite experience are appointed by the Court to administer the program and conduct mediations. The Mediator shall report directly to the President Judge or his or her designee.

A. After an appeal is filed and contemporaneous with the issuance of docketing information, the Superior Court Prothonotary shall provide the Appellant with a Mediation Statement Form directing the Appellant to submit a factual and procedural summary of the case, the issues raised on appeal, a copy of any opinion or order entered in the lower court and such other information that might impact the mediation process.

B. The completed Mediation Statement shall be confidential. It shall be delivered directly to the Mediator whose identity and address will be provided with the Appellate Mediation Statement Form. The Mediation Statement shall not be filed with the Prothonotary and shall not be served on opposing counsel.

C. Based on the Mediation Statement and any other submitted documents, the Mediator, in his or her discretion, shall determine whether the case on appeal will be mediated. The Mediator shall notify the parties when a case is selected for mediation. Once the Mediator selects a matter for mediation, participation is mandatory.

D. In the event that a case has not been selected for mediation, a party or parties to such an appeal may request the Mediator to reconsider the case for mediation. The Mediator may, in his or her discretion, accept such reconsidered case for mediation, provided that no case shall be eligible for the mediation program after the filing of Appellant's brief and the Mediator shall not reconsider and accept a case after that time has passed.

E. After selection of a case for mediation, and in order to facilitate the mediation, the Mediator shall distribute instructions, procedures and forms to the parties. The parties will prepare and timely submit to the Mediator all forms sent in conjunction with the mediation program.

F. The Mediator shall schedule and conduct confidential mediation sessions. The mediation of selected cases shall be conducted in person, however, if necessary, the Mediator may permit the mediation to take place telephonically, or by videoconference if available. Such mediation sessions shall be scheduled and completed prior to the date set for the filing of Appellant's initial brief. A briefing schedule shall not be deferred during the pendency of mediation unless the Court determines otherwise. A referral to mediation shall not defer or extend the time for ordering any necessary transcripts. Unless otherwise ordered by the Court and for good cause shown, the appellate process will not be interrupted as a result of the pendency of mediation.

G. Unless the Mediator directs otherwise, mediation sessions must be attended by: 1) for each party, the lead attorney who is responsible for the appeal; 2) the parties to the appeal; and 3) if other than or in addition to a party, by the person or persons with actual, full and complete authority to agree to the terms of a settlement of the case. Attendance by other persons who may beneficially influence a settlement shall be within the discretion of the Mediator.



H. No party shall be bound by statements or actions at a mediation session unless a settlement is reached. If the case settles, the agreement shall be reduced to writing and signed by all parties at the mediation session or as soon as possible thereafter. A settlement agreement shall be binding upon all parties to the agreement.

I. In the event of settlement, the Appellant shall promptly file with the Prothonotary a Praeceptum for Discontinuance of the appeal pursuant to Pa.R.A.P. 1973 and serve a copy of the Praeceptum on the trial judge who presided in the case in the Court of Common Pleas pursuant to Pa.R.A.P. 121(c). The Praeceptum shall contain a Notice of Service of the trial court judge pursuant to Pa.R.A.P. 121(d).

J. The Mediator shall keep confidential any statements made or information developed during the mediation process. The parties, their attorneys and other persons attending the mediation are likewise prohibited from disclosing statements made or information developed during the mediation process to anyone other than clients, principals, co-counsel, or those whose final permission and authority is essential to effectuate a settlement, and then, only upon receiving confirmation that the recipients will honor the confidentiality of the information. Similarly, the parties are prohibited from using any confidential information obtained as a result of the mediation process as a basis for any motion or argument to any court.

K. The Mediator shall not participate in any attempts to enforce a settlement. Further, the Mediator cannot be called as a witness in any action or proceeding to enforce a settlement reached as a result of the Appellate Mediation Program.

L. All mediation communications and mediation documents are confidential, inadmissible and are privileged communications pursuant to 42 Pa.C.S.A. § 5949. Upon completion of the mediation proceedings, the Mediator will destroy, in a secure manner, all written documentation submitted during the consideration of and/or conduct of mediation.

M. The Mediator will provide a program evaluation form, to counsel for the parties and, if appropriate, to parties. Candid evaluations are encouraged, but are voluntary and may be submitted anonymously. ]

[Pa.B. Doc. No. 13-71. Filed for public inspection January 18, 2013, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CARBON COUNTY

#### Adoption of Victim Services Fee for All Adult and Juvenile Cases; No. CP-13-AD-000003-2013

##### Administrative Order 6-2013

And Now, this 7th day of January, 2013, in response to the Commonwealth's reduction of funding for victim services as mandated by the Crime Victims Act 18 P.S. § 11.01, et seq, it is hereby

Ordered and Decreed that, effective March 1, 2013, and after publication on the UJS Portal and in the *Pennsylvania Bulletin*, the Carbon County Court of Common Pleas hereby *Adopts* a fee in the amount of twenty-five dollars (\$25.00) for all criminal and juvenile cases for the purposes of sustaining victim services. This fee shall be imposed in every juvenile and criminal case.

*It Is Further Ordered and Decreed* that the County of Carbon *Shall Establish* a separate fund for said fees. Disbursements from the Victim Services Fee Fund *Shall be Made* at the discretion of the President Judge and *Shall be Used* to supplement other funding to sustain victim services.

The Carbon County District Court Administrator is *Ordered and Directed* to do the following:

1. File one (1) certified copy of this Administrative Order with the Administrative Office of Pennsylvania Courts.

2. File two (2) certified copies, one (1) CD and the written notification received from the Juvenile Court Procedural Rules Committee with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. Publish a copy of the Administrative Order on the UJS Portal at <http://ujportal.pacourts.us/localrules/ruleselection.aspx>.

4. Forward one (1) copy for publication in the *Carbon County Law Journal*.

5. Forward one (1) copy to the Carbon County Law Library.

6. Keep continuously available for public inspection copies of the Order in the Clerk of Courts' Office and the Juvenile Court Office.

*By the Court*

ROGER N. NANOVIC,  
*President Judge*

[Pa.B. Doc. No. 13-72. Filed for public inspection January 18, 2013, 9:00 a.m.]

### CARBON COUNTY

#### Reestablishment of Juvenile Restitution Fee Fund; No. CP-13-AD-000002-2013 (Old No. 60 JV 98)

##### Administrative Order No. 7-2013

And Now, this 7th day of January, 2013, pursuant to Title 42 of the *Pennsylvania Consolidated Statutes*, § 6352(a)(5), it is hereby

Ordered and Decreed that, March 1, 2013, and after publication on the UJS Portal and in the *Pennsylvania Bulletin*, the Carbon County Court of Common Pleas *Reestablishes* a Juvenile Restitution Fee in the amount of ten dollars (\$10.00) and *Adopts* the Juvenile Restitution Fund Guidelines as follows. This fee *Shall Be* imposed against all juvenile defendants.

*It Is Further Ordered and Decreed* that the County of Carbon *Shall Establish* a separate fund for said fees. Disbursements from the Restitution Fee Fund *Shall be Made* at the sole discretion of the President Judge and *Shall be Used* to reimburse crime victims for financial losses resulting from delinquent acts.

The Carbon County District Court Administrator is *Ordered and Directed* to do the following:

1. File one (1) certified copy of this Administrative Order with the Administrative Office of Pennsylvania Courts.

2. File two (2) certified copies, one (1) CD and the written notification received from the Juvenile Court Procedural Rules Committee with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. Publish a copy of the Administrative Order on the UJS Portal at <http://ujportal.pacourts.us/localrules/ruleselection.aspx>.

4. Forward one (1) copy for publication in the *Carbon County Law Journal*.

5. Forward one (1) copy to the Carbon County Law Library.

6. Keep continuously available for public inspection copies of this Administrative Order in the Clerk of Courts Office and Juvenile Court Office.

*By the Court*

ROGER N. NANOVIC,  
*President Judge*

### Restitution Fund Guidelines

#### Community Service Work/Restitution Program

*Purpose:* To establish guidelines for the Community Service Work/Restitution Program which will enable youthful offenders to perform additional community service work hours in order to earn money to be applied to their Court ordered restitution.

1. In 1998, the Carbon County Court of Common Pleas established a Community Service Work/Restitution Fund in order to institute this program. Delinquent youth fund this program through the assessment of costs against each juvenile defendant.

2. Any juvenile under this department's supervision who owes restitution will be eligible to apply for the program.

3. In order to qualify for the program, juveniles must meet the following criteria:

- A. Must owe restitution.
- B. Must have completed all Court ordered community Service work;
- C. Must be a student;
- D. Must not be employed full time (40 hours per week);
- E. Must be making a conscientious effort to comply with his/her payment agreement set by the Bureau of Collections.

4. Juveniles who meet the above criteria may apply for the program by obtaining an application from the Juvenile Probation Office.

5. The application will be reviewed by the Juvenile Court Officer handling the case and the Chief Juvenile Officer.

6. Upon approval, each juvenile will enter into a written agreement which will include the number of hours to be completed, the location of the site(s) where the hours are to be performed, and the completion date. This agreement will be signed by the juvenile, his/her parent or guardian, and a Juvenile Court Officer.

7. Payment for community service work hours will be computed by multiplying the number of hours worked by the current federally mandated minimum wage.

8. Payment to the Bureau of Collections will occur only upon completion of the agreement. If the juvenile does not complete the program, no payment will be made and all money earned will be forfeited.

9. The Chief Juvenile Court Officer will transfer money from the Community Service/Restitution Fund via a voucher payable to the Bureau of Collections. The voucher will be prepared using the juvenile case number and juvenile's initials, thus preserving confidentiality. When the check is received, the Bureau of Collections will credit the juvenile's restitution account.

10. If applicable, juveniles who successfully complete the program may reapply.

[Pa.B. Doc. No. 13-73. Filed for public inspection January 18, 2013, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Administrative Suspension

Notice is hereby given that the following attorneys have been Administratively Suspended by Order of the Supreme Court of Pennsylvania dated December 6, 2012, pursuant to Rule 111(b) Pa.R.C.L.E., which requires that every active lawyer shall annually complete, during the compliance period for which he or she is assigned, the continuing legal education required by the Continuing Legal Education Board. The Order became effective January 5, 2013 for Compliance Group 1.

Notice with respect to attorneys having Pennsylvania registration addresses, which have been transferred to inactive status by said Order, was published in the appropriate county legal journal.

Ahearn, Edward J. Ocean, NJ	Kopec, Daniel Thomas Chester, NJ
Aston, Marcia Yvonne Allen	Lewandowski, Karen Marie New York, NY
Mount Laurel, NJ	Maloney, Therese Anne Lansing, MI
Bullion, Andrew Baker London	Mantzas, Konstandino S. Marlton, NJ
Carucci, Matthew Michael Wilmington, DE	Minuchi, Jennifer Marie New York, NY
Corman, Michael Jeffrey Barrington, NJ	Mizrahi, Robert Neil Fort Lee, NJ
Damaso, Ivan V. Sunnyside, NY	Myers, Frederick P. Rockville, MD
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Goldfarb, Charles Woodmere, NY	Rosenfeld, Tommy New York, NY
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SUZANNE E. PRICE,  
*Attorney Registrar*  
*The Disciplinary Board of the*  
*Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 13-74. Filed for public inspection January 18, 2013, 9:00 a.m.]

### Notice of Disbarment

Notice is hereby given that Cotie W. Jones, having been disbarred from the practice of law in the State of Maryland by Opinion and Order of the Court of Appeals of Maryland, dated August 27, 2012, the Supreme Court of Pennsylvania issued an Order on January 3, 2013, disbaring Cotie W. Jones, from the Bar of this Commonwealth, effective February 2, 2013. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 13-75. Filed for public inspection January 18, 2013, 9:00 a.m.]

### Notice of Disbarment

Notice is hereby given that Kenneth Kell, a/k/a Kenneth Harry Kell, having been disbarred by consent from the practice of law in the State of New Jersey by Order of the Supreme Court of New Jersey, dated August 23, 2012, the Supreme Court of Pennsylvania issued an Order on January 3, 2013, disbaring Kenneth Kell, a/k/a Kenneth Harry Kell, from the Bar of this Commonwealth, effective February 2, 2013. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 13-76. Filed for public inspection January 18, 2013, 9:00 a.m.]

## SUPREME COURT

**Reestablishment of the Magisterial Districts Within the Twentieth Judicial District; No. 299 Magisterial Rules Doc.**

### Order

*Per Curiam*

*And Now*, this 3rd day of January, 2013, upon consideration of the Recommendation of the President Judge of Twentieth Judicial District (Huntingdon County), it is

hereby *Ordered and Decreed* that the Magisterial District 20-3-03 is eliminated and that Magisterial Districts 20-3-01, 20-3-02, and 20-3-04 shall be realigned. This order is effective March 1, 2013. The vacancy for Magisterial District 20-3-03 shall not appear on the ballot for the 2013 municipal election.

Said magisterial districts shall be as follows:

Magisterial District 20-3-01: Magisterial District Judge Douglas L. Gummo	Alexandria Borough Birmingham Borough Marklesburg Borough Petersburg Borough Barree Township Franklin Township Henderson Township Hopewell Township Jackson Township Lincoln Township Logan Township Miller Township Morris Township Oneida Township Penn Township Porter Township Spruce Creek Township Walker Township Warriors Mark Township West Township
Magisterial District 20-3-02: Magisterial District Judge Richard S. Wilt	Huntingdon Borough Mapleton Borough Mill Creek Borough Brady Township Juniata Township Smithfield Township Union Township
Magisterial District 20-3-04: Magisterial District Judge Mary G. Jamison	Broad Top City Borough Cassville Borough Coalmont Borough Dudley Borough Mount Union Borough Orbisonia Borough Rockhill Furnace Saltillo Borough Shade Gap Borough Shirleysburg Borough Three Springs Borough Carbon Township Cass Township Clay Township Cromwell Township Dublin Township Shirley Township Springfield Township Tell Township Todd Township Wood Township

[Pa.B. Doc. No. 13-77. Filed for public inspection January 18, 2013, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of February 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 February, 2013, is 4 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 2.10 to which was added 2.50 percentage points for a total of 4.60 that by law is rounded off to the nearest quarter at 4 1/2%.

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 13-78. Filed for public inspection January 18, 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

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0051811 (IW)	Green Hills Pumping Station Lehigh County Authority Wlsa Central Water System 6394 Clauser Road Orefield, PA 18069	Lehigh County South Whitehall Township	Unnamed Tributary to Little Cedar Creek (2-C)	Y
PA0062529 (IW)	Schuylkill County Municipal Authority Broad Mountain WTP St Clair, PA 17970	Schuylkill County Blythe Township	Wolf Creek (3-A)	N

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0011169 (IW)	Materion Brush, Inc. (Shoemakersville Plant) 100 Shoemakersville Road, PO Box 128 Shoemakersville, PA 19555	Berks County / Perry Township	Schuylkill River / 3B	Y
PA0081841 (Sew)	MHC TT, Inc. Hershey Preserve 2 North Riverside Plaza, Suite 800 Chicago, IL 60606	Lebanon County South Annville Township	UNT Gingrich Run / 7-D	Y

*Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.*

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0208931 (Non-Municipal Sewage)	This Olde House & Randolph Residence 2053 Ace Valley Road Dubois, PA 15801	Clearfield County Brady Township	Unnamed Tributary to Limestone Run (17-D)	Y
PA0115053 (Sewage)	Camp Victory Campground PO Box 810 Millville, PA 17846-0810	Columbia County Greenwood Township	Mud Run (5-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 ?
PA0101052 (Industrial Waste)	Union City Borough WTP 29 S Main Street, Union City, PA 16438	Erie County Union Townsip	Bentley Run (16-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*

**PA0057011**, Sewage, SIC Code 4952, **Little Washington Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010. Facility Name: Bridlewood Farm STP. This existing facility is located in Thornbury 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), Radley Run, is located in State Water Plan watershed 3-H 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 0.103 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Geo Mean</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.2	XXX	0.5
CBOD <sub>5</sub>	16.1	XXX	XXX	18.8	XXX	37.6
Total Suspended Solids	26	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
Total Nitrogen	21.5	XXX	XXX	25.0	XXX	50.0
Ammonia-Nitrogen						
May 1 - Oct 31	2.3	XXX	XXX	2.6	XXX	5.2
Nov 1 - Apr 30	6.7	XXX	XXX	7.8	XXX	15.6
Total Phosphorus	1.3	XXX	XXX	1.5	XXX	3.0

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. Small Stream Discharge
- G. Maximize Drip Irrigation

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.

**PA0056731**, Sewage, SIC Code 4952, **Historic Salem Village Homeowners Association**, 2193 Yellow Springs Road, Malvern, PA 19355. Facility Name: Historic Salem Village STP. This existing facility is located in Tredyffrin Township, **Chester County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit to discharge treated sewage effluent from a small flow treatment facility serving Historic Salem Village.

The receiving stream(s), an Unnamed tributary to Valley Creek, is located in State Water Plan watershed 3-F and is classified for Exceptional Value Waters and Migratory Fish, 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 0.0017 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Instant. Minimum</i>	<i>Instant. Maximum</i>	<i>Average Monthly</i>	<i>Geo Mean</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	Report

Parameters	Mass (lb/day)		Instant. Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly			Average Monthly		
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	1.5	XXX	3.0
Nov 1 - Apr 30	XXX	XXX	XXX	4.5	XXX	9.0
Total Phosphorus	XXX	XXX	XXX	1.0	XXX	2.0

The proposed effluent limits for Internal Monitoring Point 101 are based on a design flow of 0.0017 MGD.

Parameters	Mass (lb/day)		Instant. Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly			Average Monthly		
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	15	XXX	30
Total Suspended Solids	XXX	XXX	XXX	20	XXX	40
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	2.0	XXX	4.0
Nov 1 - Apr 30	XXX	XXX	XXX	4.5	XXX	9.0
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4.0

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

- No Stormwater to Sewers
- Necessary Property Rights
- Proper Sludge Disposal
- Abandon STP when Public Sewers Become Available
- Small Stream Discharge
- Notification of Designation of Responsible Operator
- Remedial Measures if Public Nuisance
- Change of Ownership
- DMR Reporting Requirements
- Monitoring Requirements
- Operator Training
- Constructed Wetland Maintenance
- Laboratory Certification
- Instantaneous Maximum Limitations
- Fecal Coliform Reporting

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.

**PA0051250**, Sewage, SIC Code 4952, **Bucks County Water and Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976. This facility is located in Doylestown Township, **Bucks County**.

Description of Existing Activity: Renewal of an NPDES permit to discharge treated sewage from Kings Plaza STP, located on Almshouse Road east of Easton Road.

The receiving stream, Neshaminy Creek, is located in State Water Plan watershed 2F and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The nearest downstream public water supply intake for the Aqua Pennsylvania Neshaminy Plant is located on Neshaminy Creek.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.425 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Instant. Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6

<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>Weekly Average</i>	
CBOD <sub>5</sub>						
May 1 - Oct 31	53	81	XXX	15	23	30
Nov 1 - Apr 30	88	141	XXX	25	40	50
Total Suspended Solids	106	159	XXX	30	45	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Nitrate-Nitrite as N						
Jul 1 - Oct 31	31.9	XXX	XXX	9.0	XXX	18
Nov 1 - Jun 30	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	7.0	XXX	XXX	2.0	XXX	4.0
Nov 1 - Apr 30	21.2	XXX	XXX	6.0	XXX	12
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus						
Apr 1 - Oct 31	3.6	XXX	XXX	1.0	XXX	2.0
Nov 1 - Mar 31						
(Interim)	Report	XXX	XXX	Report	XXX	XXX
(Final)	7.2	XXX	XXX	2.0	XXX	4.0

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

- Designation of Responsible Operator
- Remedial Measures if Public Nuisance
- No Stormwater to Sewers
- Necessary Property Rights
- Small Stream Discharge
- Change in Ownership
- Chlorine Minimization
- Proper Sludge Disposal
- TMDL/WLA Analysis
- Operator Training
- Instantaneous Maximum Limits
- Laboratory Certification

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

**PA0057690**, Stormwater, SIC Code 3731, **Aker Philadelphia Shipyard**, 2100 Kitty Hawk Avenue, Philadelphia, PA 19112-1808. Facility Name: Aker Philadelphia Shipyard. This existing facility is located in City of Philadelphia, **Philadelphia County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of groundwater infiltrate, river return and Storm Water associated with industrial activities.

The receiving stream(s), Delaware River and Schuylkill River, is located in State Water Plan watershed 3-F and 3-J 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 012 are based on a design flow of 0.01 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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (GPM)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids						
Effluent Net	XXX	XXX	XXX	100	200	250
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Copper	XXX	XXX	XXX	Report	Report	XXX
Dissolved Iron	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Total Lead	XXX	XXX	XXX	Report	Report	XXX
Total Zinc	XXX	XXX	XXX	Report	Report	XXX
1,2-Dichloroethane	XXX	XXX	XXX	Report	Report	XXX
Tetrachloroethylene	XXX	XXX	XXX	Report	Report	XXX



<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Trichloroethylene	XXX	XXX	XXX	Report	Report	XXX
PCBs (Dry Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 019, 021 and 047 are based on stormwater.

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

The proposed effluent limits for Outfall 022, 023, 024, 026, 027, 029, 030, 032 are based on stormwater.

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

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

- A. Wet Berthing Requirements
- B. Public Nuisance
- C. Property Rights
- D. BAT/BCT Development
- E. Change of Ownership
- F. Collected Sludge
- G. TMDL/WLA Analysis
- H. IMAX Requirements
- I. Laboratory Certification
- J. PCBs Requirements
- K. No Chemical Addition
- L. BMP's according to 60 C.F.R.
- M. Schuylkill River Basin assessment
- N. Dry Dock 5 Requirement
- O. Calculated Net TSS

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.

**PA0012629**, Industrial Waste, SIC Code 2911, 5171, **Philadelphia Energy Solutions Refining and Marketing, LLC**, 3144 W. Passyunk Avenue, Philadelphia, PA 19145. Facility Name: Point Breeze Processing Area. This existing facility is located in City of Philadelphia, **Philadelphia County**.

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

The receiving stream(s), Schuylkill River and Unnamed Tributary of Schuylkill River, is located in State Water Plan watershed 3-F 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, 003 and 004 are based on stormwater.

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

The proposed effluent limits for Outfall 002 are based on a design flow of 4.91 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum Monthly % Removal</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Oxidants	XXX	XXX	Inst Min XXX	Report	0.2	0.5
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
BOD <sub>5</sub>	1,228	2,457	XXX	30	60	75
CBOD <sub>20</sub>	2,590	XXX	XXX	XXX	XXX	XXX
CBOD <sub>20</sub> % Removal (%)						
Percent Removal	XXX	XXX	89.25	XXX	XXX	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	261	506	653
Chemical Oxygen Demand Effluent Net	10,670	20,732	XXX	XXX	XXX	XXX
Total Suspended Solids						
Effluent Net	1,281	2,012	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	31.3	49.1	62
Total Dissolved Solids	XXX	69,556	XXX	XXX	2,000	2500
Total Dissolved Solids Effluent Net	34,778	XXX	XXX	1,000	XXX	XXX
Oil and Grease	XXX	XXX	XXX	11.9	22.3	29.8
Oil and Grease Effluent Net	488	915	XXX	XXX	XXX	XXX
Ammonia-Nitrogen						
Effluent Net	579	1,265	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	14.1	30.9	35.2
Hexavalent Chromium	XXX	XXX	XXX	0.02	0.04	0.05
Hexavalent Chromium Effluent Net	0.81	1.82	XXX	XXX	XXX	XXX
Total Chromium						
Effluent Net	9.84	28.5	XXX	XXX	XXX	XXX
Total Chromium	XXX	XXX	XXX	0.24	0.70	0.70
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Total Sulfide	XXX	XXX	XXX	0.21	0.46	0.53
Total Sulfide Effluent Net	8.5	18.9	XXX	XXX	XXX	XXX
Total Thallium	XXX	XXX	XXX	Report	Report	XXX
Acrylonitrile	XXX	XXX	XXX	Report	Report	XXX
Hexachlorobenzene	XXX	XXX	XXX	Report	Report	XXX
Benzene	XXX	XXX	XXX	0.1	0.2	0.25
Benzidine	XXX	XXX	XXX	Report	Report	XXX
Total BTEX	XXX	XXX	XXX	0.1	0.2	0.25
Naphthalene	XXX	XXX	XXX	1.4	2.8	3.5
N-Nitrosodimethylamine	XXX	XXX	XXX	Report	Report	XXX
Total Phenolics	XXX	XXX	XXX	0.2	0.5	0.5
Total Phenolics Effluent Net	8.5	21.3	XXX	XXX	XXX	XXX
PCBs						
(Dry Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX
(Wet Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX
Acute toxicity (Ceriodaphnia) (TUa)	XXX	XXX	XXX	XXX	Report	XXX
Chronic toxicity (Ceriodaphnia) (TUc)	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum Monthly % Removal</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Acute toxicity (Pimephales) (TUa)	XXX	XXX	XXX	XXX	Report	XXX
Chronic toxicity (Pimephales) (TUc)	XXX	XXX	XXX	XXX	Report	XXX

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

- A. Remedial Measures if creates Public Nuisance
- B. Applicable BAT/BCT
- C. CBOD<sub>20</sub> allocation
- D. Thermal Impact Requirement
- E. Approved EPA Test Methods
- F. TRO Definition
- G. Change of Ownership
- H. Proper Sludge Disposal
- I. TMDL/WLA Analysis
- J. I-Max Definition
- K. Twice a Month Sampling
- L. Operation and Maintenance Plan
- M. Laboratory Certification
- N. PCB's Minimization Plan
- O. WET Test Protocol
- P. Stormwater Runoff Calculations
- Q. Intake Credit for Various Wastestream
- R. Net Effluent Values Calculations
- S. Limitation of Contaminated Runoffs
- T. Bypass to Dissolved Air Flotation Unit
- U. S-10 sump.
- V. TDS limitations
- W. BOD<sub>5</sub> Requirement
- X. Non-Processed Wastewater
- II. Chemical Additives
- III. Stormwater Requirements
- IV. 316(b) 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.

**Application No. PA0244597**, Concentrated Animal Feeding Operation (CAFO), **Walmoore Holsteins Inc.**, 1826 Howell Moore Road, West Grove, PA 19390.

Walmoore Holsteins Inc. has submitted an application for an Individual NPDES permit for a CAFO known as Walmoore Holsteins, located in Londonderry and London Grove Townships, **Chester County**.

The CAFO is situated near Middle Branch White Clay Creek and Unnamed Tributary of East Branch White Clay Creek in Watershed 3-I, which is classified for Exceptional Value Waters, Trout Stocking and Migratory Fishes. The CAFO is designed to maintain an animal population of approximately 1,364.72 animal equivalent units (AEUs) consisting of 850 adult cows and 540 heifers. Manure is collected and stored in two earthen high density polyethylene (HDPE) lined storage lagoons, two-clay lined with a picket fence solid separator dams, and one-clay lined with concrete floor storage. The total capacity of the manure storage facilities is 3,575,00 gallons of liquid manure storage in HDPE line lagoons, 1,300,000 and 623,390 gallons of manure storage in the clay lined with a picket fence solid separator dams, and 106,900 gallons of manure in the clay lined with concrete floor storage, for a total of 5,605,290 gallons of manure storage. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

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

The Environmental Protection Agency (EPA) permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

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

**PA0046388**, Sewage, SIC Code 4952, **Butler Township Luzerne County**, 415 West Butler Drive, Drums, PA 18222. Facility Name: St Johns STP. This existing facility is located in Butler Township, **Luzerne 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, Nescopeck Creek, is located in State Water Plan watershed 5-D 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 2.2 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub>	459	734	XXX	25.0	40.0	50.0
BOD <sub>5</sub>						
Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	550	826	XXX	30.0	45.0	60.0
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
UV Transmittance (mjoules/cm <sup>2</sup> )	XXX	XXX	Report	Report	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	40,182	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	Total Mo	Total Annual				
May 1 - Oct 31	257	XXX	XXX	14.0	XXX	28.0
Nov 1 - Apr 30	86	XXX	XXX	4.7	XXX	9.3
Ammonia-Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	Total Mo	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Total Mo	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	5,357	XXX	XXX	XXX	XXX
Total Phosphorus	Report	XXX	XXX	XXX	XXX	XXX
Total Aluminum*	Total Mo	Total Annual				
Total Aluminum*	XXX	XXX	XXX	Report	XXX	XXX
Total Copper*	XXX	XXX	XXX	Report	XXX	XXX
Total Iron*	XXX	XXX	XXX	Report	XXX	XXX
Total Lead*	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese*	XXX	XXX	XXX	Report	XXX	XXX
Total Zinc*	XXX	XXX	XXX	Report	XXX	XXX

\*Quarterly reporting.

The proposed effluent limits for Stormwater Outfalls 002, 003, and 004 are based on a design flow of 0.000000 MGD.

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

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

- Chesapeake Bay conditions, WET Test conditions, Stormwater conditions, necessary property rights, proper management of residuals, and prohibition against stormwater in sewerage system.

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

The EPA Waiver is not in effect.

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

**PA0087734**, Industrial Wastewater, SIC Code 4941, **Columbia Water Company**, 220 Locust Street, Columbia, PA 17512. Facility Name: Hellam Water Treatment Facility (Dugan WTP). This existing facility is located in Hellam Township, **York County**.

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

The receiving stream, Dugan Run, is located in State Water Plan watershed 7-I and is classified for aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0045 MGD.

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

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

The EPA Waiver is in effect.

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

**PA0024759**, Sewage, SIC Code 4952, **Curwensville Municipal Authority**, 900 Susquehanna Avenue, Curwensville, PA 16833-1526. Facility Name: Curwensville Municipal Authority Wastewater Treatment Plant. This existing facility is located in Curwensville Borough, **Clearfield 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), West Branch Susquehanna River, is located in State Water Plan watershed 8-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.75 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	155	250	XXX	25	40	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Suspended Solids	185	280 Wkly Avg	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 GeoMean	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	2000 Geo Mean	XXX	10000
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen					
(Interim)	Report	Report			
(Final)	Report	13698			
Net Total Phosphorus					
(Interim)	Report	Report			
(Final)	Report	1826			

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

\* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin on October 1, 2015. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2016. This facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until September 30, 2015.

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 not in effect.

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

**PA0216500**, Industrial Waste, SIC Code 9999, **CBS Corporation**, National City Center, 20 Stanwix Street, Pittsburgh, PA 15222. Facility Name: CBS Corporation Beaver Plant. This existing facility is located in Vanport Township, **Beaver County**.

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

The receiving stream, the Ohio River, is located in State Water Plan watershed 20-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0432 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	20	40	XXX
Total Manganese	XXX	XXX	XXX	2.0	4.0	XXX
Trichloroethylene	XXX	XXX	XXX	0.02	0.04	XXX

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

The EPA Waiver is in effect.

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

**PA0272582**, Sewage, SIC Code 8800, **Arlene Fischer**, 9019 Kuhl Road, Erie, PA 16510. Facility Name: Arlene Fischer SRSTP. This proposed facility is located in North East Township, **Erie County**.

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

The receiving stream, an Unnamed Tributary to the Twelvemile Creek, is located in State Water Plan watershed 15-A and is classified for High Quality Waters—Cold Water Fishes and, 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 0.0004 MGD.

Parameters	Mass (lbs/day)		Concentration (mg/l)		Instant. Maximum
	Average Monthly	Minimum	Average Monthly	Geo Mean	
Flow (MGD)	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0
CBOD <sub>5</sub>	XXX	XXX	XXX	10	20
Total Suspended Solids	XXX	XXX	XXX	10	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	1,000

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 in effect.

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

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

**WQM Permit No. 5412401**, Sewage, SIC Code 4952, **Girardville Area Municipal Authority**, Fourth And B Streets, P. O. Box 5, Girardville, PA 17935.

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

Description of Proposed Action/Activity: Modification of an existing wastewater treatment plant to convert from a chlorine gas disinfection system to a liquid sodium hypochlorite disinfection system.

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

**WQM Permit No. 1777403**, Sewerage, **GenOn REMA LLC**, 121 Champion Way, Canonsburg, PA.

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

Description of Proposed Action/Activity: Addition of dechlorination to the existing sewage treatment facility's process in order to lower chlorine levels to assure compliance with effluent limitation for discharge to the West Branch of the Susquehanna River.

**WQM Permit No. 5998201**, CAFO Operation [SIC 0213], **Country View Family Farms, LLC**, 372 Hemlock Hill Road, Covington, PA 16650.

This proposed facility is located in Sullivan Township, **Tioga County**.

Description of Proposed Action/Activity: Country View Family Farms is proposing a major amendment to the existing WQM permit. The activities will include renovations to the existing four (4) barns and the construction of a new gestation barn with deep pit manure storage.

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

**WQM Permit No. 2596406**, Sewerage **Amendment No. 1**, **Millcreek Township Sewer Authority**, 3608 West 26th Street, Erie, PA 16506.

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

Description of Proposed Action/Activity: Application to replace one of three pumps at Glenwood Pump Station with a larger capacity pump.

**IV. NPDES Applications for Stormwater Discharges from MS4****V. Applications for NPDES Waiver Stormwater Discharges from MS4****VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities**

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1507051-R	Old Lancaster Venture, LP 460 East Swedesford Road Wayne, PA 19087	Chester	East Whiteland Township	Little Valley Creek (EV)
PAI01 1508025-R	Oxford Commons, LP 120 W Germantown Pk, Ste 120 Plymouth Meeting, PA 19462	Chester	Lower Oxford Township	Leech Run (TSF-MF); Little Elk Creek (HQ-TSF-MF)
PAI01 2151242	Camphill Soltane 224 Nantmeal Road Glenmoore, PA 19343	Chester	East Nantmeal Township	Beaver Run (HQ)

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

*Lehigh County Conservation District: Lehigh Ag. Ctr., Ste. 102, 4184 Dorney Park Rd., 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>
PAI023912029R(2)	Jaindl Land Company David Jaindl 3150 Coffeetown Rd. Orefield, PA 18069	Lehigh	Upper Macungie Twp.	Iron Run, HQ-CWF, MF
PAI023907027R	Jaindl Land Company David Jaindl 3150 Coffeetown Rd. Orefield, PA 18069	Lehigh	Upper Macungie Twp.	Schaefer Run, HQ-CWF, MF
PAI023912027R(1)	Jaindl Land Company David Jaindl 3150 Coffeetown Rd. Orefield, PA 18069	Lehigh	Lower Macungie Twp. and Borough of Alburtis	Swabia Creek, HQ-CWF, MF
PAI023907009R	Jaindl Land Company David Jaindl 3150 Coffeetown Rd. Orefield, PA 18069	Lehigh	North Whitehall Twp.	Hassen Creek, HQ-CWF, MF; Jordan Creek, TSF, MF

*Northampton County Conservation District: 14 Gracedale Ave., Greystone Building, Nazareth, PA 18064, 610-746-1971.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024812018	Redevelopment Authority of Easton Pennsylvania Gretchen Longenbach 1 South Third St., 4th Floor Easton, PA 18042	Northampton	City of Easton	Bushkill Creek, HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026412010	First Presbyterian Society of Honesdale 201 10th St. Honesdale, PA 18431	Wayne	Honesdale Bor.	UNT to Lackawaxen River, HQ-CWF, MF
PAI026405001R	Wayne Economic Development Corp. 32 Commercial St., Suite A Honesdale, PA 18431	Wayne	Sterling Twp.	WB Wallenpaupack Creek, HQ-CWF, MF



*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717.705.4802*

Permit #	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI030612005	Berks Hollow Energy Associates, LLC 400 Chesterfield Center St. Louis, MO 63017	Berks	Ontelaunee	Willow Creek (HQ-CWF)
PAI030612006	Womelsdorf Robesonian Joint Authority PO Box 94 Womelsdorf, PA 19567	Berks	Heidelberg Township	Furnace Creek (HQ-CWF, MF)
PAI033612013	J. Roy Wise 433 South Kinzer Avenue Apt. 38GE New Holland, PA 17557	Lancaster	Brecknock Township	UNT to Rock Run (HQ-TSF, MF)

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

*Warren County Conservation District, 300 Hospital Drive, Suite D, Warren PA 16365*

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI066212002	SBA Communications 5900 Broken Sound Pkwy Boca Raton FL 33487	Warren	Glade Township	Hemlock Run HQ; CWF

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

PAG-12 CAFOs

**STATE CONSERVATION COMMISSION**

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

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

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

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

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

**NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET**

Agricultural Operation Name and Address	County	Total Acres	Animal Equivalent Units	Animal Type	Special Protection Waters (HQ or EV or NA)	Renewal / New
Kerek Musser 2604 Hossler Road Manheim, PA 17545	Lancaster	181.4	396.36	Layers	NA	R
Lynn Royer 273 Greentree Road Elizabethtown, PA 17022	Lancaster	216.7	654.97	Dairy / Poultry	NA	R
Jay Deiter 2040 River Road Bainbridge, PA 17502	Lancaster	361.3	585.26	Swine / Heifer	NA	R

<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>
Randy Bainbridge 1908 Valley Road Manheim, PA 17545	Lancaster	26.7	961.85	Broiler / Swine	NA	R
Eldwin Martin Greystone Pork Farm 12950 Forge Rd. Mercersburg, PA 17236	Franklin	87.7	742.9	Swine	NA	Renewal
Broc Troxell 250 Showers Road New Columbia PA 17856	Union	531.38	1498.56	Swine	NA	Renewal (Crop Year 2013)
Broc Troxell 250 Showers Road New Columbia PA 17856	Union	534.38	1498.56	Swine	NA	Renewal (Crop Years 2014-2016)
Keith Heimbach 129 Don Packard Road Granville Summit, PA 16926	Bradford	317.6	675.83	Swine, Beef, Bison	NA	Renewal

**PUBLIC WATER SUPPLY (PWS) PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Application No. 0112513 MA, Minor Amendment, Public Water Supply.**

Applicant **Panorama Mobile Home Park**  
 Municipality Oxford Township  
 County **Adams**  
 Responsible Official Clair Hoover  
 3028 Spooky Nook Rd  
 Manheim, PA 17545  
 Type of Facility Public Water Supply  
 Consulting Engineer Not Available  
 Application Received: 9/28/2012  
 Description of Action GWR 4-log inactivation of viruses for EP 101.

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

**Application No. 4912501—Construction Public Water Supply.**

Applicant **Sunbury Municipal Authority Water System**  
 [Township or Borough] City of Sunbury  
 County **Northumberland**  
 Responsible Official Danny W. Ramer, General Manager  
 Municipal Authority of the City of Sunbury  
 462 South Fourth Street  
 Sunbury, PA 17801  
 Type of Facility Public Water Supply  
 Consulting Engineer John P. Mazich, P.E.  
 Uni-Tec Consulting Engineers, Inc.  
 2007 Cato Avenue  
 State College, PA 16801  
 Application Received December 19, 2012  
 Description of Action Replacement of two circa 1967 solids contact units with two new units of same capacity.

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

**Permit No. 2512511**, Public Water Supply  
 Applicant **Burch Farms Country Market**  
 Township or Borough North East Township  
 County **Erie**  
 Responsible Official Timothy D. Burch  
 Type of Facility Public Water Supply  
 Consulting Engineer August E. Maas, P.E.  
 Hill Engineering, Inc.  
 8 Gibson Street  
 North East, PA 16428  
 Application Received Date November 28, 2012  
 Description of Action Installation of treatment to provide 4-Log virus.

#### MINOR AMENDMENT

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

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

**Application No. 2640050**  
 Applicant **Pocono Waterworks Company, Inc.**  
 [Township or Borough] Lake Township  
**Wayne County**  
 Responsible Official Joseph B. Bonamico, Sr.,  
 President  
 Pocono Waterworks Company,  
 Inc.  
 P. O. Box 189  
 Hamlin, PA 18427  
 570-689-4017  
 Type of Facility Community Water System  
 Consulting Engineer NA  
 Application Received Date December 20, 2012  
 Description of Action Application for transfer of the PWS operation permit for Ryan Hill Development from Hamlin Associated Water Companies, Inc. to Pocono Waterworks Company, Inc.

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

**Application No. 5612507MA, Minor Amendment.**  
 Applicant **Somerset Township Municipal Authority**  
 PO Box 247  
 Somerset, PA 15501  
 [Township or Borough] Somerset Township  
 Responsible Official Nancy Aultz, Manager  
 Somerset Township Municipal Authority  
 PO Box 247  
 Somerset, PA 15501

Type of Facility Water system  
 Consulting Engineer Somerset Planning & Engineering Services, LLC  
 222 West Main Street  
 Suite 100  
 Somerset, PA 15501  
 Application Received Date November 21, 2012  
 Description of Action Installation of 12-inch waterline to extend chlorine contact time.

#### **Application No. 1113501MA, Minor Amendment.**

Applicant **Highland Sewer & Water Authority**  
 120 Tank Drive  
 Johnstown, PA 15904  
 [Township or Borough] Richland Township  
 Responsible Official Edward Englehart, Manager  
 Highland Sewer & Water Authority  
 120 Tank Drive  
 Johnstown, PA 15904  
 Type of Facility Water system  
 Consulting Engineer The EADS Group, Inc.  
 450 Aberdeen Drive  
 Somerset, PA 15501  
 Application Received Date January 7, 2013  
 Description of Action Painting and rehabilitation of the Industrial Park Tank #1.

#### **Application No. 1113502MA, Minor Amendment.**

Applicant **Highland Sewer & Water Authority**  
 120 Tank Drive  
 Johnstown, PA 15904  
 [Township or Borough] Richland Township  
 Responsible Official Edward Englehart, Manager  
 Highland Sewer & Water Authority  
 120 Tank Drive  
 Johnstown, PA 15904  
 Type of Facility Water system  
 Consulting Engineer The EADS Group, Inc.  
 450 Aberdeen Drive  
 Somerset, PA 15501  
 Application Received Date January 7, 2013  
 Description of Action Painting and rehabilitation of the Industrial Park Tank #2.

#### **Application No. 1113503MA, Minor Amendment.**

Applicant **Highland Sewer & Water Authority**  
 120 Tank Drive  
 Johnstown, PA 15904  
 [Township or Borough] Cresson Township  
 Responsible Official Edward Englehart, Manager  
 Highland Sewer & Water Authority  
 120 Tank Drive  
 Johnstown, PA 15904

Type of Facility Water system  
 Consulting Engineer The EADS Group, Inc.  
 450 Aberdeen Drive  
 Somerset, PA 15501  
 Application Received Date January 7, 2013  
 Description of Action Painting and rehabilitation of  
 the Northern End Tank #1.

**Application No. 0213502MA, Minor Amendment.**

Applicant **Pittsburgh Water & Sewer Authority**  
 Penn Liberty Plaza I  
 1200 Penn Avenue  
 Pittsburgh, PA 15222  
 [Township or Borough] City of Pittsburgh  
 Responsible Official  
 Type of Facility Water system  
 Consulting Engineer  
 Application Received Date January 8, 2013  
 Description of Action Installation of approximately  
 3,500 feet of 8-inch waterline  
 along Clayton Avenue and  
 Kincaid Street.

**Application No. 0213501MA, Minor Amendment.**

Applicant **Pittsburgh Water & Sewer Authority**  
 Penn Liberty Plaza I  
 1200 Penn Avenue  
 Pittsburgh, PA 15222  
 [Township or Borough] City of Pittsburgh  
 Responsible Official  
 Type of Facility Water system  
 Consulting Engineer  
 Application Received Date January 8, 2013  
 Description of Action Installation of approximately  
 2,450 feet of 8-inch waterline  
 along Langtry Street and Buena  
 Vista Street.

**WATER ALLOCATIONS**

**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**

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

**WA4-92C, Water Allocations (Resubmittal). Municipal Authority of the Borough of Midland, 946 Railroad Avenue, Midland, PA 15059, Beaver County.** The applicant is requesting the right to withdraw 6.73 MGD as a monthly average, with a one-day peak withdrawal limit of 7.0 MGD, from the Ohio River.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995  
 PREAMBLE 1**

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

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

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

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

**Elser Property**, 353 Route 61 South, North Manheim Township, **Schuylkill County**, Michael Crimmel, Austin James Associates, Inc., has submitted a Notice of Intent to Remediate on behalf of his client, Ms. Nancy Elser, 245 E. Schmaltzdahl Road, New Ringgold, PA 17960, concerning the remediation of soil and groundwater found to have been impacted by leaded gasoline release from a historical gasoline service station prior to 1977. The applicant proposes to remediate the site to meet the Residential Statewide Health Standards for soil and groundwater and Site Specific Standards for soil and groundwater. The intended future use of the site is residential and commercial rental property. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper in the general area sometime in the near future.

**Former Camp Olympic Dairy**, 3158 South Cedar Crest Blvd., Lower Macungie Township, **Lehigh County**, Douglas Sammak, American Analytical & Environmental, Inc., has submitted a Notice of Intent to Remediate (on behalf of his client, Lee Lichtenwalner, Lower Macungie Township Official, 3400 Brookside Road, Macungie, PA 18062), concerning the remediation of soil found to have impacted by unleaded gasoline from an abandoned underground storage tank.

The applicant proposes to remediate the site to meet the Residential Statewide Health Standards for soil. The intended future use of the site is residential. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper in the general area sometime in the near future.

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

**Tyco Electronics Building 158**, 209 Shellyland Road, Manheim, PA 17545, Rapho Township, **Lancaster County**. HRG Incorporated, 369 East Park Drive, Harrisburg, PA 17111, on behalf of Tyco Electronics Corporation, P. O. Box 3608, MS 38-34, Harrisburg, PA 17105-3608, submitted a Notice of Intent to Remediate site soils contaminated with milling oil. The site will be remediated to the Site Specific and Nonresidential Statewide Health standards, and will remain a manufacturing facility.

**Kevin Hayes Residence/E.G. Smith, Incorporated**, 105 Telford Avenue, West Lawn, PA 19609, Spring Township, **Berks County**. Liberty Environmental, Inc., 50 North Fifth Street, 5th Floor, Reading, PA 19601, on behalf of Kevin Hayes, 105 Telford Avenue, West Lawn, PA 19601, submitted a Notice of Intent to Remediate site soils contaminated with #2 fuel oil. The site will be remediated to the Residential Statewide Health standard and will remain a residence.

#### MUNICIPAL WASTE GENERAL PERMITS

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

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

**General Permit Application No. WMGM047. Delta Thermo Energy, A, LLC**, One Northbrook Drive, 1210 Northbrook Corporate Center, Suite 100, Trevoise, POA 19053; Site: Allentown Energy Production Facility, 112 West Union Street, Allentown, PA 18102. The application for a general permit is for the processing of municipal solid waste and sewage sludge to produce a fuel for electricity generation. The application was deemed administratively complete on December 20, 2012.

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

**General Permit Application No. WMGM046. ANS Environmental d/b/s Tully Environmental, Inc.**, 127-50 Northern Boulevard, Flushing, NY 11368-1520; Site: 200 East Main Street, Good Spring, PA 17981. The application for a general permit is for a mobile biosolids processing facility to blend and mix Class B biosolids with an alkaline agent and further process to achieve pasteurization levels with an exceptional quality end-product to beneficially used for land application. The application was deemed administratively complete on December 20, 2012.

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

## AIR QUALITY

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

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

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

Copies of these applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the regional office listed before the applications. Persons interested in reviewing

the application files should contact the appropriate regional office to schedule appointments.

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

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

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

**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

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

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

**09-0037H: CMS Gilbreth Systems, Inc.** (3001 State Road, Croydon, PA 19021) for installation of ducting from the existing seaming machines (Source ID 205) to the existing Regenerative Thermal Oxidizer (C01) in order to comply with the requirements of 25 Pa. Code § 129.77 in Bristol Township, Bucks County. The facility is an area source for HAPs, therefore not subjected to the requirements of 40 C.F.R. Part 63 Subpart KK—National Emission Standards for Hazardous Air Pollutants in the Printing and Publishing Industry, 40 C.F.R. Part 63 Subpart JJJJ—National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating, and 40 CFR Part 63 Subpart OOOO—National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles. The plan approval will contain requirements to keep the facility operating within all applicable air quality requirements for this source.

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

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

**40-328-008: Transcontinental Gas Pipe Line Co., LLC** (2800 Post Oak Blvd. (77057), P. O. Box 1396,

Houston, TX) for construction and operation of a Solar MARS Turbine, Model 100-16000S SoLoNO<sub>x</sub> at their facility in Buck Township, **Luzerne County**. The sources main emission is NO<sub>x</sub> and CO. The source is subject to MACK 40 CFR Part 63, Subpart YYYY and NSPS 40 CFR Part 60, Subpart KKKK. The plan approval will include all appropriate testing, monitoring, recordkeeping and reporting requirements designed to keep the operations within all applicable air quality requirements.

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

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

**06-05085E: New Morgan Landfill Co., Inc.** (420 Quarry Road, P. O. Box 128, Morgantown, PA 19543-0128) for replacement of two (2) existing enclosed flares and the installation of one (1) candlestick flare at the existing municipal solid waste landfill in New Morgan Borough, **Berks County**.

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

Plan Approval No. 06-05085E is for is for the replacement of two (2) existing enclosed flares. Each existing flare will be replaced by a 5,500 scfm John Zink enclosed flare. Additionally, one (1) 489 scfm candlestick flare will be installed and will only be operated when there is "leftover" flow of 489 scfm or less from one or more of the enclosed flares.

There will be no increase in the facility's potential-to-emit emissions. The facility is currently limited to 104.1 tpy PM<sub>10</sub>, 100.0 tpy PM<sub>2.5</sub>, 99.0 tpy NO<sub>x</sub>, 242.2 tpy CO, 95.0 tpy SO<sub>x</sub>, & 50.0 tpy VOC. The landfill is a major Title V facility subject to 40 CFR Part 60, Subpart WWW—Standards of Performance for Municipal Waste Landfills and 40 CFR Part 63, Subpart AAAA—National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills. The Plan Approval will contain testing, monitoring, recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

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

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

**14-00003E: Pennsylvania State University** (101P Office of Physical Plant Building, University Park, PA 16802-1118) for a plan approval for the boiler tube replacement project at the University Park Campus East Campus Steam Plant in **Centre County**. The project involves the replacement of the boiler tubes, installation of mud drum heaters, and upgrade of the combustion controls and boiler management system of the East Campus Steam Plant Boilers, Source IDs 036 and 037. Source IDs 036 and 037 are each 130 million BTU/hr E. Keeler natural gas/#2 fuel oil-fired boilers located in the East Campus Steam Plant.

Based on the information and applicability determination submitted by Pennsylvania State University, the Department has determined that this application is not subject to the Prevention of Significant Deterioration (PSD) of Air Quality regulations of 40 CFR 52.21, the Nonattainment New Source Review (NNSR) regulations of 25 Pa. Code §§ 127.201–127.218, or the Best Available Technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12.

No increase in emissions is expected as a result of this project. The actual emissions from all sources at the facility, based on the 2011 emissions report submitted by the University, are, as follows: total PM with an effective aerodynamic diameter of less than or equal to 10 microns (PM<sub>10</sub>), 13.0 tpy; total PM<sub>2.5</sub>, 3.5 tpy; nitrogen oxides (expressed as NO<sub>2</sub>), 243.0 tpy; carbon monoxide (CO), 44.9 tpy; volatile organic compounds (VOC), 6.21 tpy; sulfur oxides (expressed at SO<sub>2</sub>), 1,444.6 tpy.

Based on the findings presented above, the Department intends to issue a plan approval for the proposed project. Additionally, if the Department determines that the above listed sources are operating in compliance with all plan approval conditions, the conditions established in the plan approval will be incorporated into a Title V operating permit via an administrative amendment pursuant to 25 Pa. Code § 127.450.

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 requirements of 25 Pa. Code § 127.12b,

A. The nitrogen oxides, expressed as NO<sub>2</sub>, emissions from the exhaust of Source IDs 036 and 037 shall each not exceed 60.9 tons in any 12 consecutive month period.

B. The VOC emissions from the exhaust of Source IDs 036 and 037 shall each not exceed 0.96 tons in any 12 consecutive month period.

C. The permittee shall comply with the applicable monitoring requirements specified in 25 Pa. Code § 127.203a(a)(5)(iii)(B).

D. The permittee shall comply with the applicable recordkeeping requirements specified in 25 Pa. Code § 127.203a(a)(5)(iii)(C).

E. The permittee shall comply with the applicable reporting requirements specified in 25 Pa. Code § 127.203a(a)(5)(iii)(D).

[Additional authority for these plan approval conditions is derived from 25 Pa. Code § 127.203a(a)(5)(iii)]

2. Pursuant to the requirements of 25 Pa. Code § 127.12b,

A. The fuel usage of Source IDs 036 and 037 shall each not exceed 520 million cubic feet in any 12 consecutive month period while firing natural gas and 743,000 gallons in any 12 consecutive month period while firing No. 2 fuel oil.

B. The permittee shall keep records of the amount and type of fuel consumed per month for Source IDs 036 and 037.

C. (a) The permittee shall submit to the Department on a semiannual basis records of the supporting calculations used to verify fuel usage limitations from Source IDs 036 and 037 in any 12 consecutive month period.

(b) All semiannual reports shall be submitted to the Department no later than March 1 (For January 1 through December 31 of the previous year) and September 1 (for July 1 of the previous year through June 30 of the current year).

[Additional authority for these plan approval conditions is derived from 25 Pa. Code § 127.203a(a)(5)(iii)]

3. Pursuant to the requirements of 25 Pa. Code § 127.12b,

A. No later than 180 days after completion of the boiler tube replacement project, the permittee shall perform EPA reference method testing for nitrogen oxides on Source IDs 036 and 037.

B. All testing required for Source IDs 036 and 037 shall be performed using test methods and procedures approved in advance by the Department, and shall be performed while the source is operating at or near its rated (or allowable) capacity. During all testing, the permittee shall monitor and record the steam production and fuel usage rates of Source IDs 036 and 037.

C. The permittee shall provide the Department with at least 14 days advance notice of the actual date(s) and time(s) when any testing required by this permit will be performed, so that Department personnel may arrange to be present during testing.

D. At least 60 days before the performance of any testing required by this permit, the permittee shall submit three copies of a pretest protocol to the Department for review. The protocol shall describe the proposed test methods, procedures and equipment, and shall contain a dimensioned sketch of Source IDs 036's and 037's exhaust showing the location of the sampling ports to be used.

4. Pursuant to the requirements of 25 Pa. Code § 127.12b, All conditions contained in Title V Operating Permit 14-00003 remain in effect unless superseded or

amended by conditions contained in this plan approval. If there is a conflict between a condition or requirement contained in this plan approval and a condition or requirement contained in Title V Operating Permit 14-00003, the permittee shall comply with the condition or requirement contained in this plan approval rather than the conflicting condition or requirement contained in Title V Operating Permit 14-00003.

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 plan approval, 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 Plan Approval No. 14-00003E) and concise statements regarding the relevancy of the information or objections to issuance of the plan approval.

A public hearing may be held, if the Department, 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 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*

**11-00524B: United Industrial** (163 Cramer Pike, Johnstown, PA 15906-1157) for installation and temporary operation of a paint booth with a single airless spray gun controlled by fiberglass exhaust filters with a solvent recycling system at its facility in West Taylor Township, **Cambria County**.

In accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (DEP) intends to issue Air Quality Plan Approval: PA-11-00524B to allow the installation and temporary operation of a paint booth with a single airless spray gun controlled by fiberglass exhaust filters with a solvent recycling system at its facility located in West Taylor Township, Cambria County. One currently authorized shot blast booth controlled by a fabric collector has previously been authorized for installation and operation under GP19-11-00524.

Potential to emit from the facility (including currently authorized sources) is estimated to be 2.36 tons of volatile organic compounds (VOC), 0.275 ton of particulate matter (PM), and 0.57 ton of total organic hazardous air pollutants (HAP) per year. Best available technology (BAT) for the surface coating operation is application by airless spray technology, dry filter particulate control, and mini-

mization of overspray through developed work practice standards. The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2, 123.31 and 129.52. Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes monitoring, recordkeeping, and work practice conditions. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

A person may oppose the proposed plan approval by filing a written protest with the Department through Alan Binder, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-11-00524B) and concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

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

A public hearing may be held, if the Department, 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 in writing or by publication in the newspaper and the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. For additional information you may contact Alan Binder at 412-442-4168.

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

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

**N12-033: Philadelphia Navy Public Work Department** (4921 South Broad St, Building 1 Philadelphia, PA 19112) for the operation of a Navy Public Works Facility in the City of Philadelphia, **Philadelphia County**. The facilities air emission sources include One (1) 264,00 BTU/hr Boiler firing natural gas, One (1) 9,200 gallon and One (1) 9,700 gasoline storage tank both with Stage 2 vapor recovery, One Spraybooth that paints metal and plastic parts, One Torit Donalson Dust Collector, One (1) Cold cleaning degreaser, and Twelve (12) Natural gas fired boilers and heaters less than 1 MMBTU/hr.

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

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



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

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

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

**40-00008: Offset Paperback Manufacturing, Inc.** (101 North Memorial Highway, P. O. Box North Dallas, PA 18612) for operation of a book printing/manufacturing operation in Dallas Township, **Luzerne County**. This is a renewal of State-Only Natural Minor operating permit. The proposed State-only Operating Permit contains other applicable requirements for emissions limitations, monitoring, recordkeeping, reporting and work practice standards used to verify facility compliance with Federal and State air pollution regulations.

*Southcentral Region: 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.*

**36-05073: Bollman Hat Co.** (110 East Main Street, Adamstown, PA 19501) for their woven felt hat manufacturing process in Adamstown 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.

Annual emissions from the facility are approximately 3.0 tons of VOCs, 1.84 tons of NO<sub>x</sub>, and 1.54 tons of CO. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The emergency generators at the facility are subject to 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines (RICE) includes area sources.

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 South-central 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.

Thomas Hanlon, P.E., 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.

**67-05098: Kinsley Construction, Inc.** (2700 Water Street, York, PA 17405) for their limestone crushing plant in West Manchester Township, **York County**.

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

The subject facility employs wet suppression and fabric filters to control particulate matter (PM) emissions from limestone crushing and handling. The crushing plant includes sources subject to 40 CFR Part 60 Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. Potential particulate matter emissions from the facility are limited to 100 tons per year. Actual particulate matter emissions are well below that limit.

The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Copies of the renewal application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed 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. William R. Weaver, Program Manager, may be contacted at 717-705-4702, 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*

**19-00024: Benton Foundry Inc.** (5297 State Route 487, Benton, PA 17814-6711) for their foundry located in Sugarloaf Township, **Columbia County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the abovementioned facility. The subject facility has the following potential emissions: 15.20 TPY of NO<sub>x</sub>; 94.90 TPY of CO; 37.90 TPY of VOC; 66.83 TPY of PM<sub>10</sub> and 1.00 TPY of SO<sub>x</sub>. The operating permit will include emission limits and work practice standards along with monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Northcentral Regional Office at 208 West Third Street, Suite 101, Williamsport, Pa 17701. A person may oppose the proposed operating permit, or may pro-

vide 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.

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

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

**10-00234: Karns City Area School District** (1446 Kittanning Pike, Karns City, PA 16041-1818) to renew State Only Operating Permit for their Junior/Senior High School in Fairview Township, **Butler County**. The primary sources at the facility are 2 natural gas fired boilers, 2 natural gas fired hot water heaters, and an emergency generator. The facility is a Natural Minor. Potential emissions are estimated as follows: PM 2.7 tpy; NO<sub>x</sub> 37 tpy; SO<sub>x</sub> 2 tpy; CO 11 tpy; VOC less than 1 tpy. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**25-00092: Noram Seating** (18 Market Street, Union City, PA 16438-1327) to issue a renewal of the State Only Operating Permit for the wooden chair manufacturing facility in Union City Borough, **Erie County**. The sources at the facility include a 1.7 mmbtu/hr wood fired boiler controlled by a cyclone and miscellaneous wood working operations controlled by fabric collectors. The facility is a natural minor. The facility is an Area Source for MACT. The wood fired boiler is subject to the requirements of 40 CFR 63, Subpart JJJJJJ—NESHAP for Industrial, Commercial, and Institutional Boilers at Area Sources. The PM, SO<sub>x</sub>, NO<sub>x</sub>, CO, and VOC emissions are less than 10 TPY, 0.2 TPY, 3 TPY, 4.5TPY, and 0.1 TPY, respectively. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**25-00928: Zurn Industries, LLC.**, Specification Drainage Operations, (1801 Pittsburgh Avenue, Erie, PA 16514), located in the City of Erie, **Erie County**. Notice is for the intent to re-issue a Natural Minor Operating Permit. This facility manufactures plumbing fixture fittings and trim. Emissions of criteria pollutants are low enough to qualify for a Natural Minor Operating Permit.

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

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

**S05-002: T.D.P.S. Materials-DePaul Concrete** (2nd Street and Erie Avenue, Philadelphia, PA 19120) for operation of an asphalt and concrete facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include a hot mix asphalt plant, a portable concrete crushing plant, and fugitive emissions from material handling and vehicle traffic. The hot mix asphalt plant is controlled by baghouse.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regula-

tion XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

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

**S05-002: T.D.P.S. Materials/DePaul Concrete** (2nd Street and Erie Avenue, Philadelphia, PA 19120) for the operation of an asphalt and concrete facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include a hot mix asphalt plant, a portable concrete crushing plant, and fugitive emissions from material handling and vehicle traffic. The hot mix asphalt plant is controlled by baghouse.

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

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

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, state

or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

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

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

*Coal Applications Received*

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

**30010701 and NPDES No. PA0235440. Cumberland Coal Resources, LP**, (P. O. Box 1020, 158 Portal Road, Waynesburg, PA 15370). To renew the permit for the Cumberland Mine No. 2 Coal Refuse Disposal Facility in Whiteley Township, **Greene County** and related NPDES permit. No additional discharges. The application was considered administratively complete on December 27, 2012. Application received: May 7, 2012.

**30031301 and NPDES No. PA0235610. Dana Mining Company of Pennsylvania, LLC**, (308 Dents Run Road, Morgantown, WV 26501). To revise the permit for the 4 West Mine in Perry and Dunkard Townships, **Greene County** to add surface acreage to install a new portal site and add one NPDES outfall. Application also includes a request for a Section 401 Water Quality Certification. Surface Acres Proposed 28.8. Receiving stream: Watkins Run, classified for the following use: WWF. The application was considered administratively complete on January 2, 2013. Application received: January 10, 2012.

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

**56070109 and NPDES No. PA0262480. Marquise Mining Corporation**, 3889 Menoher Boulevard, Johns-

town, PA 15905, renewal for reclamation only of a bituminous surface and auger mine in Shade Township, **Somerset County**, affecting 238.1 acres. Receiving stream(s): Dixie Run and Fallen Timber Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 11, 2012.

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

**17070103 and NPDES No. PA0256498. AMFIRE Mining Company, LLC** (One Energy Place, Latrobe, PA 15650), Renewal for the continued operation and restoration of a bituminous surface mine in Girard Township, **Clearfield County**, affecting 326.1 acres. Receiving streams: Unnamed Tributaries to Deer Creek; Deer Creek, classified for the following use: Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 3, 2013.

*Noncoal Applications Received*

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

**45020301C4 and NPDES Permit No. PA0224235. Haines & Kibblehouse, Inc.**, (P. O. Box 196, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Smithfield Township, **Monroe County** affecting 61.9 acres, receiving stream: Marshall's Creek, classified for the following use: HQ—cold water fishes. Application received: December 7, 2012.

**MINING ACTIVITY NPDES DRAFT PERMITS**

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

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

*Effluent Limits for Coal Mining Activities*

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

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

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
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. PA0013790 (Mining Permit No. 30841312), Consolidation Coal Company**, (1 Bridge Street, Monongah, WV 26554). A renewal to the NPDES and mining activity permit for the Blacksville Mine No. 2 in Wayne, Jackson, and Gilmore Townships, **Greene County**. Surface Acres Affected 386.7, Underground Acres Affected 21,415.87. Receiving streams: Pennsylvania Fork of Dunkard Creek, Morris Run, and Sheppards Run, classified for the following use: TSF, receiving streams: Hennen Run, Clawson Run, Toms Run, Unnamed Tributary to Hoovers Run, Unnamed Tributary to Blockhouse Run, Unnamed Tributary to Rush Run, and Unnamed Tributary to Roberts Run, classified for the following use: WWF, and receiving stream: Unnamed Tributary to Toms Run, classified for the following use: WWF-TSF. Dunkard Creek TMDL. The application was considered administratively complete on April 27, 2011. Application received July 27, 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: Pennsylvania Fork of Dunkard Fork

The proposed effluent limits for Outfall 001 (Lat: 39° 43' 45" Long: 80° 17' 18") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.0134	-
Iron (mg/l)		0.09	0.17	0.21
Manganese (mg/l)		0.03	0.05	0.06
Aluminum (mg/l)		0.5	0.9	1.1
Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mOs/kg)		60	120	150
Total Dissolved Solids (mg/l)		860	1720	2150
Sulfates (mg/l)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

Outfall 003 discharges to: Unnamed Tributary of Toms Run

The proposed effluent limits for Outfall 003 (Lat: 39° 44' 57" Long: 80° 17' 08") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.0490	-
Iron (mg/l)		0.22	0.44	0.55
Manganese (mg/l)		0.1	0.2	0.3
Aluminum (mg/l)		0.5	1.0	1.3
Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		196	392	490
Osmotic Pressure (mOs/kg)		19	38	47
Total Dissolved Solids (mg/l)		885	1770	2213
Chlorides (mg/l)		-	-	REPORT

Outfall 005 discharges to: Clawson Run

The proposed effluent limits for Outfall 005 (Lat: 39° 44' 25" Long: 80° 18' 41") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.0128	-
Iron (mg/l)		0.3	0.6	0.7
Manganese (mg/l)		0.2	0.3	0.4
Aluminum (mg/l)		0.4	0.9	1.1
Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mOs/kg)		50	100	125
Sulfates (mg/l)		695	1390	1738
Total Dissolved Solids (mg/l)		386	771	964
Chlorides (mg/l)		-	-	REPORT

Outfall 06 discharges to: Unnamed Tributary of Toms Run

The proposed effluent limits for Outfall 006 (Lat: 39° 44' 58" Long: 80° 17' 09") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.0162	-
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
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Osmotic Pressure (mOs/kg)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

Outfall 008 discharges to: Toms Run

The proposed effluent limits for Outfall 008 (Lat: 39° 45' 58" Long: 80° 18' 44") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.0063	-
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
Sulfates (mg/l)		-	-	REPORT

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Dissolved Solids (mg/l)		-	-	REPORT
Osmotic Pressure (mOs/kg)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

*Outfall 010* discharges to: Tributary to Hoovers Run

The proposed effluent limits for Outfall 010 (Lat: 39° 45' 51" Long: 80° 17' 00") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.0555	-
Iron (mg/l)		0.5	1.1	1.3
Manganese (mg/l)		0.9	1.7	2.1
Aluminum (mg/l)		0.7	1.5	1.8
Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		1520	3040	3800
Osmotic Pressure (mOs/kg)		40	79	99
Total Dissolved Solids (mg/l)		4230	8460	10575
Chlorides (mg/l)		-	-	REPORT

*Outfall 013* discharges to: Unnamed Tributary to Blockhouse Run

The proposed effluent limits for Outfall 013 (Lat: 39° 46' 24" Long: 80° 19' 35") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.0133	-
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
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Osmotic Pressure (mOs/kg)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

*Outfall 014* discharges to: Unnamed Tributary to Hoovers Run

The proposed effluent limits for Outfall 014 (Lat: 39° 46' 27" Long: 80° 16' 51") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.0197	-
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
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Osmotic Pressure (mOs/kg)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

*Outfall 015* discharges to: Morris Run

The proposed effluent limits for Outfall 015 (Lat: 39° 44' 09" Long: 80° 14' 57") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.0081	-
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
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Osmotic Pressure (mOs/kg)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

Outfall 016 discharges to: Unnamed Tributary to Rush Run

The proposed effluent limits for Outfall 016 (Lat: 39° 45' 29" Long: 80° 14' 34") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	1.2925	-
Iron (mg/l)		1.3	2.5	3.1
Manganese (mg/l)		0.7	1.3	1.6
Aluminum (mg/l)		1.4	2.8	3.5
Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		1800	3600	4500
Osmotic Pressure (mOs/kg)		46	92	115
Total Dissolved Solids (mg/l)		6410	12820	16025
Chlorides (mg/l)		-	-	REPORT

Outfall 018 discharges to: Unnamed Tributary to Toms Run

The proposed effluent limits for Outfall 018 (Lat: 39° 47' 25" Long: 80° 19' 12") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.0219	-
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
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Osmotic Pressure (mOs/kg)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

Outfall 019 discharges to: Unnamed Tributary to Blockhouse Run

The proposed effluent limits for Outfall 019 (Lat: 39° 46' 25" Long: 80° 19' 34") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.0418	-
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
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Osmotic Pressure (mOs/kg)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

Outfall 020 discharges to: Unnamed tributary To Blockhouse Run

The proposed effluent limits for Outfall 020 (Lat: 39° 46' 50" Long: 80° 21' 53") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.0418	-
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
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Osmotic Pressure (mOs/kg)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

Outfall 021 discharges to: Unnamed Tributary to Blockhouse Run

The proposed effluent limits for Outfall 021 (Lat: 39° 46' 51" Long: 80° 21' 56") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.0111	-
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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Osmotic Pressure (mOs/kg)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

*Outfall 022* discharges to: Unnamed Tributary to Roberts Run

The proposed effluent limits for *Outfall 022* (Lat: 39° 45' 26" Long: 80° 19' 47") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.0111	-
Iron (mg/l)		2.0	4.1	5.1
Manganese (mg/l)		0.5	0.9	1.2
Aluminum (mg/l)		0.6	1.2	1.5
Suspended Solids (mg/l)		35	70	90
Total Dissolved Solids (mg/l)		-	-	REPORT
Sulfates (mg/l)		-	-	REPORT
Osmotic Pressure (mOs/kg)		138	276	345
Chlorides (mg/l)		-	-	REPORT

**NPDES No. PA0214850 (Mining Permit No. 56951301), RoxCOAL, Inc.**, (PO Box 149 Friedens, PA 15541). A renewal to the NPDES and mining activity permit for the Augustus Mine in Shade and Stonycreek Townships, **Somerset County**. Surface Acres Affected 58.5, Underground Acres Affected 1,276.0. Receiving stream: Unnamed Tributaries to Coal Run, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watersheds. The application was considered administratively complete on April 23, 2012. Application received October 31, 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 001* discharges to: Unnamed Tributary to Coal Run

The proposed effluent limits for *Outfall 001* (Lat: 40° 03' 54" Long: 78° 48' 12") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.1	-
Iron (mg/l)		1.5	3.0	3.8
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.38	0.75	0.94
Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT

*Outfall 002* discharges to: Unnamed tributary to Coal Run

The proposed effluent limits for *Outfall 002* (Lat: 40° 04' 10" Long: 78° 48' 24") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.5	-
Iron (mg/l)		1.5	3.0	3.8
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.38	0.75	0.94
Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mOs/kg)		50	100	125
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

*Outfall 003* discharges to: Unnamed tributary to Coal Run

The proposed effluent limits for *Outfall 003* (Lat: 40° 04' 03" Long: 78° 48' 16") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.1	-
Iron (mg/l)		1.5	3.0	3.8
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.38	0.75	0.94
Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mOs/kg)		-	-	REPORT
Sulfates (mg/l)		-	-	REPORT



<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Dissolved Solids (mg/l)		-	0.1	-
Chlorides (mg/l)		1.5	3.0	3.8

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

**NPDES No. PA0259365 (Permit No. 61120108). Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127) New NPDES permit for a bituminous surface mine in Richland Township, **Venango County**, affecting 31.5 acres. Receiving streams: Unnamed tributary to the Allegheny River, classified for the following uses: WWF. TMDL: None. Application received: November 13, 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 outfall(s) listed below discharge to unnamed tributary to the Allegheny River:

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

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

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

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

The outfall(s) listed below discharge to unnamed tributary to the Allegheny River:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
SP1	Y

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

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

## 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

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

**E45-580. John Nidoh**, P. O. Box 187, 166 Gage Road, Tobyhanna, PA, in Coolbaugh Township, **Monroe County**, U.S. Army Corps of Engineers, Philadelphia District.

To fill a de minimus area of wetlands equal to 0.045 acre within the Tobyhanna Creek Watershed (HQ-CWF, MF) for the purpose of constructing a driveway to allow access to the residential home. The project is located approximately 600 feet north of the intersection of SR 0423 and Maple St. (Tobyhanna, Pa Quadrangle Latitude: 41° 11' 1.4"; Longitude: -75° 25' 2.1").

*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 a twin-span 24-foot deep bridge widening to the existing Limestone Run 52-foot twin span bridge to allow for a right turn in the deceleration lane, 3) construct and maintain new single span 35-foot 9-inch by 7-foot 9-inch galvanized steel arch over Limestone Run at North 10th Street to serve as the primary entrance to the development, 4) to remove of the existing steel bridge and low-head concrete dam followed by the construction and maintenance of a 60-foot long single span 35-foot 9-inch by 7-foot 9-inch galvanized steel arch over Limestone Run Bridge Crossing at North 11th Street, 5) remove an 87.57 linear foot existing corrugated metal pipe stream enclosure, fill 0.134 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, 6) construct and maintain 128 linear feet of 56-inch wide by 51-inch high spiral ridge pipe enclosure to convey the flows of the existing intermittent stream to the constructed stream for the access street crossing to a land development project.

This table shows proposed stream and wetland impacts in Limestone Run, classified as Warm Water Fishery:

<i>Impact</i>	<i>AREA (Ac.)</i>	<i>Stream Impact L.F.</i>	<i>Type of Disturbance</i>	<i>Obstruction/ Encroachment</i>	<i>Impact location Latitude/ Longitude</i>
<b>STREAM IMPACTS MAIN SITE</b>					
1A	0.105	284.34	Intermittent stream channel to be filled	Channel Change #1	40°57'41.6" N / 76°53'47.62"W
1B	0.029	45.90	Intermittent stream channel to be filled	Channel Change #1	40°57'43.68" N / 76°53'45.3"W
1C	0.023	47.46	Intermittent stream channel to be filled	Channel Change #1	40°57'44.00" N / 76°53'44.4"W
1D	0.028	10.00	Remove existing dam	Bridges #1	40°57'46.26" N / 76°53'42.6"W
1E	0.050	60.00	Replace existing bridge w/ culvert	Bridges #2	40°57'46.24" N / 76°53'42.08"W
1F	0.036	60.00	New arch culvert at 10th Street	Bridges #3	40°57'46.5" N / 76°53'37.58"W
1G	0.011	119.00	Filling Peking Gardens ditch	Fills	40°57'47.19" N / 76°53'37.6"W
1H	0.007	52.00	Filling drainage ditch	Fills	40°57'46.31" N / 76°53'37.48"W
<b>WETLANDS</b>					
2A	0.047		Fill placement for future development	Fills	40°57'43.34" N / 76°53'59.22"W
2B	0.017		Fill placement for future development	Fills	40°57'43.42" N / 76°53'57.18"W
2C	0.400		Fill placement for future development	Fills	40°57'42.95" N / 76°53'54.87"W
2D	0.115		Fill placement for future development	Fills	40°57'42.45" N / 76°53'58.96"W
2E	0.012		Fill placement for future development	Fills	40°57'41.29" N / 76°53'57.52"W
2F	0.029		Fill placement for future development	Fills	40°57'41.21" N / 76°53'58.6"W

<i>Impact</i>	<i>AREA (Ac.)</i>	<i>Stream Impact L.F.</i>	<i>Type of Disturbance</i>	<i>Obstruction/ Encroachment</i>	<i>Impact location Latitude/ Longitude</i>
2G	0.012		fill for storm pipe headwall & utilities	Fills	40°57'40.79" N / 76°53'49.79"W
STREAM IMPACTS PEKING GARDENS (downstream riparian property)					
3A	0.013	14.0	Building demo within channel	Bridges #4	40°57'46.87" N / 76°53'34.6"W
3B	0.048	24.0	Box culvert widening at Rt. 15	Bridges #5	40°57'47.06" N / 76°53'33.18"W
<b>Total</b>	<b>0.981</b>	<b>716.70</b>			

*Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335*

**E10-08-001, SWEPI LP**, 190 Thorn Hill Road, Warrendale, PA 15086, Slippery Rock and Mercer Townships, **Butler County**, ACOE Pittsburgh District.

The applicant proposes to construct and maintain approximately 4.5 miles of oil/natural gathering lines, a fiber optic cable, and associated access roadways, in Slippery Rock and Mercer Townships, Butler County. The project will result in 553 linear feet of temporary stream impacts and 2.055 acres of wetland impacts. Wetland impacts consist of 1.43 acres of temporary impacts to PEM and PSS wetlands, and 0.625 acre of impacts to PFO wetlands. To compensate for impacts to forested wetlands, wetland enhancements of tree and shrub plantings are proposed to 1.25 acres of existing wetland, along with 0.625 acre of tree planting upon completion of pipeline construction within impacted forested wetlands. The aforementioned forested wetlands shall not be maintained by the operator of the proposed pipeline.

The water obstructions and encroachments for the purposes of installing the gathering lines, fiber optic cable, and associated access roadways are described below:

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
1	a temporary road crossing using a 20 foot long, 18 inch diameter corrugated metal pipe, two (2) 8 inch diameter oil/natural gas gathering lines, a 4 inch diameter oil/natural gas gathering line, and a fiber optic cable crossing an unnamed tributary (UNT) to Wolf Creek (CWF, MF) impacting 52 linear feet (Slippery Rock, PA Quadrangle)	41°05'22.70"N -80°02'03.79"W
2	a temporary road crossing using a 20 foot long, 36 inch diameter corrugated metal pipes, two (2) 8 inch diameter oil/natural gas gathering lines, a 4 inch diameter oil/natural gas gathering line, and a fiber optic cable crossing an unnamed tributary (UNT) to Wolf Creek (CWF, MF) impacting 117 linear feet (Slippery Rock, PA Quadrangle)	41°05'23.16"N -80°02'35.10"W
3	a temporary road crossing using a 20 foot long, 24 inch diameter corrugated metal pipes, two (2) 8 inch diameter oil/natural gas gathering lines, a 4 inch diameter oil/natural gas gathering line, and a fiber optic cable crossing an unnamed tributary (UNT) to Wolf Creek (CWF, MF) impacting 28 linear feet (Slippery Rock, PA Quadrangle)	41°06'10.57"N -80°02'02.55"W
4	a temporary road crossing using a 20 foot long, 15 inch diameter corrugated metal pipes, two (2) 8 inch diameter oil/natural gas gathering lines, a 4 inch diameter oil/natural gas gathering line, and a fiber optic cable crossing an unnamed tributary (UNT) to Wolf Creek (CWF, MF) impacting 107 linear feet (Slippery Rock, PA Quadrangle)	41°06'13.10"N -80°02'02.63"W

**E61-08-001, Laurel Mountain Midstream Operating, LLC**, Westpointe Corporate Center Three, 1605 Coraopolis Heights Road, Moon Township, Pa 15108. Nickleville Pipeline Project, in Richland and Rockland Townships, **Venango County**, Army Corps of Engineers Pittsburgh District (Cranberry and Kossuth, PA Quadrangle N: 41° 16' 52.40"; W: -79° 37' 53.45").

The applicant proposes to construct and maintain approximately 24,310 feet of natural gas pipeline located in Richland and Rockland Townships, Venango County. The proposed pipeline will connect an existing well to an existing National Fuel Gas pipeline just north of US Route 322. The water obstructions and encroachments for the purpose of installing the natural gas pipeline are described below:

To construct and maintain:

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
1	An 8" diameter steel natural gas pipeline with associated right-of-way and a temporary equipment crossing of a palustrine emergent (PEM) wetland having 0.01 acre of temporary wetland impact.	41° 17' 59.14" N -79° 37' 38.49"W
2	An 8" diameter steel natural gas pipeline with associated right-of-way and temporary equipment crossing of a palustrine emergent (PEM) wetland having 0.04 acre of temporary wetland impact.	41° 17' 9.42" N -79° 37' 41.55"W
3	An 8" diameter steel natural gas pipeline with associated right-of-way and a temporary equipment crossing of Tributary 51470 to Pine Run (CWF) having 51 linear feet of temporary stream impact.	41° 17' 6.77" N -79° 37' 41.56"W
4	An 8" diameter steel natural gas pipeline with associated right-of-way and a temporary equipment crossing of a palustrine scrub/shrub (PSS); palustrine forested (PFO) EV wetland having 0.041 acre of temporary PSS wetland impact and 0.012 acre of temporary PFO wetland impact.	41° 16' 38.59" N -79° 37' 57.64"W
5	An 8" diameter steel natural gas pipeline with associated right-of-way and a temporary equipment crossing of an UNT to Pine Run having 50 linear feet of temporary stream impact.	41° 16' 37.31" N -79° 37' 58.38"W
6	An 8" diameter steel natural gas pipeline with associated right-of-way and temporary equipment crossing of a palustrine emergent (PEM) EV wetland and Pine Run (CWF) having 0.018 acre of temporary wetland impact and 50 linear feet of temporary stream impact.	41° 16' 36.95" N -79° 37' 58.55"W
7	An 8" diameter steel natural gas pipeline with associated right-of-way to and temporary equipment crossing of Tributary 51468 to Pine Run (CWF) having 50 linear feet of temporary stream impact.	41° 16' 33.95" N -79° 38' 8.51"W
8	An 8" diameter steel natural gas pipeline with associated right-of-way and temporary equipment crossing of Tributary 51468 to Pine Run (CWF) having 72 linear feet of temporary stream impact	41° 16' 26.82" N -79° 38' 17.93"W
9	An 8" diameter steel natural gas pipeline with associated right-of-way and temporary equipment crossing of Bear Run (CWF) having 52 linear feet of temporary stream impact	41° 15' 49.31" N -79° 39' 9.39"W

The project will result in a total of 325 linear feet of temporary stream impacts and 0.118 acre of temporary wetland impacts from utility line and road crossings. (0.071 acre of temporary wetland impacts are to exceptional value wetlands)

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

**E4129-065: PVR Marcellus Gas Gathering, LLC**, 101 West Third Street, Williamsport, PA 17701, Cogan House Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

(1) one 12 inch natural gas pipeline and a timber mat bridge impacting 50 linear feet of an unnamed tributary to Roaring Run (EV, MF) (White Pine Quadrangle 41°22'45"N 77°10'52"W).

The project will result in 50 linear feet of stream impacts all for the purpose of installing a natural gas gathering line with associated access roadways for Marcellus well development.

**E5829-046: Williams Field Services Company, LLC**, 1605 Coraopolis Heights Road, Moon Township, PA 15108,

Dimock and Springville Townships, **Susquehanna County**, ACOE Baltimore District.

To operate and maintain:

1. an 8-inch diameter natural gas gathering pipeline and timber mat crossing impacting 4,710 square feet (0.11 acre) of a PFO wetland (Hop Bottom, PA Quadrangle; Lat. 41° 44' 16", Long. -75° 52' 38");

2. an 8-inch diameter natural gas gathering pipeline and timber mat crossing impacting 3,181 square feet (0.07 acre) of a PFO wetland (Hop Bottom, PA Quadrangle; Lat. 41° 44' 21", Long. -75° 53' 01");

3. an 8-inch diameter natural gas gathering pipeline and timber mat crossing impacting 3,816 square feet (0.09 acre) of a PFO wetland (Hop Bottom, PA Quadrangle; Lat. 41° 44' 21", Long. -75° 53' 04");

4. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 1,994 square feet (0.05 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; Lat. 41° 44' 46", Long. -75° 52' 37");

5. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 1,870 square feet (0.04 acre) of a PFO wetland (Hop Bottom, PA Quadrangle; Lat. 41° 44' 51", Long. -75° 52' 25");

6. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 44 square feet (0.01 acre) of a PFO wetland (Hop Bottom, PA Quadrangle; Lat. 41° 44' 58", Long. -75° 52' 15");
7. a 6-inch diameter natural gas gathering pipeline and timber mat crossing impacting 1,263 square feet (0.03 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; Lat. 41° 44' 59", Long. -75° 52' 14");
8. a timber mat crossing impacting 174 square feet (0.01 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; Lat. 41° 43' 33", Long. -75° 52' 56");
9. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 5,097 square feet (0.12 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; Lat. 41° 43' 40", Long. -75° 52' 45");
10. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 2,439 square feet (0.06 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; Lat. 41° 44' 16", Long. -75° 52' 38");
11. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 1,612 square feet (0.04 acre) of a PFO wetland (Hop Bottom, PA Quadrangle; Lat. 41° 44' 21", Long. -75° 53' 01");
12. a 4-inch diameter natural gas gathering pipeline and timber mat crossing impacting 11,892 square feet (0.27 acre) of a PFO wetland (Hop Bottom, PA Quadrangle; Lat. 41° 44' 21", Long. -75° 53' 04");
13. a 2-inch diameter natural gas gathering pipeline and timber mat crossing impacting 828 square feet (0.02 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; Lat. 41° 44' 46", Long. -75° 52' 37");
14. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 4,269 square feet (0.10 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; Lat. 41° 44' 51", Long. -75° 52' 25");
15. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 1,786 square feet (0.04 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; Lat. 41° 44' 58", Long. -75° 52' 15");
16. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 1,307 square feet (0.03 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; Lat. 41° 44' 59", Long. -75° 52' 14");
17. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 2,352 square feet (0.05 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; Lat. 41° 43' 33", Long. -75° 52' 56");
18. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 5,271 square feet (0.12 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; Lat. 41° 43' 40", Long. -75° 52' 45");
19. a 2-inch diameter natural gas gathering pipeline and timber mat crossing impacting 4,574 square feet (0.11 acre) of a PSS wetland (Hop Bottom, PA Quadrangle; Lat. 41° 44' 16", Long. -75° 52' 38");
20. a 2-inch diameter natural gas gathering pipeline and timber mat crossing impacting 4,051 square feet (0.10 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; Lat. 41° 44' 21", Long. -75° 53' 01");
21. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 1,089 square feet (0.03 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; Lat. 41° 44' 21", Long. -75° 53' 04");
22. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 1,002 square feet (0.02 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; Lat. 41° 44' 46", Long. -75° 52' 37");
23. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 87 square feet (0.01 acre) of a PEM/PSS wetland (Hop Bottom, PA Quadrangle; Lat. 41° 44' 51", Long. -75° 52' 25");
24. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 87 square feet (0.01 acre) of a PSS wetland (Hop Bottom, PA Quadrangle; Lat. 41° 44' 58", Long. -75° 52' 15");
25. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 87 square feet (0.01 acre) of a PFO wetland (Hop Bottom, PA Quadrangle; Lat. 41° 44' 59", Long. -75° 52' 14");
26. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 3,746 square feet (0.09 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; Lat. 41° 43' 33", Long. -75° 52' 56");
27. a 8-inch diameter natural gas gathering pipeline and timber mat crossing impacting 57 linear feet of an unnamed tributary to Meshoppen Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Lat. 41° 42' 37", Long. -75° 52' 15");
28. a 8-inch diameter natural gas gathering pipeline and timber mat crossing impacting 54 linear feet of an unnamed tributary to Meshoppen Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Lat. 41° 42' 32", Long. -75° 52' 15");
29. a 8-inch diameter natural gas gathering pipeline and timber mat crossing impacting 56 linear feet of an unnamed tributary to Meshoppen Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Lat. 41° 42' 23", Long. -75° 52' 14");
30. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 69 linear feet of an unnamed tributary to Meshoppen Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Lat. 41° 42' 20", Long. -75° 52' 00");
31. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 92 linear feet of an unnamed tributary to Meshoppen Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Lat. 41° 42' 20", Long. -75° 52' 00");
32. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 50 linear feet of an unnamed tributary to Meshoppen Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Lat. 41° 42' 39", Long. -75° 52' 04");
33. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 361 linear feet of an unnamed tributary to Meshoppen Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Lat. 41° 42' 39", Long. -75° 52' 04");

34. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 1 linear feet of an unnamed tributary to Meshoppen Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Lat. 41° 42' 49", Long. -75° 52' 15");

35. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 2 linear feet of an unnamed tributary to Meshoppen Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Lat. 41° 42' 50", Long. -75° 52' 15");

36. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 115 linear feet of an unnamed tributary to Meshoppen Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Lat. 41° 42' 58", Long. -75° 52' 36");

37. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 55 linear feet of an unnamed tributary to Meshoppen Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Lat. 41° 42' 51", Long. -75° 52' 36");

38. a 4-inch diameter natural gas gathering pipeline and timber mat crossing impacting 89 linear feet of an unnamed tributary to Stevens Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Lat. 41° 43' 11", Long. -75° 53' 09");

39. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 50 linear feet of Meshoppen Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Lat. 41° 42' 55", Long. -75° 52' 16");

40. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 25 linear feet of Burdick Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Lat. 41° 43' 04", Long. -75° 52' 26");

41. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 71 linear feet of an unnamed tributary to Burdick Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Lat. 41° 44' 01", Long. -75° 53' 29");

42. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 50 linear feet of Burdick Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Lat. 41° 44' 01", Long. -75° 53' 03");

43. a 10-inch diameter natural gas gathering pipeline and timber mat crossing impacting 6 linear feet of an unnamed tributary to Meshoppen Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Lat. 41° 45' 00", Long. -75° 52' 16");

44. a 8-inch diameter natural gas gathering pipeline and timber mat crossing impacting 50 linear feet of an unnamed tributary to Meshoppen Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Lat. 41° 42' 18", Long. -75° 52' 24").

The 2008 Core Zone Pipeline project consists of operating and maintaining approximately 11.8 miles of previously constructed pipeline within Dimock and Springville Townships, Susquehanna County. The crossings result in the impact of 1,453 lineal feet of stream impacts and a total of 1.58 acres (68,825 square feet) of wetland impacts with 0.73 acre (31,767 square feet) being permanent wetlands conversion. The project was installed for the purpose of providing safe and reliable conveyance of natural gas from the Marcellus Shale formation to market.

## ENVIRONMENTAL ASSESSMENTS

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

**EA17-012. Pike Township Supervisors**, P. O. Box 219, Curwensville, PA 16833. Site Reclamation and Acid Mine Drainage Treatment Project in Bloom Township, **Clearfield County**, ACOE Baltimore District.

The applicant proposes re-grade, neutralize and vegetate acidic mine spoil; backfill an abandoned coal mine high wall and construct an active treatment system for acid mine drainage. This system will treat three existing acid mine drainage seeps currently discharging to an unnamed tributary to Anderson Creek. This project will permanently impact 0.01 acre of wetland and 845.8 linear feet of stream through construction activities involved with spoil removal and collecting/treating the drainage seeps. Mitigation for wetland and stream impacts will be achieved through water quality improvements to the Anderson Creek watershed. (Luthersburg, PA Quadrangle 41° 1' 33"; Longitude: 78° 38' 21").

**EA17-013. Lawrence Township Supervisors**, P. O. Box 508, Clearfield, PA 16830. Stream Improvement Project in Lawrence Township, **Clearfield County**, ACOE Baltimore District

The applicant proposes to treat a deep mine discharge by installing three limestone cells and a stabilized limestone channel within an existing eroded channel that discharges to the Montgomery Creek watershed via an unnamed tributary. This project will permanently impact 414 linear feet of stream through activities involved with cell construction and channel stabilization. Mitigation for stream impacts will be achieved through water quality improvements to the Montgomery Creek watershed. (Clearfield, PA Quadrangle 41° 0' 56.4"; Longitude: -78° 28' 27.81").

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

**EA1109-002. Pennsylvania Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Rd., Ebensburg, PA 15931. Abandoned Mine Land Reclamation Project, in Ehrenfeld Borough and Croyle Township, **Cambria County**, Pittsburgh ACOE District.

The applicant proposes to excavate and remove to the original ground surface an abandoned coal refuse pile covering a total of 61 acres in the floodway. (Geistown Quadrangle N: 22.5 inch, W: 3.5 inches).

## 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*

**D64-054. Duck Harbor Pond Dam, Duck Harbor Company**. (102 Schnakenberg Road, Equinunk, PA 18417). To modify, operate and maintain the Duck Harbor Dam across Little Equinunk Creek (HQ-CWF), for the purpose of complying with the Commonwealth's regulations. (Long Eddy, PA Quadrangle Latitude: 41.7530°; Longitude: -75.1994°) in Damascus Township, **Wayne County**.

## 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>
12026	Coen Oil Company 1045 West Chestnut Street Washington, PA 15301 Attn: Terry Kalna	Greene	Monongahela Township	4 ASTs storing petroleum products	60,000 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>
PA0070246 (Sewage)	Parkland School District (Kernsville Elementary School STP) 5051 Kernsville Road Orefield, PA 18069	Lehigh County North Whitehall Township	Jordan Creek (2-C)	Y
PA0029777 (Sewage)	Westgate Water & Sewer Municipal Authority Westgate Development Tunkhannock, PA 18657	Wyoming County Washington Township	Unnamed Tributary to Susquehanna River (4-G)	Y

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

<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>
PA0093335 Sewage	770 West Newton Road STP West Newton, PA 15089	Westmoreland County Sewickley Township	UNT to Sewickley Creek	Y
PA0098094 Sewage	Pittsburgh Airport Park MHP STP 355 US Route 30 Clinton, PA 15601	Beaver County Independence Township	Raccoon Creek	Y
PA0028452 Sewage	Dunkard Bobtown STP 455 Plant Road Dilliner, PA 15327	Greene County Dunkard Township	Dunkard Creek	Y
PA0205087 Sewage	Scottyland Camping Resort STP Route 653 Rockwood, PA 15557	Somerset County Middlecreek Township	Lost Creek	Y
PA0217603 Sewage	Cumberland Mine 158 Portal Road Waynesburg, PA 15370	Greene County Whiteley Township	UNT to Patterson Run	Y
PA0205524 Sewage	Rabbitt SR STP 297 Ford City Road Freeport, PA 16229	Armstrong County South Buffalo Township	UNT of Hill Run	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*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Upper Uwchlan Township Chester County	PA0244121	Longo Michael & Longo Heather 131 Shea Lane Glenmoore, PA 19343	Unnamed Tributary to Black Horse Creek—3-H	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Middletown Township Delaware County	PA0052159	Aqua Pennsylvania Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010-3489	Ridley Creek—3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
New Garden Township Chester County	PA0057029	Hewlett Packard Co. 3404 E Harmony Road Ms13 Fort Collins, CO 80528-9544	Egypt Run—3-I	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>
Horsham Township Montgomery County	PA0051985 A-1	Horsham Township Water & Sewer Authority Montgomery County 617 Horsham Road Horsham, PA 19044	Park Creek—2-F	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970

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

**NPDES Permit No. PA0102288**, Industrial Waste, **Amendment No. 3, Casella Waste Management of Pennsylvania, Inc. and CARES McKean, LLC**, 25 Green Hills Lane, Rutland, VT 05702.

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

Description of Proposed Action/Activity: This is a Department-initiated minor amendment of a Part I NPDES Permit, to remove duplicative effluent limitations from the Interim Outfall 001, while correcting an error in the NH3-N limit at Internal Monitoring Point (IMP) 101.

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

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

**WQM Permit No. 0109202 Amen 12-1**, Industrial Waste, **Knouse Foods Cooperative, Inc.**

This proposed facility is located in Huntington Township, **Adams County**.

Description of Proposed Action/Activity: Approval granted for the construction / operation of a spray irrigation field at Knouse's Peach Glen Plant. The site, known as Hilltop 2, has approximately 22.89 acres of available field, of which 21.4 acres will be wetted. The system will include a new pump house, forcemain, and distribution system capable of supplying up to 900 gallons per minute (gpm) to multiple zones within the spray irrigation field. Tail water from the system will be collected and returned to the existing Pond 3 via three (3) duplex pump stations. Fixed sprinklers will be used to distribute pre-treated effluent evenly within in the zones.

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

**WQM Permit No. 4112201**, Industrial Waste, SIC Code 4953, **Lycoming County Resource Management Service**, 48 West Third Street, Williamsport, PA 17701.

This proposed facility is located in Brady Township, **Lycoming County**.

Description of Proposed Action/Activity: Construction of a new 6" HDPE force main to the Montgomery Water and Sewer Authority treatment plant and the addition of a new pump to the existing leachate pump station.

**WQM Permit No.**, Sewage, SIC Code 4952, **Moshannon Valley Joint Sewer Authority Centre County**, 829 North 9th Street, Philipsburg, PA 16866.

This proposed facility is located in Rush Township, **Centre County**.

Description of Proposed Action/Activity: General modifications and upgrades to the treatment process and equipment

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

**WQM Permit No. 5698401-T1A1**, Sewerage, **Rox Coal, Inc.**, 1576 PO Box 260, Friedens, PA 15541

This existing facility is located in Jenner Township, **Somerset County**

Description of Proposed Action/Activity: Permit amendment issuance.

**WQM Permit No. 566S051-A3**, Sewerage, **Patton Borough**, PO Box 175, Patton, PA 16668-0175

This existing facility is located in Elder Township, **Cambria County**

Description of Proposed Action/Activity: Permit amendment issuance.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 151008	The Hankin Group 707 Eagleview Boulevard PO Box 562 Exton, PA 19341	Chester	Uwchlan Township	Shamona Creek (HQ-TSF)
PAI01 231209	Sunoco Logistics Partners, LP 4041 Market Street Aston, PA 19014	Delaware	Marcus Hook Borough	Delaware River (WWF-MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023912002	Mr. Ruhi Subzposh 345 Route 100 Allentown, PA 18106	Lehigh	Upper Macungie Twp.	Iron Run, HQ-CWF, MF
PAI021312004	Penn Forest Township Board of Supervisors 2010 State Route 903 Jim Thorpe, PA 18229	Carbon	Penn Forest Twp.	Bear Creek, EV
PAI023912005	Industrial Blvd., LP 7561 Industrial Blvd. Allentown, PA 18106	Lehigh	Upper Macungie Twp.	Iron Run, HQ-CWF, MF

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone 717.705.4802.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032110009	Donald A. Group Group & Group 1545 Holly Pike Carlisle, PA 17013	Cumberland	Dickinson Township	Yellow Breeches Creek/ HQ-CWF, MF
PAI032807001R	Thomas Mongold Divinity Investments, LLC PO Box 1180 Chambersburg, PA 17201	Franklin	Guilford Township	Falling Spring Branch/ HQ-CWF

*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>
PAS10F106(6)R	Ian Salada Penn State University 101P Physical Plant Bldg University Park PA 16802	Centre	State College Borough	Slab Cabin Run CWF Thompson Run HQ-CWF

*Tioga County Conservation District: 50 Plaza Lane, Wellsboro, PA 16901, (570) 724-1801, X 3*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI045912003	Shawn Stille Oregon Hill Grace Chapel Ch. PO Box 100 Liberty PA 16930	Tioga	Liberty Township	Little Fall Creek EV

*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>
PAI050411003	Blackhawk School District 500 Blackhawk Road Beaver Falls, PA 15010	Beaver	Chippewa Township	UNT to North Fork Little Beaver Creek (HQ-CWF)
PAI056311003	Washington County 100 West Beau Street Suite 701 Washington, PA 15301	Washington	Hopewell Township	Cross Creek (HQ-WWF)

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050212002	George M. Davison 452 Dorseyvill Road Pittsburgh, PA 15215	Allegheny	Fox Chapel Borough	Stony Camp Run Watershed (HQ-WWF) Guyasuta Run Watershed (HQ-WWF)
PAI055612002	PennDOT District 9-0 1620 North Juniata Street Hollidaysburg, PA 16648	Somerset	Middlecreek Township Seven Springs Borough	Allen Creek (HQ-CWF)
PAI056512004	Blue Spruce- North Park, LP 600 Grant Street Suite 1400 Pittsburgh, PA 15219	Westmoreland	Municipality of Murrysville	Haymaker Run (HQ-CWF)
	Estate of Emily M. Moroney Executrix Lori McMaster 425 Sixth Avenue Regional Enterprise Tower Pittsburgh, PA 15219			
	Murrysville Economic & Community Development Corporation 4100 Sardis Road Murrysville, PA 15668			

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

*Butler County Conservation District, 122 McCune Drive, Butler PA 16001-6501*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI061012003	Penn United Technologies Inc 799 North Pike Road Cabot PA 16023	Butler	Jefferson Township	UNT Sarver Run 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>
Lower Southampton Township Bucks County	PAG0200 0912082	County Builders, Inc. 76 Griffiths Miles Circle Warminster, PA 18974	Poquesting Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bensalem Township Bucks County	PAG0200 0912074	AVA Development 3737 Route 46 East Parsippany, NJ 07054	Poquessing Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Plumstead Township Bucks County	PAG0200 0912067	Granor Price Homes 721 Dresler Road Horsham, PA 19044-9989	Tohickon Creek (CWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Tullytown Borough Bucks County	PAG0200 091106-R	Department of Conservation and Natural Resources PO Box 8451—8th Floor Harrisburg, PA 17105-8451	Martins Creek/ Delaware Canal (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Garden Township Chester County	PAG0200 1511035	PA Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406-1525	Red Clay Creek (CWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Valley Township Chester County	PAG0200 1512026	All Country Partnership 2500 East High Street Pottstown, PA 19464	Sucker Run (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Tredyffrin Township Chester County	PAG0200 1512007	DIV Valley Forge, LP 1 Appleton Street Boston, MA 02116	Trout Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Haverford Township Delaware County	PAG0200 2312028	United States Golf Association 450 Ardmore Avenue Ardmore, PA 19003-1033	Cobbs Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Limerick Township Montgomery County	PAG0200 4612086	Sean Breen 2740 Butler Pike Plymouth Meeting, PA 19462	Possum Hollow Run (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Gwynedd Township Montgomery County	PAG0200 4612075	Leonard T. Perrone PO Box 1 Parkside Plaza West Point, PA 19486	Wissahickon Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Abington Township Montgomery County	PAG0200 4612080	Lisa Pliskin The Atrium 234 Mall Boulevard King of Prussia, PA 19406	Rockledge Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Lower Salford Township Montgomery County	PAG0200 461209	Bryan Hunsberger 527 Main Street Harleysville, PA 19438	East Branch Indian Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Whitemarsh Township Montgomery County	PAG0200 4611005-R	Don Hague 8229 Boone Boulevard Vienna, VA 22182	Schuylkill River (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Merion Township Montgomery County	PAG0200 4612045	Donald Cannon 75 East Lancaster Avenue Ardmore, PA 19003	Mill Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Pottstown Borough Montgomery County	PAG0200 4609090	Timothy Forester 717 East High Street Pottstown, PA 19464	Schuylkill River (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Plymouth Township Montgomery County	PAG0200 4607108-R	Donald Cafiero 1000 Germantown Pk, Ste A-2 Plymouth Meeting, PA 19462	Tributary Plymouth Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Providence Township Montgomery County	PAG0200 4606137-R1	David A. Watt 110 Fieldcrest Avenue Ste 39 Edison NJ 08837	Mingo Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Pottsgrove Township Montgomery County	PAG0200 4607093-1R	John Fasicano 633 W Germantown Pk Ste 200 Plymouth Meeting, PA 19464	Manatawny Creek (CWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 5105015-R	The Children's Hospital of Philadelphia 34th St and Civic Center Blvd Philadelphia, PA 19104	Schuylkill River (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 5110749-1	Brandywine Cira South, LP 2929 Arch Street, Suite 325 Philadelphia, PA 19104	Schuylkill River (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511038-RA	Aria Health 10800 Knights Road Philadelphia, PA 19114	Poquessing Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511216	Adcon Consultants 2465 North 50th Street Philadelphia, PA 19131-1477	Tidal Schuylkill Watershed B (CWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Pine Grove Twp., Schuylkill County	PAG02005412003	John Mars Mars Diesel, Inc. 106 Mexico Road Pine Grove, PA 17963	UNT to Swatara Creek, CWF, MF	Schuylkill Co. Cons. Dist. 570-622-3742

<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>
Borough of Northampton, Northampton County	PAG02004812011	Northampton Area School District 2014 Laubach Ave. Northampton, PA 18067	Hokendauqua Creek, CWF, MF	Northampton Co. Cons. Dist. 610-746-1971
Tunkhannock Twp., Wyoming County	PAG02006612003	Gas House Gang, LLC 33 Holly Forest Rd. Mount Pocono, PA 18344	Swale Brook, CWF, MF	Wyoming Co. Cons. Dist. 570-836-2589
Smithfield Twp., Monroe County	PAG02004505010R(1)	Mt. Tom Road Properties, LLC 1125 Fillmore St. East Stroudsburg, PA 18301	Sambo Creek, CWF, MF	Monroe Co. Cons. Dist. 570-629-3060
East Stroudsburg Borough, Monroe County	PAG02004510003R(1)	Pocono Medical Center 206 East Brown St. East Stroudsburg, PA 18301	Brodhead Creek, CWF, MF	Monroe Co. Cons. Dist. 570-629-3060

*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717.705.4802*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Upper Allen Township Cumberland County	PAG02002113013R	Mike Greene Upper Allen Partners, LP 4075 Market Street Camp Hill, PA 17011	UNT to Yellow Breeches Creek/CWF	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Swatara Township Dauphin County	PAG02002212046	Anchor Hershey, LLC PO Box 0888 Camp Hill, PA 17011	Beaver Creek/WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Lower Swatara Township Dauphin County	PAG02002212034	Jeff Paul TYCO Electronics, Inc. PO Box 3608, MS 106-19 Harrisburg, PA 17111	Laurel Run/WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Quincy Township Franklin County	PAG02002811001R	Rodney Fenstermacher Westminster Place @ Quincy Village One Trinity Drive, Suite 201 Dillsburg, PA 17019	West Branch Antietam Creek/CWF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Montgomery Township Franklin County	PAG02002810026R	Jeff Piper Winter Greens Joint Venture 12001 Morningstar Place Lovettsville, VA 20180	Little Conococheague Creek/WWF, MF & UNT to Licking Creek/WWF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Antrim Township Franklin County	PAG02002807028R	Sassan Shaool Keystone Crossings 72 West Washington Street Hagerstown, MD 21740	Conococheague Creek/WWF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
East Cocalico Township Lancaster County	PAG02003608024R	E & J Development, LLC 109 Springville Road Kinzers, PA 17535	Cocalico Creek & Conestoga River/WWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
West Hempfield Township Lancaster County	PAG02003612073	Sheetz, Inc. 5700 Sixth Avenue Altoona, PA 16602	Strickler Run/WWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Mount Joy Borough Lancaster County	PAG02003612075	Primax Properties, Inc. 1100 East Moorhead Street Charlotte, NC 28201	Little Chiques Creek/ TSF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
East Donegal Township Lancaster County	PAG02003612089	Esbenshade Farms 220 Eby Chiques Road Mount Joy, PA 17552	UNT Susquehanna River/ WWF, MF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Lancaster City Lancaster County	PAG02003612092	City of Lancaster 120 North Duke Street Lancaster, PA 17608	Conestoga River/ WWF, MF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
North Londonderry Township Lebanon County	PAG02003805029R	Leonard Martin 595 Stracks Dam Road Myerstown, PA 17067	UNT to Little Swatara Creek/WWF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Jackson & Marion Townships Lebanon County	PAG02003812015	Leonard & Lavina Horning 927 East Lincoln Avenue Myerstown, PA 17067	UNT to Tulpehocken Creek/TSF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
South Londonderry Township Lebanon County	PAG02003812030	Frederick Lidell 165 Lamont Street New Cumberland, PA 17070	Killinger Creek/TSF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Manchester Township York County	PAG02006705104R	Woodland View Associates, LLC 474 Mt. Sidney Road Lancaster, PA 17602	UNT to Codorus Creek/ TSF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Fairview Township York County	PAG02006710016R	Matthew J. D'Agostino 64 Springers Lane New Cumberland, PA 17070	Yellow Breeches Creek/ CWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Penn Township York County	PAG02006707070R	Joe Myers 160 Ram Drive Hanover, PA 17331	Plum Creek/WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Windsor Township York County	PAG02006709027R	Michael S. Gillespie PennDOT District 8-0 2140 Herr Street Harrisburg, PA 17103	Kreutz Creek/WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430

*Facility Location:  
Municipality &  
County*

Shrewsbury  
Borough  
York County

*Permit No.*

PAG02006712050

*Applicant Name &  
Address*

Queen Street  
Convenience, LLC  
2555 Kingston Road  
York, PA 17402

*Receiving  
Water / Use*

Deer Creek/CWF

*Contact Office &  
Phone No.*

York Co.  
Conservation District  
118 Pleasant Acres Rd  
York, PA 17402-8984  
717.840.7430

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

*Facility Location:  
Municipality &  
County*

City of Williamsport  
Lycoming County

*Permit No.*

PAG02004112030

*Applicant Name &  
Address*

High Steel  
Structures Inc  
3501 W 4th St  
Williamsport PA 17701

*Receiving  
Water / Use*

Daugherty's Run WWF

*Contact Office &  
Phone No.*

Lycoming County  
Conservation District  
542 County Farm Rd  
Ste 202  
Montoursville PA 17754  
(570) 433-3003

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

*Facility Location:  
Municipality &  
County*

German Township  
Fayette County

*Permit No.*

PAG020026015R

*Applicant Name and  
Address*

German Township  
Sewer Authority  
2 Long Street  
McClellandtown, PA  
15458

*Receiving  
Water / Use*

Monongahela River  
(WWF)

*Contact Office and  
Phone No.*

Fayette County CD  
10 Nickman Plaza  
Lemont Furnace, PA  
15456  
(724) 438-4497

West Brownsville  
Borough  
Washington County

*Permit No.*

PAG02006308006R

*Applicant Name and  
Address*

Croftcheck Family LLP  
PO Box 433  
Allison, PA 15413

*Receiving  
Water / Use*

UNT to Monongahela  
River (WWF)

*Contact Office and  
Phone No.*

Washington County CD  
2800 North Main Street  
Suite 105  
Washington, PA 15301  
(724) 705-7098

*Northwest Regional Office—Waterways and Wetlands, 230 Chestnut Street, Meadville PA 16335*

Adams Township  
Butler County

*Permit No.*

PAG02001005027R

*Applicant Name and  
Address*

John R. Deklewa  
1273 Washington Pike  
Suite 201  
Bridgeville PA 15017

*Receiving  
Water / Use*

UNT Breakneck Creek  
WWF

*Contact Office and  
Phone No.*

Butler County  
Conservation District  
724-284-5270

Summit Township  
Erie County

*Permit No.*

PAG02002507021R

*Applicant Name and  
Address*

Maleno Development  
2340 W. Grandview  
Blvd  
Suite 1  
Erie PA 16506

*Receiving  
Water / Use*

UNT Millcreek  
WWF; MF  
Walnut Creek  
CWF; MF

*Contact Office and  
Phone No.*

Erie County  
Conservation District  
814-825-6403

McKean Township  
Erie County

*Permit No.*

PAG02002508002R

*Applicant Name and  
Address*

Millfair Holdings LLC  
10 Peninsula Drive  
Erie PA 16505

*Receiving  
Water / Use*

Walnut Creek  
CWF; MF

*Contact Office and  
Phone No.*

Erie County  
Conservation District  
814-825-6403

Farmington  
Township  
Warren County

*Permit No.*

PAG02006212003

*Applicant Name and  
Address*

Dr. Norbert  
Kennerknecht  
589 Hospital Drive,  
Suite A  
Warren PA 16365

*Receiving  
Water / Use*

UNT Fairbanks Run  
CWF

*Contact Office and  
Phone No.*

Warren County  
Conservation District  
814-726-1441



*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>
Fairfield Township, Lycoming County	PAR214819	Centre Concrete Co. 2280 East College Avenue State College, PA 16804-7205	Bennetts Run, WWF	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Duncan Township, Tioga County	PAR404810	Hydro Recovery Antrim LP 7 Riverside Plaza Blossburg, PA 16912	UNT to Wilson Creek, CWF	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>
Punxsutawney Borough Jefferson County	PAR318306	Weatherford Artificial Lift Systems, Inc. 179 Weatherford Drive Schriever, LA 70395	Sawmill Run 17-D	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Young Township Jefferson County	PAR318307	Universal Well Services Inc. 114 Universal Drive, Punxsutawney, PA 15767-7940	Un-named tributary to the Mahoning Creek 17-D	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Adams Township Butler County	PAR238327	James Austin Company 115 Downieville Rd. Mars, PA 16046	Breakneck Creek 20-C	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-5**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>
Porter Township Schuylkill County	PAG052226	UGI Energy Service Inc. (Hy-Mil Pipeline) 1 Meridian Boulevard Suite 2C01 Wyomissing, PA 19610	Wiconisco Creek—6-C	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
North Huntingdon Township Westmoreland County	PAG056238	Speedway, LLC 500 Speedway Drive Enon, OH 45323	UNT to Tinkers Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Marshall Township Allegheny County	PAG056215	Sunoco, Inc. 10 Industrial Highway Suite MS4 Philadelphia, PA 19113	UNT to Brush Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
Carmichaels Borough Greene County	PAG056220	Sheetz, Inc. 5700 Sixth Avenue Altoona, PA 16602	Little Whiteley Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
Peters Township Washington County	PAG056136	Giant Eagle, Inc. 261 Kappa Road RIDC Park Pittsburgh, PA 15238	UNT of Chartiers Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
Frankfort Springs Borough Beaver County	PAG056227	Coen Oil Company PO Box 34 1045 West Chestnut Street Washington, PA 15301	UNT to Kings Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
Springfield Township Fayette County	PAG056239	Speedy Meedy's, Inc. 111 Woodvale Street Dunbar, PA 15431	UNT of Indian Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
Washington Township Greene County	PAG056223	Coen Oil Company PO Box 34 1045 West Chestnut Street Washington, PA 15301	Boyd Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-12*

*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>
PAG124819	Willard Hackman Farm 1035 Deans Hill Road Wellsboro, PA 16901	Tioga County Delmar Township	Wilson Creek (9-A)	Y

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

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

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

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

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

**NUTRIENT MANAGEMENT PLAN**  
**PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Darvin Weaver 170 Old Route 22 Jonestown, PA 17038	Lebanon	97	149.31	Poultry & Dairy	NA	Approved
Weiler Farms 1 350 East Mill Avenue Myerstown, PA 17067	Lebanon	113.8	586.03	Swine	NA	Approved
Weiler Farms 2 436 Lawn Road Palmyra, PA 17079	Lebanon	0	879.04	Swine	NA	Approved
Weiler Farms 3 226 Ridge Road Jonestown, PA 17038	Lebanon	120.9	966.95	Swine	NA	Approved
Werner Acres LLC Jeffrey & Christopher Werner 897 North Lancaster Street Jonestown, PA 17038	Lebanon	422.1	489.61	Poultry— Turkeys	NA	Approved
Thistle Creek Farm Justin & Eve Beamesderfer 10696 Jonestown Road Annville, PA 17003	Lebanon	88.3	349.4	Poultry— Broilers / Beef Cattle	NA	Approved
Gerald & Libby Vargason 2658 North Street Wyalusing, PA 18853	Bradford	88.9	0.3	Dairy, Sheep, Horses	NA	Approved
McClellan Farms, Inc. 443 Coolbaugh Hill Road Granville Summit, PA 16926	Bradford	212.3	2.48	Swine	NA	Approved

**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 sec-

tion 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 appropri-

ate 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: Safe Drinking Water Program Manager, 2 East Main Street, Norristown, PA 19401*

**Operations Permit #0912538** issued to: **Aqua PA Chalfont**, 762 West Lancaster Avenue, Bryn Mawr, PA. 19010 [(PWSID)] New Britain Borough, **Bucks County** on December 31, 2012 for the operation of chlorine contact piping prior to entry point 105, facilities approved under construction permit # 0912516.

**Operations Permit # 1512537** issued to: **Spring Run Estates**, 628 Telegraph Road, Coatesville, PA 19320 [(PWSID)] West Caln Township, **Chester County** on December 20, 2012 for the operation of new 3-inch piping to existing 53, 000 gallon storage tank, facilities approved under construction permit # 1512503.

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

**Operations Permit** issued to: **Shippensburg Borough Authority**, 7210043, Southampton Township, **Franklin County** on 12/21/2012 for the operation of facilities approved under Construction Permit No. 2811503 MA.

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

**Permit No. 0212516**, Public Water Supply.  
Applicant **The Municipal Authority of the Borough of Oakmont**  
PO Box 73  
721 Allegheny Avenue  
Oakmont, PA 15139  
[Borough or Township] Plum Borough  
County **Allegheny**  
Type of Facility Water system  
Consulting Engineer NIRA Consulting Engineers, Inc.  
950 Fifth Avenue  
Coraopolis, PA 15108  
Permit to Construct January 4, 2013  
Issued

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID #5650031) Ligonier Borough and Ligonier Township, **Westmoreland County** on Janu-

ary 8, 2013 for the operation of facilities approved under Construction Permit # 6512517MA.

**Operations Permit** issued to: **Greater Johnstown Water Authority**, 640 Franklin Street, Johnstown, PA 15901, (PWSID #4110014) Upper Yoder Township, **Cambria County** on January 8, 2013 for the operation of facilities approved under Construction Permit # 1109502.

**Operations Permit** issued to: **Authority of the Borough of Charleroi**, 3 McKean Avenue, PO Box 211, Charleroi, PA 15022, (PWSID #5630039) Fallowfield Township, **Washington County** on January 4, 2013 for the operation of facilities approved under Construction Permit # 6311501MA.

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID #5260036) Borough of Youngwood and Hempfield Township, **Westmoreland County** on January 4, 2013 for the operation of facilities approved under Construction Permit # 2609502.

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID #5260036) Hempfield and Salem Townships, **Westmoreland County** on January 4, 2013 for the operation of facilities approved under Construction Permit # 2609507MA.

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID #5650031) Ligonier Township, **Westmoreland County** on January 4, 2013 for the operation of facilities approved under Construction Permit # 6509505.

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID #5260036) Ligonier Borough and Ligonier Township, **Westmoreland County** on January 4, 2013 for the operation of facilities approved under Construction Permit # 2609509MA.

**Permit No. 0212515MA, Minor Amendment.** Public Water Supply.

Applicant **Wilksburg-Penn Joint Water Authority**,  
220 Robinson Boulevard  
Pittsburgh, PA 15221  
[Borough or Township] Penn Hills Borough  
County **Allegheny**  
Type of Facility Water system  
Consulting Engineer NIRA Consulting Engineers, Inc.  
950 Fifth Avenue  
Coraopolis, PA 15108  
Permit to Construct January 4, 2013  
Issued

**Permit No. 3012503MA, Minor Amendment.** Public Water Supply.

Applicant **East Dunkard Water Authority**  
PO Box 241, SR 88  
Dilliner, PA 15327  
[Borough or Township] Dunkard Township  
County **Greene**  
Type of Facility Water system

Consulting Engineer     Dakota Engineering Associates, Inc.  
Etna Technical Center  
Suite 200  
35 Wilson Street  
Pittsburgh, PA 15223

Permit to Construct     January 4, 2013  
Issued

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

**Emergency Operation Permit** issued to **Gregory A. Kasemer d/b/a Fountain House Mobile Home Park**, PWSID #6200044, Woodcock Township, **Crawford County** on January 2, 2013. This permit is issued for the construction and operation of the temporary interconnection between the two distribution systems within the mobile home park. This permit expires on May 1, 2013.

**Operation Permit** issued to **Pennsylvania American Water Company**, PWSID #5100012, Center Township, **Butler County**. Permit Number 1084501-T1-MA1 issued January 4, 2013 for the operation of the 500,000 gallon steel standpipe tank known as the "Center Township Tank" located in Center Township, Pennsylvania.

**Construction/Operation Permit** issued to **Port Allegany Borough**, PWSID #6420021, Port Allegany Borough, **McKean County**, January 4, 2013, for the construction/operation of the relocated Caustic Soda chemical feed injection point and the in-line static mixer. Construction and Operation authorized simultaneously under permit number 4273501-MA2 issued January 4, 2013.

**Permit No. 3712504** Public Water Supply

Applicant	<b>Pennsylvania American Water Company</b>
Township or Borough	Wayne Township
County	<b>Lawrence</b>
Type of Facility	Public Water Supply
Consulting Engineer	Scott E. Hilty, P.E. Pennsylvania American Water Co. 300 Galley Road McMurray, PA 15317
Permit to Construct Issued	January 4, 2013

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

*Plan Location:* Smith Lane Pump Station

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Borough of Northampton	Borough Hall 1401 Laubach Ave. P. O. Box 70 Northampton, PA 18067	Northampton

*Plan Description:* The approved plan provides for replacing an existing, deteriorating municipal Pump Station with a new Pump Station with slightly more capacity to ensure it is capable of handling future growth that may occur.

The project will encompass approximately 0.1 acre of a five acre property owned by the Borough of Northampton. The project does not increase sewer flows. The Pump Station is anticipated to handle approximately 9,400 GPD. The new Pump Station will continue to utilize the Borough of Northampton's Sewer System to convey the flow to the Borough of Northampton Wastewater Treatment Facility.

The proposed development is located on Smith Lane, Borough of Northampton, Northampton County.

The plan revision is approved with the following conditions:

The approved project will require a Clean Streams Law (CSL) permit for the construction and operation of the proposed sewerage facilities. The permit application must be submitted in the name of the Borough of Northampton (Permittee). Approval of this planning module is only approval of the preliminary concept of the proposed project and does not assure that a permit application will be acted upon favorably by the Department. Issuance of a CSL permit will be based upon a technical evaluation of the permit application and supporting information. Starting construction prior to obtaining a permit is a violation of the Clean Streams Law.

Instructions and applications may be obtained from the Department's Northeast Regional Office, Clean Water Program, at the letterhead address.

This plan approval does not include approval of the system design that will be evaluated and approved as part of the CSL permit application review.

Any required NPDES Permits or WQM Permits must be obtained in the name of the Borough of Northampton.

*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>
Brecknock Township	1026 Dry Tavern Road, Denver, PA 17517	Lancaster

*Plan Description:* The approved plan provides for an upgrade of the existing 0.45 MGD average annual flow Beam Road sewage treatment plant to address the nutrient reduction requirements imposed by Pennsylvania's Chesapeake Bay Tributary Strategy. The Plan also adjusts the Beam Road sewage treatment plants sewer service area to better conform to the Township's existing municipal land management programs. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995**

**PREAMBLE 2**

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

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

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

The Department has received the following plans and reports:

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

**Trinity Industries, Inc.** North Plant, Borough of Greenville and Hempfield Township, **Mercer County**. Golder & Associates, Inc., Spring Mill Corporate Center, 555 North Lane, Suite 6057, Mt. Laurel, NJ 08054 on behalf of Trinity Industries, Inc., 2525 Stemmons Freeway, Dallas, TX 75207 has submitted a Cleanup Plan concerning remediation of site soil contaminated with Ethylbenzene, Trichloroethene, Total Xylenes, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Benzo[a]pyrene, Lead, Manganese, Arsenic, Alpha-BHC, Iron, Selenium, Methylene Chloride, Naphthalene, Antimony, Bromomethane, Mercury, 2,4-Dinitrotoluene, Aroclor 1232, Hexavalent Chromium, cis-1,2-Dichloroethene, Tetrachloroethene, Vinyl Chloride, Gamma-BHC, and groundwater contaminated with dissolved and total Manganese, dissolved and total Arsenic, total Lead, Chlorinated Volatile Organic Compounds including methylene chloride, PCE, TCE, and Vinyl Chloride. The plan is intended to document remediation of the site to meet the Site-Specific Standard.

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

**Derry Porcelain Park**, West Third Street, Derry Borough, **Westmoreland County**. GAI Consultants, Inc., 385 East Waterfront Drive, Homestead, PA 15120-5005 on

behalf of Redevelopment Authority of the County of Westmoreland has submitted a Baseline Environmental Report concerning the remediation of site soil and groundwater contaminated with VOCs, PAH and metals associated with past industrial use of the site.

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

**Ridge Paper Tube Corporation**, Union Township, **Union County**. Northridge Group Incorporated, 1172 Ridge Road, Northumberland, Pa 17857 on behalf of Ridge Paper Tube Corporation, 10 Owens Drive, Wayne, NJ 17470 has submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-trimethylbenzene, Methyl tertiary Butyl Ether. The report is intended to document remediation of the site to meet the Statewide Health Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 3

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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.*

**Belyea Company Incorporated**, 2200 Northwood Avenue, Palmer Township, **Northampton County**, Thomas Martinelli, JMT Environmental, 3353-C Gun Club Road, Nazareth, PA 18064, has submitted a Final Report (on behalf of his client, James Kinney, Belyea Company Incorporated, 2200 Northwood Avenue, Easton, PA 18045), concerning the remediation of soil found to have been impacted by mineral oil as a result from a ruptured remanufactured transformer. The documented attainment of the Non-Residential Statewide Health Standard for soil and was approved on December 27, 2012. The report was originally submitted within 90 days of the release.

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

**Vanity Fair Powerhouse Site**, 801 Hill Avenue, Reading, PA 19610, Wyomissing Borough, **Berks County**. Environmental Resources Management, 350 Eagleview Boulevard, Suite 200, Exton, PA 19341, on behalf of Rockwell Automation, 1201 South Second Street, Mail Stop B5 M28, Milwaukee, WI, 53204 and VF Factory Outlet, Inc., 801 Hill Avenue, Reading, PA 19610 submitted a Final Report concerning site soils and groundwater contaminated with #4 and #6 fuel oils. The Final Report demonstrated attainment of the Nonresidential Statewide Health standard, and was approved by the Department on

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

**Leiby Property**, Borough of Catawissa, **Columbia County**. United Environmental Services, Inc., on behalf of Mitch Leiby has submitted a Final Report concerning the remediation of site soils contaminated with heating oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 10, 2012.

**Ridge Paper Tube Corporation**, Union Township, **Union County**. Northridge Group Incorporated, 1172 Ridge Road, Northumberland, Pa 17857 on behalf of Ridge Paper Tube Corporation, 10 Owens Drive, Wayne, NJ 07470 has submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-trimethylbenzene, Methyl tertiary Butyl Ether. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 19, 2012.

## REGISTRATION FOR MUNICIPAL WASTE GENERAL PERMITS

**Registration for General Permit issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); and Municipal Waste Regulations for a General Permit To Operate Municipal Waste Processing Facilities (25 Pa. Code § 271.811 relating to authorization for general permit).**

*South Central Regional Office: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.*

**General Permit No. WMGM042-SC004. Yippee Farms, Inc.** 1103 Iron Bridge Road, Mt. Joy, PA 17552. The Department of Environmental Protection has issued a registration under General Permit WMGM042 to Yippee Farms, Inc. This registration is for their location at 1103 Iron Bridge Road, Mt. Joy, PA 17552 in Rapho Township, **Lancaster County**. The registration was issued on January 8, 2013.

Persons interested in reviewing the general permit may contact John Oren, Facilities Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

**General Permit No. WMGM042-SC005. Robert Keefer**, Hard Earned Acres, 1317 Ritner Highway, Shippensburg, PA 17257. The Department of Environmental Protection has issued a registration under General Permit WMGM042 to Hard Earned Acres. This registration is for their location at 1317 Ritner Highway, Shippensburg, PA in Southampton Township, **Cumberland County**. The registration was issued on January 8, 2013.

Persons interested in reviewing the general permit may contact John Oren, Facilities Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

## REGISTRATION FOR GENERAL PERMIT—MUNICIPAL WASTE

**Registration(s) Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities.**

*Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701*

**General Permit Registration No. WMGM041NC002. Pine Creek Municipal Authority**, P. O. Box 608 Avis, PA 17721. Registration to operate under General Permit No. WMGM041 for sale and reuse of treated effluent for use for the development of natural gas wells. The registration was approved by NorthCentral Regional Office on January 3, 2013.

Persons interested in reviewing the general permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

### DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

**Determination of Applicability for General Permit issued under the Solid Waste Management Act; and Residual Waste Regulations for a General Permit To Operate Residual Waste Processing Facilities (25 Pa. Code § 287.611 relating to authorization for general permit).**

*South Central Regional Office: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.*

**General Permit No. WMGR038-SC007. Edge Rubber**, 811 Progress Road, Chambersburg, PA 17201. The Department of Environmental Protection has issued a Determination of Applicability under General Permit WMGR038 to Edge Rubber, for processing, reuse and beneficial use of waste tires for the facility located at 1711 Opportunity Avenue, Chambersburg, PA in Greene Township, **Franklin County**. This Determination of Applicability was issued on January 3, 2013.

Persons interested in reviewing the general permit may contact John Oren, Facilities Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Permit(s) Issuance 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.**

*Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701*

**Permit Application No. 100904. Centre County Recycling and Refuse Authority**, 253 Transfer Road, Bellefonte, PA 16823, College Township, **Centre County**. Permit application for the renewal of 10 year waste management permit for the operation of the Dale Summit Transfer Station. The permit was issued by Northcentral Regional Office on January 7, 2013.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. 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.**

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

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

**58-399-054GP5: PVR Marcellus Gas Gathering LLC** (100 Penn Tower, 25 West Third Street, Williamsport, PA 17701) on November 26, 2012, for construction and

operation of a Natural Gas Compressor Station at their site in Lathrop Township, **Susquehanna 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.*

**GP3-21-03051A: Valley Quarries, Inc.** (PO Box 2009, Chambersburg, PA 17201-0809) on December 27, 2012, for continued operation of a portable nonmetallic mineral screening unit at the Mt. Cydonia Sand Plant 3 in Southampton Township, **Cumberland County**.

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

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

**GP14-26-00598: Silbaugh Vault & Burial Service, Inc.** (4 Speedway Boulevard, Uniontown, PA 15401) on December 20, 2012, to construct and operate a human crematory unit in North Union Township, **Fayette County**.

**GP2-65-00354: Sunoco Partners Marketing & Terminals, LP** (1734 Old Route 66 Delmont, PA 15626) on January 4, 2013, to allow “installation and operation of an internal floating roof in the previously installed fixed roof storage tank with capacity 592,000 gallons to store premium gasoline with a maximum throughput of 7,435,783 gallons per year” at their Delmont Terminal, Salem Township, **Westmoreland County**.

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

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

**GP9-10-265A: Iron Mountain Information Management, Inc.** (1137 Branchton Road, Boyers, PA 16020), issued December 28, 2012, for the operation of two (2) diesel or No. 2 fuel fired internal combustion engines, Kohler Model MTU 167V4000 G83 (BAQ-GPA/GP-9) in Cherry Township, **Butler County**.

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

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

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

**46-0112F: Palmer International, Inc.** (2036 Lucon Road, Skippack, PA 19474) on January 2, 2013, to modify an existing reactor (Source ID 129) and condenser (Source ID C03) and install two (2) new reactors (each equipped with its own condenser) at their facility in Skippack Township, **Montgomery County**. Emissions from all three reactors (with condensers) are controlled by an existing thermal oxidizer (Source ID C02), with a destruction efficiency of 95%. The two new reactors will be heated by two individual 4-MMBtu thermal heaters. Potential annual emissions from this project are: 1.87 TPY for VOC; 4.68 TPY for NO<sub>x</sub>; 2.89 TPY for CO; 0.26 TPY for PM; 0.54 TPY for SO<sub>x</sub>; and 1.49 TPY for HAP. Per 25 Pa. Code § 123.13, emissions of filterable PM from the thermal oxidizer shall not exceed 0.04 grains per dry



standard cubic feet. Per 25 Pa. Code § 123.11, emissions of PM from the thermal heaters shall be limited to 0.4 lb/MMBtu. Per 25 Pa. Code § 123.22, emissions of SO<sub>x</sub> from the thermal heaters shall be limited to 1.2 lb/MMBtu. Fuel usage from the thermal heaters shall be monitored and recorded to estimate actual emissions using AP-42 emissions factors. Process information shall be recorded from the reactors and condensers to estimate actual emissions from the process using mass balance. Temperature readings from the condensers shall be monitored and recorded to ensure that emissions are properly controlled prior to the thermal oxidizer. The thermal oxidizer shall continue to operate in accordance with the facility's State Only Operating Permit No. 46-00112 to ensure that emissions of VOC are reduced by 95%. This project is not subject to NSPS, NESHAP, MACT, PSD, NSR, or CAM. The Plan Approval will contain additional monitoring, recordkeeping, and operating conditions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

**46-0049A: International Business Systems, Inc.** (431 Yerkes Road, King of Prussia, PA 19406-3523) on January 8, 2013, for modification of two conditions in the Plan Approval for their existing facility in Upper Merion Township, Montgomery County. This facility is a synthetic minor facility for VOC emissions. The modification removed the requirement to test for PM, PM-10 and PM-2.5 emissions from the Regenerative Thermal Oxidizer (RTO). The main pollutant from the printing presses is VOCs, and using natural gas as the RTO fuel, the small PM emission does not require source testing. Also, this modification removes the requirement to install four natural gas meters and requires the installation of one gas meter for monitoring natural gas usage. The fuel combustion process in the press dryers and RTO contribute a very small amount of pollutant. Emissions can be calculated from the total fuel usage rate since the emission factor is the same for both the dryers and the RTO. There will be no emission increases at the facility from the above minor modifications to the Plan Approval. The Department is not authorizing any modification of any sources at this facility under this application. The Plan Approval still contains testing, monitoring and recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

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

**45-302-078: Sanofi Pasteur, Inc.** (Discovery Drive, Swiftwater, PA 18370-0187) on December 31, 2012, for modification to their existing boilers to use natural gas as an alternate fuel at their facility in Pocono Township, **Monroe County**.

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

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

**25-1034A: Emkey Gas Processing** (Concord Road, Union City, PA 16438) on December 21, 2012, for construction of a 10 mmscf/d gas processing facility in Union City Township, **Erie County**. This is a State Only facility.

**42-004G: American Refining Group, Inc.** (77 Kendall Avenue, Bradford, PA 16701) on December 20, 2012, to issue a plan approval concerning the facility's

annual average daily throughput rate increase from 9,650 barrels per day to 11,000 barrels per day at their Refinery in Bradford City, **McKean County**.

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

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

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

**46-0040: National Label Co.** (2025 Joshua Road, Lafayette Hill, PA 19444) on December 23, 2012, to operate a rotogravure laminating station in Whitemarsh Township, **Montgomery County**.

**46-0142B: Custom Processing Services, LLC.** (461 State Street, East Greenville, PA 18041) on January 4, 2013, to operate a rotary dryer (DC) in East Greenville Borough, **Montgomery County**.

**46-0032G: SPS Technologies, Inc.** (301 Highland Avenue, Jenkintown, PA 19046) on January 2, 2013, to operate a vapor degreaser in Abington Township, **Montgomery County**.

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

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

**59-00025A: EQT Gathering, LLC** (EQT Plaza, 625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222) on November 21, 2012, for construction and operation of three (3) natural gas-fired reciprocating internal combustion engines, one (1) emergency generator, one (1) triethylene glycol dehydrator and the ancillary equipment (storage tanks, flanges, valves, etc.) needed for the proposed Tioga Compressor Station to be in Duncan Township, **Tioga County**. The plan approval has been extended.

**18-315-001E: First Quality Tissue, LLC** (904 Woods Avenue, Lock Haven, PA 17702-7428) on January 7, 2013, to extend the authorization to operate a paper towel and tissue manufacturing operation at their facility in Castanea Township, **Clinton County** on a temporary basis to July 5, 2013. The plan approval has been extended.

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

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

**PA-65-00966A: Greensburg Thermal, LLC** (755 Opossum Lake Road, Carlisle, PA, 17015) on January 6, 2013, with an expiration date of July 6, 2013, to extend the period of temporary operation of sources and controls authorized under Plan Approval PA-65-00966A at the SCI Greensburg steam plant located in Hempfield Township, **Westmoreland County**.

**65-00629A: CBC Latrobe Acquisition, LLC** (100 33rd Street, Latrobe, PA 15650-1474) on January 9, 2012, to extend the temporary operation period for the wastewater pretreatment system to allow additional shake-down of the new sources at the Latrobe Brewery in in Latrobe Borough, **Westmoreland County**. The new expiration date shall be July 9, 2013.

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

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

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

**65-00016: Latrobe Specialty Metals, A Carpenter Co.** (2626 Ligonier St., Latrobe, PA, 15650) for operation of a specialty steel manufacturing facility located in Latrobe Borough, **Westmoreland County**. This is a renewal of the Title V Operating permit.

Air emission sources at this facility include an electric arc furnace, an argon oxygen decarburization vessel, a ladle furnace, numerous heat treating furnaces, vacuum induction melting processes, various rolling, grinding, welding and sawing/shearing operations, scarfing and descaling machines, a boiler, miscellaneous heating units, a pickle tank, a precision forging machine and a slag handling building. The permit includes monitoring, recordkeeping, reporting, testing, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

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

**67-03079: Hercon Pharmaceuticals LLC** (101 Sink-ing Spring Lane, PO Box 467, Emigsville, PA 17318-0467) on December 19, 2012 for the pharmaceuticals manufacturing facility in Manchester Township, **York County**. The State-only permit was renewed.

**06-03091: The Rose Corp.** (PO Box 15208, Reading, PA 19612-5208) on December 28, 2012 for the structural steel fabrication facility in Reading City, **Berks County**. The State-only permit was renewed.

**06-05082 Dairy Farmers of America, Inc.** (100 McKinley Avenue, Reading, PA 19605-2199) on December 26, 2012 for the milk products processing facility in Muhlenberg Township, **Berks County**. The State-only permit was renewed.

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

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

**14-00025: RESTEK Corp.** (110 Benner Circle, Bellefonte, PA 16823-8433) on January 4, 2013, a state only operating permit for their facility in Benner Township, **Centre County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**41-00043: HRI, Inc.** (1750 West College Avenue, State College, PA 16801) on January 2, 2013, a state only operating permit for their hot mix asphalt facility in Williamsport, **Lycoming County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**14-00027: HRI, Inc.** (1750 West College Avenue, State College, PA 16801) on January 3, 2013, a state only operating permit for their hot mix asphalt facility in Marion Township, **Centre 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*

**03-00215: Allegheny Mineral Corp.** (P O Box 1022, One Glade Park East, Kittanning, PA 16201) on January 4, 2013, a State Only Operating Permit (SOOP) to Allegheny Mineral Corporation to authorize the operation of a limestone preparation facility located in Franklin Township, **Armstrong County**.

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

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

**10-00270: Lectromat, Inc.,** (PO Box 608, Mars, PA 16046-0608), on December 31, 2012, issued the renewal of the State Only Operating Permit for the facility, located in Adams Township, **Butler County**, operating to manufacture electrical insulations and composite prepregs. The primary sources at the facility include 3 horizontal coaters/laminators, 2 vertical coating towers, an epoxy resin coating line, and 2 natural gas fired space heaters. Emissions from the coaters/laminators and the coating towers are controlled by fume incinerators. The facility is a Natural Minor. Potential emissions for the facility are as follows: NO<sub>x</sub> < 1 tpy; CO < 1 tpy; VOCs < 1 tpy; and HAPs < 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.

**20-00262: Generant Company Inc.** (18254 Technology Drive, Meadville, PA 16335-8380), on January 7, 2013, for the renewal of a Natural Minor Permit to operate vales and pipe fittings manufacturing facility in City of Meadville, **Crawford County**. The facility's emitting sources included, 1) Passivation & Brass Bright Dip Line, 2) Lubrication Booth and, 3) Miscellaneous Degreaser Units (2). This is a Natural Minor facility due to its potential to emit of pollutants are less than the Title V threshold limits. The facility is not subject to 40 CFR Part 63, Subpart WWWW and XXXXXX. The potential emission of alkaline and nitric acid fume is 16.13 tons per year.

**24-00017: Morgan Advanced Materials & Technology** (411 Hall Avenue, Saint Marys, PA 15857), on December 31, 2012, issued the renewal of the State Only Operating Permit for the facility, located in the City of Saint Marys, **Elk County**, operating to manufacture mechanical seals, vanes, and rotors. The primary sources at the facility include (9) heat treat ovens, (13) curing ovens, resin and metal impregnation operations, and (5) spray dryers. Emissions from the heat treat ovens are controlled by thermal oxidizers and afterburners; emissions from the metal impregnation operations and the spray dryers are controlled by dust collectors. The facility is a Natural Minor. Potential emissions are as follows: PM 5 tpy; NO<sub>x</sub> 5 tpy; SO<sub>x</sub> 24 tpy; CO 10 tpy; VOC 5.4 tpy; POM 3.4 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.

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

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

**S12-017: Dietz & Watson Inc.** (5701 Tacony Street, Philadelphia, PA 19135) for the processing of lunch meat, hot dogs, hams, roast beef, sausage, and turkey products in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three (3) 11.82 MMBTU/hr natural gas, #2 oil, or propane-fired boilers, eleven (11) 1.65 MMBTU/hr or less natural gas or propane-fired food processing ovens, three (3) used oil and/or #2 oil-fired heaters, each rated less than 1 MMBTU/hr, one (1) diesel-fired emergency generator, and gasoline loading station.

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

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

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

**N12-005A: Kingsbury, Inc.** (10385 Drummond Road, Philadelphia, PA 19154) administratively amended on January 7, 2013 to modify reporting requirement condition from the current operating permit. The Synthetic Minor operating permit was originally issued on April 30, 2012.

**S11-017A: Kraft Foods Global**, (12000 East Roosevelt Blvd, Philadelphia, PA 19116) administratively amended on January 7, 2013 to incorporate a change of ownership to Mondelez Global LLC. The Synthetic Minor operating permit was originally issued on May 5, 2012.

**V10-025: Plains Products Terminals, LLC** (6850 Essington Ave, Philadelphia, PA 19153) administratively amended on January 7, 2013 to change contact information. The Title V operating permit was originally issued on May 24, 2011.

**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).**

*Coal Applications Returned*

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

**61970102 and NPDES Permit No. PA0227595. Ruskak Coal Company** (P. O. Box 44, Grove City, PA 16127) Renewal of an existing bituminous surface mine in Irwin Township, **Venango County** affecting 54.5 acres. Receiving streams: unnamed tributary to Scrubgrass Creek and Wolf Creek. This renewal is for reclamation only. Application received: January 15, 2010. Application Returned: January 2, 2013.

*Coal Permits Actions*

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

**32061301. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Starford Mine in Green Township, **Indiana County** to add acreage to install two mine de-watering boreholes. Surface Acres Proposed 3.6. The application was considered administratively complete on December 19, 2011. Application received: September 27, 2011. Permit issued: January 3, 2013.

**63743702 and NPDES No. PA0214248. Eighty Four Mining Company**, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323). To renew the permit for the Mine 84 Refuse Area in Somerset Township, **Washington County** and related NPDES permit. No additional discharges. The application was considered administratively complete on September 15, 2010. Application received: June 4, 2010. Permit issued: January 3, 2013.

**63831302. Eighty Four Mining Company**, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323). To revise the permit for the Mine No. 84 in South Strabane Township, **Washington County** to add subsidence control plan area acres for development and pillar extraction mining. Subsidence Control Plan Acres Proposed 374.0. No additional discharges. The application was considered administratively complete on December 16, 2008. Application received: November 20, 2008. Permit issued: January 3, 2012.

**63831302. Eighty Four Mining Company**, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323). To revise the permit for the Mine No. 84 in South Strabane Township, **Washington County** to amend 383 acres of the subsidence control plan area from development mining to full extraction mining. No additional discharges. The application was considered administratively complete on July 28, 2009. Application received: January 14, 2009. Permit issued: January 3, 2013.

**63831302. Eighty Four Mining Company**, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323). To revise the permit for the Mine No. 84 in North Bethlehem, Amwell, and South Strabane Townships, **Washington County** to amend 642 acres of the subsidence control area from development mining to pillar extraction mining. No additional discharges. The application was considered administratively complete on October 15, 2008. Application received: September 19, 2008. Permit issued: January 3, 2013.

**63831302. Eighty Four Mining Company**, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323). To revise the permit for the Mine No. 84 in North Bethlehem Township, **Washington County** to add underground permit and subsidence control plan acres for development and full extraction mining. Underground Acres Proposed 991.0, Subsidence Control Plan Acres Proposed 1015.0. No

additional discharges. The application was considered administratively complete on November 20, 2008. Application received: November 7, 2008. Permit issued: January 3, 2013.

**32041301. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Brush Valley Mine in Center Township, **Indiana County** to install a second slope entry, a sludge borehole, and relocate an airshaft borehole. Surface Acres Proposed 15.6. No additional discharges. The application was considered administratively complete on August 14, 2012. Application received: January 6, 2012. Permit issued: January 4, 2013.

**NPDES No. PA0235601. ArcelorMittal Pristine Resources, Inc.**, (P. O. Box 36, 129 Bethlehem Road, Revloc, PA 15948). To renew the NPDES permit for the Mine 31 AMD Plant in Jackson Township, **Cambria County**. No additional discharges. The application was considered administratively complete on April 26, 2010. Application received: January 6, 2010. Permit issued: January 4, 2013.

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

**32070107 and NPDES No. PA0262455. Britt Energies, Inc.**, 57 S. 9th Street #3, Indiana, PA 15701, permit renewal for reclamation only of a bituminous surface mine in Center Township, **Indiana County**, affecting 24 acres. Receiving stream(s): unnamed tributary to Yellow Creek and unnamed tributaries to Tearing Run both to Two Lick Creek to Blacklick Creek to Conemaugh River classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received November 7, 2012. Permit issued: December 21, 2012.

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

**16070104. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127) Renewal of an existing bituminous surface mine in Limestone Township, **Clarion County** affecting 30.2 acres. Receiving streams: Unnamed tributary to Poe Run and Poe Run, unnamed tributary to Pine Creek. This renewal is for reclamation only. Application received: November 5, 2012. Permit Issued: January 2, 2013.

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

**17070116 and NPDES PA0256668. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Revision of an existing bituminous surface mine for change in land use in Sandy Township, **Clearfield County** affecting 552.0 acres. Receiving stream Sandy Lick Creek classified for the following uses: Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: October 9, 2012. Permit issued: December 20, 2012.

**17663136 and NPDES PA0126870. EnerCorp, Inc.** (1310 Allport Cutoff, Morrisdale, PA 16858). Revision of an existing bituminous surface mine for a change in land use from forestland to pastureland in Graham Township, **Clearfield County** affecting 202 acres. Receiving streams: Mons Run and Flat Run classified as the following use: Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: July 16, 2012. Permit issued: December 28, 2012.

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

**54851336T2 and NPDES Permit No. PA0223328. EmberClear Reserves, Inc.**, (72 Glenmaura National Boulevard, Suite 105, Moosic, PA 18507), transfer of an existing anthracite underground mine operation in Porter and Frailey Townships, **Schuylkill County** affecting 20.5 acres, receiving stream: Good Spring Creek. Application received: October 18, 2011. Transfer issued: January 3, 2013.

**54-305-027GP12. EmberClear Reserves, Inc.**, (72 Glenmaura National Boulevard, Suite 105, Moosic, PA 18507), general operating permit to operate a coal preparation plant on Underground Mining Permit No. 54851336 in Porter and Frailey Townships, **Schuylkill County**. Application received: June 5, 2012. Permit issued: January 3, 2013.

**54840203R5. Skytop Coal, Inc.**, (P. O. Box 330, Mahanoy City, PA 17948), renewal of an existing anthracite coal refuse reprocessing and refuse disposal operation in Mahanoy Township, **Schuylkill County** affecting 91.8 acres, receiving stream: Mill Creek Watershed. Application received: January 14, 2011. Renewal issued: January 4, 2013.

**54840203GP104. Skytop Coal, Inc.**, (P. O. Box 330, Mahanoy City, PA 17948), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54840203 in Mahanoy Township, **Schuylkill County**, receiving stream: Mill Creek Watershed. Application received: January 24, 2012. Permit issued: January 4, 2013.

**54840203C2. Skytop Coal, Inc.**, (P. O. Box 330, Mahanoy City, PA 17948), correction to decrease the permitted acres from 200.0 acres to 91.8 an existing anthracite coal refuse reprocessing and refuse disposal operation in Mahanoy Township, **Schuylkill County**, receiving stream: Mill Creek Watershed. Application received: January 24, 2012. Correction issued: January 4, 2013.

**54940202R3. DiRenzo Coal Company**, (1389 Bunting Street, Pottsville, PA 17901), renewal of an existing anthracite coal refuse reprocess, refuse disposal and preparation plant operation in Branch Township, **Schuylkill County** affecting 30.3 acres, receiving stream: West Branch Schuylkill River. Application received: August 26, 2011. Renewal issued: January 4, 2013.

**54940202GP104. DiRenzo Coal Company**, (1389 Bunting Street, Pottsville, PA 17901), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54940202 in Branch Township, **Schuylkill County**, receiving stream: West Branch Schuylkill River. Application received: September 13, 2011. Permit issued: January 4, 2013.

**13-305-001GP12. Hazleton Shaft Corp.**, (P. O. Box 435, Hazleton, PA 18201), general operating permit to operate a coal preparation plant on Pagnotti Enterprises, Inc., Surface Mining Permit No. 13743002 in Banks and Hazle Townships, **Carbon and Luzerne Counties**. Application received: June 20, 2012. Permit issued: January 4, 2013.

#### *Noncoal Permits Actions*

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

**4773SM3 and NPDES PA0207101. Hanson Aggregates Pennsylvania LLC** (7660 Imperial Way Allen-

town, PA 18195). Renewal of NPDES permit on an existing industrial mineral mine located in Limestone Township, **Lycoming County** affecting 321.7 acres. Receiving streams: Unnamed Tributary to Antes Creek classified for Cold Water Fishes. Application received: October 22, 2012. Permit issued: December 28, 2012.

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

**58112513. Shannon Hill Stone Company**, (247 Jayne Lane, Meshoppen, PA 18630), commencement, operation and restoration of a quarry operation in Bridgewater Township, **Susquehanna County** affecting 10.0 acres, receiving stream: Hop Bottom Creek. Application received: August 11, 2011. Permit issued: December 31, 2012.

**58112513GP104. Shannon Hill Stone Company**, (247 Jayne Lane, Meshoppen, PA 18630), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58112513 in Bridgewater Township, **Susquehanna County**, receiving stream: Hop Bottom Creek. Application received: August 11, 2011. Permit issued: December 31, 2012.

**58092814. B.S. Quarries, Inc.**, (859 John C. McNamara Drive, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Silver Lake Township, **Susquehanna County** affecting 5.0 acres, receiving stream: Laurel Lake Creek and Silver Creek. Application received: November 4, 2009. Permit issued: January 2, 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*

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

**24124007. Tidelands Geophysical Company, Inc.** (101 East Park Boulevard, Suite 955, Plano, TX 75074) Blasting activity permit for seismic exploration in Ridgway, Fox, Horton, Jay, Benezette, and Snyder Townships, and City of St. Marys, **Elk & Jefferson Counties**. This blasting activity permit expires on April 14, 2013. Permit Issued: December 31, 2012.

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

**08124161. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013-0608). Blasting for construction of a well pad located in Asylum Township, **Bradford County**. Permit issued: December 28, 2012. Permit expires: December 27, 2013.

**17124004. Tidelands Geophysical Company** (101 East Park Blvd., Suite 955, Plano, TX 75074). Blasting for seismic exploration located in Sandy, Huston, Union, Pine, and Lawrence Townships, **Clearfield County** including Washington Township, **Jefferson County**. Permit issued: December 28, 2012. Permit expires: April 14, 2013.

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

**58124022. John Brainard**, (3978 State Route 2073, Kingsley, PA 18826), construction blasting for Range Unit 53 in Harford Township, **Susquehanna County** with an expiration date of February 28, 2013. Permit issued: December 31, 2012.

**15124001. Explo-Craft, Inc.**, (P. O. Box 1332, West Chester, PA 19380), construction blasting for the Uptown Worthington Phase I in East Whiteland Township, **Chester County** with an expiration date of December 31, 2013. Permit issued: January 2, 2013.

**35124107. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Valley View Business Park in Archbald and Jessup Borough, **Lackawanna County** with an expiration date of December 31, 2013. Permit issued: January 3, 2013.

**40124125. Hayduk Enterprises, Inc.**, (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Susquehanna Roseland 500k V T Line in Exeter Township, **Luzerne County** and Ranson and Newton Townships **Lackawanna County** with an expiration date of December 31, 2014. Permit issued: January 3, 2013.

**66124121. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Loffredo Pipeline in Lathrop and Nicholson Township, **Susquehanna and Wyoming Counties** with an expiration date of December 19, 2013. Permit issued: January 3, 2013.

**06134101. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Legacy at Paper Mill in Lower Heidelberg Township, **Berks County** with an expiration date of December 31, 2013. Permit issued: January 7, 2013.

**67134101. Abel Construction Co., Inc.**, (P. O. Box 476, Mountville, PA 17554), construction blasting for Reservoir Heights in West Manheim Township, **York County** with an expiration date of February 28, 2014. Permit issued: January 7, 2013.

#### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure

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

**E23-495. Joe Barakat, Manager**, Chadds Ford Township, 10 Ring Road, Chadds Ford, PA 19317-9101, Chadds Ford, **Delaware County**, ACOE Philadelphia District.

To construct and maintain two new 6-foot-long, 40-foot-span pedestrian bridges across Harvey Run (Perennial, WWF-MF) associated with expansion of the existing trail system.

The site is located approximately 2500 feet southeast of the intersection of Baltimore Pike and Creek Road (Wilmington-North, Delaware-Pennsylvania, USGS Quadrangle N: 22.0 inches; W: 11.98 inches).

**E46-1087. Philadelphia Cricket Club**, 415 W. Willow Grove Avenue, Philadelphia, PA 19118-4125, Whitmarsh Township, **Montgomery County**, ACOE Philadelphia District.

To remove the existing bridge and to construct and maintain a 15.3-foot long, 65-foot wide, and 6.7-foot high, 3 span pedestrian bridge, approximately 55 feet downstream from the existing bridge, across an unnamed tributary to Wissahickon Creek.

The site is located at Philadelphia Cricket Golf Club near the intersection of Willow Grove Avenue and West Valley Green Road (Germantown, PA USGS Quadrangle N: 20.25 inch; W: 14.75 inch).

**E46-1079. SEPTA**, 1234 Market Street, Philadelphia, PA 19107, Abington Township, and Jenkintown Borough **Montgomery County**, ACOE Philadelphia District.

To replace and maintain the existing SEPTA Jenkintown Electrical Substation which will be constructed directly adjacent to the existing substation along and above the 100-year floodplain of Baeder Run (WWF-MF). This work includes the construction and maintenance of the proposed retaining wall, related regrading, and the bio-retention area associated with the new driveway access.

The site is located just upstream of the confluence of Tacony Creek with Baeder Run, near the Jenkintown

SEPTA station, (Germantown, PA USGS Quadrangle N: 6.75 inches; W: 5.1 inches).

**E46-1086. Team Store, Inc.**, 5245 Commonwealth Avenue, Jacksonville, Fla., 32254, Conshohocken Borough, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain a waterfront park in and along the 100-year floodway of the Schuylkill River.

The site is located between Washington and Poplar Streets (Norristown, PA, USGS Quadrangle N: 9.0 inches; W: 3.60 inches).

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-1915, Telephone 570-826-2511.*

**E40-735. Neil Horn**, Pole #250, Route 415, Harveys Lake, PA 18618. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To modify and maintain an existing dock/boathouse in Harveys Lake with work consisting of adding a 900 sf addition to the existing, 1,800 sf dock, removing the existing boathouse and constructing a new 1,400 sf boathouse on the dock. The project is located along Lakeside Drive (SR 415) at Pole #250 (Harveys Lake, PA Quadrangle Latitude: 41°21'31"; Longitude: -76°2'23"). Subbasin: 5B.

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717.705.4802.*

**E06-683: Pennsylvania Department of Transportation, Engineering District 5-0**, 1002 Hamilton Street, Allentown, Pennsylvania 18101, in Centre and Perry Townships, ACOE Philadelphia District

To: 1) remove the existing structure, 2) construct and maintain a prestressed concrete spread box beam bridge approximately 45.0 feet upstream having a clear span of 270.0 feet, an under-clearance of 16.2 feet, an out to out width of 37.46 feet, and a skew of 90° over the Schuylkill River (WWF, MF), 3) place and maintain 1000.0 cubic yards of fill material in the left and right flood plain of the Schuylkill River, 4) temporarily impact 0.018 acre of PEM wetland, 5) permanently impact 0.012 acre of PEM wetland, and 6) construct a temporary causeway for the demolition and construction in six different phases, all for the purpose of improving transportation safety and roadway standards. The project is located along SR 4026 in Center and Perry Townships, Berks County (Temple, PA Quadrangle; Latitude: 40°28'22", Longitude: -75°58'17"). The amount of wetland impact is considered a de minimus impact of 0.01 acre and wetland replacement is not required.

**E31-221: Huntingdon County Commissioners**, 223 Penn Street, Huntingdon, Pennsylvania 16652-1486, in Cromwell Township, **Huntingdon County**, ACOE Baltimore District

To construct and maintain a rock cross-vane, a rock vane, 48.0 linear feet of natural rock revetment, and a 225.0-foot long elevated floodplain bench in and along Shade Creek (TSF) for the purpose of stabilizing the banks and improved sediment transport. The project is located along Huntingdon County Bridge No. 8, adjacent to State Route 522 (Orbisonia, PA Quadrangle; N: 14.6 inches, W: 0.5 inch, Latitude: 40°12'21", Longitude: -77°52'42") in Cromwell Township, Huntingdon County.

**E36-907: David Proulx, Franklin and Marshall College**, 415 Harrisburg Avenue, PO Box 3003,

Lancaster, Pennsylvania 17604-3003, in Manheim Township, **Lancaster County**, ACOE Baltimore District

To construct and maintain: 1) a 3.0-foot long, 4.0-foot wide wooden pedestrian bridge over an unnamed tributary to the Little Conestoga Creek (WWF, MF); 2) a 495.0-foot long, 4.0-foot wide at-grade crushed limestone pedestrian trail in the floodway of Little Conestoga Creek (WWF, MF); 3) a 32.0-foot long, 4.0-foot wide elevated wooden pedestrian trail in PEM/PSS/PFO wetlands, temporarily impacting 0.03 acre of PEM/PSS/PFO wetland and permanently impacting 128.0 square feet of PEM/PSS/PFO wetlands; 4) a 113.0-foot long, 4.0-foot wide elevated wooden pedestrian trail in PEM/PSS/PFO wetlands, temporarily impacting 0.06 acre of PEM/PSS/PFO wetland, and permanently impacting 128.0 square feet of PEM/PSS/PFO wetlands; and 5) 2.38 acres of PEM/PSS wetlands, temporarily impacting 840.0 square feet of PEM/PSS/PFO wetlands. The following activities are also proposed and the permit requirements are waived as per 25 Pa. Code Section 105.12(a)(12): the construction and maintenance of two scientific weir structures in an unnamed tributary to Conestoga Creek (WWF, MF). The project is located approximately 0.28 of a mile northwest of the intersection of Orchard Lane and Hillcrest Road (Lancaster, PA Quadrangle; Latitude: 40°03'13.1"N, Longitude: -76°20'26.1"W) in Manheim Township, Lancaster County. The amount of wetland impact is considered a de minimus impact of 0.01 acre and wetland replacement is not required.

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

**E17-470. Lawrence Township**, PO Box 508, Clearfield, PA 16803. Mon 40, 41, and 42 Abandoned Mine Drainage Passive Treatment System and Reclamation Project, Lawrence Township, **Clearfield County**, ACOE Baltimore District (Clearfield, PA Quadrangle Latitude: 41° 1' 16"; Longitude: 78° 29' 24").

The applicant proposes to treat Abandoned Mine Drainage (AMD) from three seeps (Mon 40, 41 and 42) that are tributaries to Montgomery Creek (Cold Water and Migratory Fishery). Montgomery Creek in this location is impaired due to low pH and high metals. The system will collect the flows from the seeps in a mixing/equalization basin prior to flowing through a limestone channel. The water will then enter the main treatment system, which will consist of a settling basin, bioreactor and a final settling basin before being discharged to the existing wetland. The system will have a design flow of 125 gallons per minute and is designed to remove 210 lbs./day of acidity, 1 lb./day of iron and 55 lbs./day of aluminum. The metals removed will be retained in the settling ponds and treated water should be able to support an aquatic community. The project is anticipated to result in downstream water quality improvements by

reducing acidity, iron and aluminum loadings. The project will result in 0.16 acre of wetlands to be permanently impacted during the construction of the system. Mitigation proposed includes onsite wetland creation (0.03 acre) and contribution to the PA Wetland Replacement Fund (\$1,000). The total impact to the AMD channels is estimated to be 2,677 linear feet. Mitigation for the stream channel impact is improved water quality downstream of the treatment system. Reclamation of 3 acres of land including an un-reclaimed high wall will take place upgradient of the Mon 40 discharge.

**E49-323. Robert Feaster**, PO Box 47, Northumberland, PA 17857. Feaster Farms Bank Stabilization, in Point Township, **Northumberland County**, ACOE Baltimore District (Northumberland, PA Quadrangle Latitude: 40-54-25; Longitude: 76-45-47).

The Feaster Bros Farm LLC is authorized to construct, operate and maintain 2,500 linear feet of riprap stream bank protection along the Susquehanna River, Warm Water Fishery, to reduce the accelerated erosion impacts. This protection will be installed to reproduce a bench feature lost from the erosion. The protection will be constructed of R-6 riprap with the voids filled with R-2 riprap. This permit also authorizes 100 linear feet of R-6 riprap stream bank protection on the east and west banks of Lithia Springs, Cold Water Fishery, to reduce the accelerated erosion impacts. This project does not impact wetlands. This project is located at the confluence of Lithia Springs and extends upstream on the Susquehanna River 2,500 linear feet, Point Township, Northumberland County.

**E49-326. Tim King**, 1985 River Road, Watsontown, PA 17777. King Home, in Delaware Township, **Northumberland County**, ACOE Baltimore District (Montoursville South, PA Quadrangle Latitude: 40°8'5"; Longitude: 76°53'27").

To demolish the existing home measuring 15 feet wide by 75 feet long. This structure is perpendicular to flow and is at grade. The owner intends to construct, operate and maintain a new structure measuring 27 feet by 56 feet. This structure will be situated on a concrete foundation, which will be flood proofed to meet the Municipal ordinances. This structure will also be situated parallel with the flow as to allow reduced obstruction in the floodway of the West Branch of the Susquehanna River. The new structures top of floor framing will be 1.83 feet higher than the 100 yr flood elevation. This permit was issued under Section 105.13(e) "Small Projects."

**E59-514. I-99 Commerce Park, LLC**, 3000 Atrium Way, Suite 261, Mount Laurel, NJ, 08054-3926. I-99 Commerce Park land development project in Mansfield Borough, **Tioga County**, ACOE Baltimore District (Mansfield, PA Quadrangle Latitude: 41° 48' 05.20"; Longitude: 77° 05' 12.58").

The Department is giving the applicant consent to construct, operate and maintain 0.316 acres of wetland fill for the purpose of developing five commercial/industrial lots. The detailed summary of the isolated wetland encroachments are as follows:

Wetland ID	Location	Impact Acreage	Resource	Activity
E	Lot 4	0.018	PEM—isolated	Fill/Grade
F—Ag Ditch	Lot 9	0.170	PEM—isolated	Fill/Grade
G	Lot 9	0.025	PEM—isolated	Fill/Grade
Q	Lot 9	0.020	PEM—isolated	Fill/Grade

<i>Wetland ID</i>	<i>Location</i>	<i>Impact Acreage</i>	<i>Resource</i>	<i>Activity</i>
J	Lot 18	0.024	PEM—isolated	Fill/Grade
K	Lots 17 & 18	0.059	PEM—isolated	Fill/Grade

The permanent wetland encroachments will be mitigated on-site with a 1:1 ratio through the creation of a minimum of 0.235 acre PEM wetlands. The balance of 0.081 acre has already been established and accounted for in a previous expired permit, E59-482. The project is located at the southeast corner of SR 15 and SR 6 interchange in the Borough of Mansfield.

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

**E65-953. Festival Fun Park, LLC**, PO Box C, RTE 30E, Idlewild Hill Lane, Ligonier, PA 15658, Ligonier Township, **Westmoreland County**; ACOE Pittsburgh District

Applicant has been given consent to remove the existing facilities and to construct and maintain a water attraction approximately 600 feet long, 15' wide and 3 feet deep: a 25 feet by 20 feet filtration pump room and other associated facilities within the right bank floodway of Loyalhanna Creek (CWF). The project is located at the Idlewild Park and Soakzone amusement park in Ligonier Township, Westmoreland County (Derry PA Quadrangle; N: 1.7"; W: 4.5"; Latitude: 40° 15' 32"; Longitude: 79° 16' 57").

**E02-1671. Pennsylvania Department of Transportation—District 11-0**, 45 Thoms Run Rd., Bridgeville, PA 15017, City of Pittsburgh & Whitehall Borough, **Allegheny County**; ACOE Pittsburgh District

Applicant has been given consent to:

1. Construct and maintain 20.75 foot inlet and 15.16 foot outlet extensions to the existing SR 51 two lane, 11.5 foot wide by 137 foot long single span bridge having a minimum underclearance of 5.0 feet in Weyman Run (WWF) with a drainage area of 1.0 square miles;

2. Construct and maintain a 11.8 foot wide 25 foot long 7.7 foot underclearance box culvert extension on the existing Stewart Avenue, two lane, 11.5 foot wide by 50 foot long single span bridge having a minimum underclearance of 7.7 feet in Weyman Run (WWF) with a drainage area of 1.0 square mile;

3. Remove the existing SR 51 two lane, 23.5 foot wide by 67 foot long single span bridge having a minimum underclearance of 7.8 feet; construct and maintain a replacement two lane 31.8 foot wide by 66.5 foot long single span bridge having a minimum underclearance of 7.8 feet in Weyman Run (WWF) with a drainage area of 2.65 square miles;

4. Construct and maintain a new, Glenbury Street, two lane 35 foot wide by 36 foot long single span bridge having a minimum underclearance of 3.8 feet in Weyman Run (WWF) with a drainage area of 2.7 square miles

5. Remove the existing SR 51 two lane, 24 foot wide by 72 foot long single span bridge having a minimum underclearance of 6.5 feet; construct and maintain a replacement two lane 24 foot wide by 72 foot long single span bridge having a minimum underclearance of 6.5 feet in Weyman Run (WWF) with a drainage area of 2.7 square miles;

6. Remove the existing SR 51, 38 foot wide, 225 foot long single span bridge extending thru the confluence of Weyman Run with Saw Mill Run: construct and maintain a replacement two lane 32 foot wide by 277 foot long single span concrete arch culvert having a minimum underclearance of 4.8 feet in Saw Mill Run (WWF) with a drainage area of 6.1 square miles; construct and maintain a replacement two lane 24 foot wide by 292 foot long single span concrete arch culvert having a minimum underclearance of 6.7 feet in Weyman Run (WWF) with a drainage area of 2.7 square miles to a relocated confluence with Saw Mill Run;

7. In addition install and maintain road associated stormwater outfalls; install and remove temporary encroachments for construction; and provide stream mitigation.

This project is associated with the SR 51 and SR 88 intersection improvement work with these encroachments extending approximately 0.25 mile south of the SR 51 intersection with SR 88 in the City of Pittsburgh and into Whitehall Borough, Allegheny County (beginning Pittsburgh East PA Quadrangle, North 0.7 inch and West 2.6 inches; Latitude 40° 22' 57" and Longitude -79° 59' 47"; to North 1.4 inches and West 17 inches; Latitude 40° 22' 44" and Longitude -79° 59' 33").

**E02-1672. Pennsylvania Department of Transportation—District 11-0**, 45 Thoms Run Rd., Bridgeville, PA 15017, Pine Township, **Allegheny County**; ACOE Pittsburgh District

Applicant has been given consent to construct and maintain:

1. A 280 ft. long relocation of which 193 ft. is enclosed in a 36 in diameter RCP of an unnamed tributary to the North Fork of Pine Creek (CWF) with a drainage area of less than 100 acres.

2. A replacement of the existing SR 910, 28 ft. wide, 27 ft. long, 7 ft underclearance, single span bridge, by a 43 ft. wide, 48 ft. long, 7 ft. underclearance single span bridge on the North Fork of Pine Creek with a drainage area of 3.8 square miles.

3. A replacement of the existing SR 910, 17.4 ft. wide, 28 ft. long, 7 ft underclearance, single span bridge, by a 17.4 ft. wide, 43 ft. long, 8 ft. underclearance box culvert depressed one foot on an unnamed tributary to the North Fork of Pine Creek with a drainage area of 2.1 square miles.

In addition construct and maintain associated stormwater outfalls; construct and remove temporary encroachments for construction; fill and maintain a total of 0.13 acre of PEM/PSS wetland. Wetland mitigation will occur on site.

This project is associated with SR 910 improvement work with the encroachments starting approximately at the intersection with SR 4063, Pearce Mill Road continuing approximately 1000 ft. west (beginning from Mars PA Quadrangle, North 0.5 inch and West 3.5 inches; Latitude 40° 37' 39" and Longitude -80° 01' 32"; and ending North 0.4 inch and West 4.0 inches; Latitude 40° 37' 37" and Longitude -80° 01' 44"), in Pine Township, Allegheny County.



**E63-635. Washington County**, 100 West Beau Street, Suite 701, Washington, PA 15301, Hopewell Township, **Washington County**; ACOE Pittsburgh District.

Has been given consent to construct, operate and maintain a boat launch, a handicapped fishing pier, and lake access facility (parking facilities, picnic shelters, and restroom facilities) and construct and maintain an outfall to Cross Creek Lake (HQ-WWF). The project will impact approximately 457 ft. of isolated unnamed tributaries to Cross Creek Lake and 95 ft. of shoreline, for grading. The proposed structures will be constructed along Cross Creek Lake in Cross Creek (HQ-WWF). The project is located in Cross Creek County Park near the intersection of SR 844 and Thompson Hill Road (West Middletown, PA quadrangle; N: 22.5 inches, W: 5.8 inches; Latitude: 40° 15' 45.7"; Longitude: 80° 25' 6.1") in Hopewell Township, Washington County.

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

**E25-746, Millcreek Township Sewer Authority**, 3608 West 26th Street, Erie, PA 16506 in Millcreek Township, **Erie County**, ACOE Pittsburgh

To conduct stabilization and restoration activities on a 1,175 linear foot reach of Walnut Creek directly north of the Millcreek Mall complex. The project to include approximately 1000 feet of Walnut Creek channel realignment, stream bank reconstruction, riparian buffer vegetation planting, installation and maintenance of log vanes, rock cross-vanes, modified mud sills, boulder and riprap placement, and the construction and maintenance of parking facilities, picnic areas, hiking trails, and a fishing pier within the flood plain of Walnut Creek. (Erie South, PA Quadrangle N: 42°, 4', 22"; W: -80°, 6', 5")

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

**E0829-058: Angelina Gathering Company, LLC**, 2350 N. Sam Houston Parkway Houston, TX 77032, Herrick Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. Two 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 14,344 square feet of a Palustrine Scrub-Shrub Wetland (Le Raysville, PA Quadrangle, Latitude: 41°48'00", Longitude: -76°14'53");

2. Two 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 70 linear feet of an unnamed tributary to Cold Creek (WWF) (Le Raysville, PA Quadrangle, Latitude: 41°48'04", Longitude: -76°14'53");

3. Two 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 13,291 square feet of a Palustrine Scrub-Shrub Wetland (Le Raysville, PA Quadrangle, Latitude: 41°48'06", Longitude: -76°14'53");

4. Two 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 70 linear feet of an unnamed tributary to Cold Creek (WWF) and impacting 38,904 square feet of a Palustrine Scrub-Shrub Wetland (Le Raysville, PA Quadrangle, Latitude: 41°48'17", Longitude: -76°14'51");

5. Two 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting

15,682 square feet of a Palustrine Emergent Wetland (Le Raysville, PA Quadrangle, Latitude: 41°48'39", Longitude: -76°14'52");

6. Two 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 6,016 square feet of a Palustrine Emergent Wetland (Le Raysville, PA Quadrangle, Latitude: 41°48'43", Longitude: -76°14'52");

7. Two 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 70 linear feet of an unnamed tributary to Cold Creek (WWF) and impacting 4,704 square feet of a Palustrine Forested Wetland (Le Raysville, PA Quadrangle, Latitude: 41°48'49", Longitude: -76°14'56");

The project will result in 210 linear feet and 2,200 square feet of temporary stream impacts and 88,237 square feet (2.03 acres) of temporary PEM and PSS wetland impacts and 4,704 square feet (0.11 acre) of permanent impact to PFO wetlands all for the purpose of installing a natural gas pipeline and a water line with associated access roadways for Marcellus shale development. The permittee will provide 1.65 acres of wetland enhancement and 0.50 acre of Forested Riparian Buffer instillation at the Hebda Property (Le Raysville, PA Quadrangle 41°45'05"N 76°10'28"W).

**E5829-036: Williams Field Services Company, LLC**, 1605 Coraopolis Heights Road, Moon Township, PA 15108, Brooklyn Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. an 8-inch diameter natural gas gathering pipeline and timber mat crossing impacting 78 lineal feet of an unnamed tributary to Horton Creek (CWF-MF) and impacting 708 square feet (0.02 acre) of a PEM wetland (Hop Bottom NE, PA Quadrangle; Lat. 41° 43' 34", Long. -75° 48' 34");

2. an 8-inch diameter natural gas gathering pipeline and timber mat crossing impacting 695 square feet (0.02 acre) of a PEM wetland (Hop Bottom NE, PA Quadrangle; Lat. 41° 43' 25", Long. -75° 48' 24");

3. an 8-inch diameter natural gas gathering pipeline and timber mat crossing impacting 102 lineal feet of an unnamed tributary to Horton Creek (CWF-MF) and impacting 9,747 square feet (0.22 acre) of a PEM wetland (Hop Bottom NE, PA Quadrangle; Lat. 41° 43' 24", Long. -75° 48' 22");

4. an 8-inch diameter natural gas gathering pipeline and timber mat crossing impacting 672 square feet (0.02 acre) of a PEM wetland (Hop Bottom NE, PA Quadrangle; Lat. 41° 43' 22", Long. -75° 48' 15");

5. an 8-inch diameter natural gas gathering pipeline and timber mat crossing impacting 6,721 square feet (0.15 acre) of a PEM wetland (Hop Bottom NE, PA Quadrangle; Lat. 41° 42' 08", Long. -75° 47' 30").

The Molner gas gathering line project will convey natural gas, for approximately 1.97 miles, from the Molner well site to the Williams—Lindaville Pipeline. The project will result in 180 linear feet (512 square feet) of temporary stream impacts, a total of 0.57 acre (24,829 square feet) of temporary wetland impacts, and 0.43 acre (18,543 square feet) of wetland impacts. All for the purpose of constructing, operating, and maintaining a natural gas gathering line for gas conveyance to market.

**E4129-053: Anadarko Marcellus Midstream LLC**, 33 West Third Street, Suite 200, Williamsport, PA 17701, Pine Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) two 6 inch gas lines, two 6 inch water lines, one 12 inch water line, one 24 inch gas line, electric/fiber optic line, and a timber mat crossing impacting 108 linear feet of an unnamed tributary to Little Pine Creek (EV, MF) (English Center, PA Quadrangle 41°27'52"N 77°15'14"W);

2) two 6 inch gas lines, two 6 inch water lines, one 12 inch water line, one 24 inch gas line, and electric/fiber optic line impacting 134 linear feet of Little Pine Creek (EV, MF) (English Center, PA Quadrangle 41°28'00"N 77°15'17"W);

3) two 6 inch gas lines, two 6 inch water lines, one 12 inch water line, one 24 inch gas line, and electric/fiber optic line impacting 130 linear feet of an unnamed tributary to Little Pine Creek (EV, MF) (English Center, PA Quadrangle 41°28'14"N 77°15'21"W);

4) two 6 inch gas lines, two 6 inch water lines, one 12 inch water line, one 24 inch gas line, and electric/fiber optic line impacting 68 linear feet of an unnamed tributary to Little Pine Creek (EV, MF) (English Center, PA Quadrangle 41°28'15"N 77°15'21"W);

5) two 6 inch gas lines, two 6 inch water lines, one 12 inch water line, one 24 inch gas line, electric/fiber optic line, and a timber mat crossing impacting 35 square feet of palustrine forested (PFO) wetland (English Center, PA Quadrangle 41°28'17"N 77°15'24"W);

6) two 6 inch gas lines, two 6 inch water lines, one 12 inch water line, one 24 inch gas line, electric/fiber optic line, and a timber mat crossing impacting 3505 square feet of palustrine emergent (PEM) wetland (English Center, PA Quadrangle 41°28'54"N 77°16'32"W);

7) two 6 inch gas lines, two 6 inch water lines, one 12 inch water line, one 24 inch gas line, electric/fiber optic line, and a timber mat crossing impacting 398 square feet of palustrine forested (PFO) wetland (English Center, PA Quadrangle 41°28'56"N 77°16'35"W);

8) two 6 inch gas lines, two 6 inch water lines, one 12 inch water line, one 24 inch gas line, electric/fiber optic line, and a timber mat crossing impacting 127 linear feet of an unnamed tributary to Bonnell Run (EV, MF) (English Center, PA Quadrangle 41°28'56"N 77°16'37"W);

9) two 6 inch gas lines, two 6 inch water lines, one 12 inch water line, one 24 inch gas line, and electric/fiber optic line impacting 30 square feet of palustrine forested (PFO) wetland (English Center, PA Quadrangle 41°29'01"N 77°16'37"W).

The project will result in 567 linear feet of temporary stream impacts and 0.09 acre of temporary wetland impacts all for the purpose of installing natural gas and freshwater pipelines with associated roadways for Marcellus well development.

#### ENVIRONMENTAL ASSESSMENTS

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

**D43-019. Mr. Patrick O'Mahony, Buhl Farm Trust**, P. O. Box 709, Sharon, PA 16146-1590. Hermitage City, **Mercer County**, ACOE Pittsburgh District.

Project proposes to remove approximately 6 acres of accumulated silts and sediments from the reservoir im-

pounded by the Buhl Park Dam located across Thornton Run (WWF) (Sharon East, PA Quadrangle, Latitude: 41.2492; Longitude: -80.4844).

**E1014-001. City of Butler**, 124 West Diamond Street, Butler, PA 16001, Sullivan Run Channel Improvement Project, City of Butler, **Butler County**, ACOE Pittsburgh District.

This permit is requested to replace three bridges along Sullivan Run in the City of Butler, Butler County, PA. The flood improvement project is known as The Continuation of Sullivan Run Channel Improvement Project DGS 183-21 Phase 1 (DEP C10:03). The project area will be impacted during construction and a total of .69 acre below Ordinary High Water will be disturbed. Reference the USGS "IRWIN" Quadrangle North 20.0 inches, West 4.0 inches. The following activities are associated with the construction of this project:

- Construct 85 lineal feet of concrete channel and concrete wall that will transition into 185 lineal foot concrete box culvert that replaces West Penn Street and Miller Street Bridges.

- Construct 120 foot long concrete box culvert will replace the West Brady Street Bridge with 40 feet of concrete u channel downstream of the culvert.

- Remove the twin 11 foot culverts at the former Armco Steel factory and former Allegheny Axle Company which will return the stream to its original streambed.

Anticipated construction time is 12 to 18 months.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

*Southwest Region: Oil & Gas Program Mgr. 400 Waterfront Dr. Pittsburgh PA*

11/26/12

ESCGP-1 No: ESX12-059-0052

Applicant Name: CNX GAS COMPANY LLC

Contact Person MS TARA MEEK

Address: 200 EVERGREEN DRIVE

City: WAYNESBURG State: PA Zip Code: 15370  
 County: GREENE Township: MORRIS  
 Receiving Stream (s) And Classifications: UNT TO  
 PATTERSON CREEK/BROWNS CREEK, AND UNT  
 TO ENLOW FORK/UNT TO ENLOW FORK; HQ;  
 OTHER WWF

10/9/12  
 ESCGP-1 No.: ESX12-125-0116  
 Applicant Name: MARKWEST LIBERTY MIDSTREAM &  
 RESOURCES LLC  
 Contact Person: MR RICK LOWRY  
 Address: 601 TECHNOLOGY DRIVE SUITE 300  
 City: CANONSBURG State: PA Zip Code: 15317  
 County: WASHINGTON Township(s): JEFFERSON,  
 HANOVER, SMITH, CROSS CREEK  
 Receiving Stream(s) and Classifications: UNTs TO  
 HARMON CREEK (WWF), UNTs TO CROSS CREEK  
 (WWF), UNTs TO RACCOON CREEK (WWF),  
 HARMON CREEK (WWF); OTHER

11/6/12  
 ESCGP-1 No.: ESX12-059-0050  
 Applicant Name: ENERGY CORPORATION OF  
 AMERICA  
 Contact Person: MR TRAVIS WENDEL  
 Address: 101 HERITAGE RUN ROAD SUITE 1  
 City: INDIANA State: PA Zip Code: 15701  
 County: GREENE Township(s): CUMBERLAND  
 Receiving Stream(s) and Classifications: COAL RUN AND  
 MUDDY CREEK/LOWER MONONGAHEALA WATER-  
 SHED; OTHER

8/31/12  
 ESCGP-1 No.: ESX12-059-0043  
 Applicant Name: CHEVRON APPALACHIA LLC  
 Contact Person: MR JEREMY HIRTZ  
 Address: 800 MOUNTAIN VIEW DRIVE  
 City: SMITHFIELD State: PA Zip Code: 15478  
 County: GREENE Township(s): DUNKARD  
 Receiving Stream(s) and Classifications: UNT TO  
 DUNKARD CREEK(WWF)/UPPER MONONGAHELA;  
 OTHER

10/23/12  
 ESCGP-1 No.: ESX12-059-0048  
 Applicant Name: APPALACHIA MIDSTREAM SERVICES  
 LLC  
 Contact Person: MR TOBY LATTEA  
 Address: 179 CHESAPEAKE DRIVE  
 City: JANE LEW State: WV Zip Code: 26378-8601  
 County: GREENE Township(s): ALEPPO & RICHHILL  
 Receiving Stream(s) and Classifications: SEE APPENDIX  
 A—RECEIVING WATERS; OTHER

12/11/12  
 ESCGP-1 No.: ESX12-125-0137  
 Applicant Name: RANGE RESOURCES APPALACHIA  
 LLC  
 Contact Person: MS LAURA M RUSMISEL  
 Address: 3000 TOWN CENTER BOULEVARD  
 City: CANONSBURG State: PA Zip Code: 15317  
 County: WASHINGTON Township(s): CHARTIERS  
 Receiving Stream(s) and Classifications: UNTs TO  
 CHARTIERS RUN (WWF) AND CHARTIERS RUN  
 (WWF)/CHARTIERS CREEK WATERSHED; OTHER

11/27/12  
 ESCGP-1 No.: ESX12-059-0053  
 Applicant Name: APPALACHIA MIDSTREAM SERVICES  
 LLC  
 Contact Person: MR TOBY LATTEA  
 Address: 179 CHESAPEAKE DRIVE

City: JANE LEW State: WV Zip Code 26378-8601  
 County: GREENE Township(s): RICHHILL  
 Receiving Stream(s) and Classifications: SEE APPENDIX  
 A—RECEIVING WATERS; OTHER

12/13/12  
 ESCGP-1 No.: ESX12-129-0027  
 Applicant Name: CNX GAS COMPANY LLC  
 Contact Person: MR JONATHAN MADILL  
 Address: 280 INDIAN SPRINGS ROAD  
 City: INDIANA State: PA Zip Code: 15701  
 County: WESTMORELAND Township(s): WASHINGTON  
 Receiving Stream(s) and Classifications: TRIB 42975 TO  
 BEAVER RUN/BEAVER RUN HQ-CWF) UNT 1 TO  
 TRIB 42975 TO BEAVER RUN/BEAVER RUN (HQ-  
 CWF) UNT TO UNT 1 TO TRIB 42975 TO BEAVER  
 RUN/BEAVER RUN (HQ-CWF) UNT 5 TO TRIB 42975  
 TO BEAVER RUN/BEAVER RUN (HQ-CWF) UNT TO  
 TRIB 42976 TO BEAVER RUN/BEAVER RUN (HQ-  
 CWF) UNT TO UNT TO TRIB 42976 TO BEAVER  
 RUN/BEAVER RUN (HQ-CWF) HQ

10/1/12  
 ESCGP-1 No.: ESX12-125-0111  
 Applicant Name: RANGE RESOURCES APPALACHIA  
 LLC  
 Contact Person: MR GLENN D TRUZZI  
 Address: 3000 TOWN CENTER BOULEVARD  
 City: CANONSBURG State: PA Zip Code: 15317  
 County: WASHINGTON Township(s): ROBINSON  
 Receiving Stream(s) and Classifications: UNT TO RAC-  
 COON CREEK (WWF) AND BIGGER RUN (WWF)/  
 RACCOON CREEK WATERSHED; OTHER

10/31/12  
 ESCGP-1 NO.: ESX12-063-0010  
 Applicant Name: CNX GAS COMPANY LLC  
 CONTACT PERSON: MS TARA MEEK  
 ADDRESS: 280 INDIAN SPRINGS ROAD SUITE 333  
 City: INDIANA State: PA Zip Code: 15701  
 County: INDIANA Township(s): CONEMAUGH  
 Receiving Stream(s) and Classifications: BLACKLEGS  
 CREEK (WWF) BIG RUN (CWF) KISKIMINETAS  
 RIVER (WWF) SULPHUR RUN (CWF); OTHER

11/19/12  
 ESCGP-1 NO.: ESX12-063-0012  
 Applicant Name: XTO ENERGY INC  
 CONTACT: MS MELISSA BREITENBACH  
 ADDRESS: 502 KEYSTONE DRIVE  
 City: WARRENDALE State: PA Zip Code: 15086  
 County: INDIANA Township(s): CENTER  
 Receiving Stream(s) and Classifications: STEWART RUN,  
 CWF; OTHER

10/18/12  
 ESCGP-1 NO.: ESX12-005-0019  
 Applicant Name: XTO ENERGY INC  
 CONTACT: MS MELISSA BREITENBACH  
 ADDRESS: 502 KEYSTONE DRIVE  
 City: WARRENDALE State: PA Zip Code: 15086  
 County: ARMSTRONG Township(s): SOUTH BUFFALO  
 Receiving Stream(s) and Classifications: BUFFALO  
 CREEK (HQ-TSF); OTHER

10/3/12  
 ESCGP-1 NO.: ESX12-063-0008  
 Applicant Name: XTO ENERGY INC  
 CONTACT: MS MELISSA BREITENBACH  
 ADDRESS: 502 KEYSTONE DRIVE  
 City: WARRENDALE State: PA Zip Code: 15086  
 County: INDIANA Township(s): CENTER  
 Receiving Stream(s) and Classifications: UNT TO  
 AULTMANS RUN (TSF); OTHER

12/4/12

ESCGP-1 NO.: ESX12-125-0135

Applicant Name: CNX GAS COMPANY LLC

CONTACT: MS TARA MEEK

ADDRESS: 200 EVERGREEN DRIVE

City: WAYNESBURG State: PA Zip Code: 15370

County: WASHINGTON Township(s): WEST FINLEY

Receiving Stream(s) and Classifications: UNT TO TRIBUTARY 32650 TO ROBINSON FORK AND SPOTTEDTAIL RUN AND UNT TO SPOTTEDTAIL RUN (WWF); OTHER

10/2/12

ESCGP-1 NO.: ESX11-051-0002 MAJOR REVISION

Applicant Name: LAUREL MOUNTAIN MIDSTREAM LLC

CONTACT: MR JOE MCCAY

ADDRESS: 1605 CORAOPOLIS HEIGHTS ROAD

City: MOON TOWNSHIP State: PA Zip Code: 15108

County: FAYETTE Township(s): SPRINGHILL &amp; NICHOLSON

Receiving Stream(s) and Classifications: GEORGES CREEK (WWF) &amp; UNT TO GEORGES CREEK (WWF), UNTs TO MONONGAHELA RIVER (WWF), UNTs TO CHEAT RIVER (WWF), UNTs TO JACOBS CREEK/LOWER MONONGAHELA WATERSHED &amp; CHEAT WATERSHED; OTHER

11/9/12

ESCGP-1 NO.: ESX12-125-0129

Applicant Name: APPALACHIA MIDSTREAM SERVICES LLC

CONTACT: MR TOBY LATTEA

ADDRESS: 179 CHESAPEAKE DRIVE

City: JANE LEW State: WV Zip Code: 26378

County: WASHINGTON Township(s): DONEGAL &amp; INDEPENDENCE

Receiving Stream(s) and Classifications: UNT TO BUFFALO CREEK &amp; BUFFALO CREEK &amp; DOG RUN; HQ

12/14/12

ESCGP-1 NO.: ESX11-129-0022 MAJOR REVISION

Applicant Name: CHEVRON APPALACHIA LLC

CONTACT: ALEX GENOVESE

ADDRESS: 800 MOUNTAIN VIEW DRIVE

City: SMITHFIELD State: PA Zip Code: 15478

County: WESTMORELAND Township(s): SOUTH HUNTINGDON

Receiving Stream(s) and Classifications: UNTs to YOUGHIOGHENY RIVER (WWF) AND PAINTERS RUN (WWF)/LOWER YOUGHIOGHENY RIVER WATERSHED; OTHER

12/6/12

ESCGP-1 NO.: ESX12-129-0026

Applicant Name: CNX GAS COMPANY LLC

CONTACT: MR JONATHAN MADILL

ADDRESS: 280 INDIAN SPRINGS ROAD

City: INDIANA State: PA Zip Code: 15701

County: WESTMORELAND Township(s): WASHINGTON

Receiving Stream(s) and Classifications: TRIB 42975 TO BEAVER RUN (HQ-CWF)/ BEAVER RUN; UNT 1 TO TRIB 42975 TO BEAVER RUN (HQ-CWF)/BEAVER RUN; UNT TO UNT 1 TO TRIB 42975 TO BEAVER RUN (HQ-CWF)/BEAVER RUN; UNT 2 TO TRIB 42975 TO BEAVER RUN (HQ-CWF)/BEAVER RUN; UNT 3 TO TRIB 42975 TO BEAVER RUN (HQ-CWF)/BEAVER RUN; UNT 4 TO TRIB 42975 TO BEAVER RUN (HQ-CWF)/BEAVER RUN; UNT 5 TO TRIB 42975 TO BEAVER RUN (HQ-CWF)/BEAVER RUN; UNT TO UNT TO TRIB

42976 TO BEAVER RUN (HQ-CWF)/BEAVER RUN; UNT TO TRIB 42959 TO POKE RUN (HQ-CWF)/ BEAVER RUN; HQ

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

ESCGP-1 # ESX11-115-0190 (01)

Applicant Name Williams Field Services Company, LLC

Contact Person Sandra Lojek

Address 1605 Coraopolis Heights Road

City, State, Zip Coraopolis, PA 15108-4310

County Susquehanna County

Township(s) Brooklyn and Dimock Townships

Receiving Stream(s) and Classification(s) Meshoppen Creek and a Trib to Meshoppen Creek (Both CWF)

ESCGP-1 # ESX12-081-0162

Applicant Name Range Resources-Appalachia, LLC

Contact Person Mary Patton

Address 100 Thorckmorton Street, Suite 1200

City, State, Zip Ft. Worth, TX 76102

County Lycoming County

Township(s) McIntyre Township

Receiving Stream(s) and Classification(s) Long Run, Yoder Hollow (Both EV);  
Secondary: Lycoming Creek

ESCGP-1 # ESX12-081-0015 (02)

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) UNTs to Slacks Run, Slacks Run, UNTs to Salt Run, Salt Run, UNTs to West Branch Wallis Run, West Branch Wallis Run (HQ, EV)

ESCGP-1 # ESX12-115-0096 (01)

Applicant Name Williams Field Services Company, LLC

Contact Person Julie Nicholas

Address 1212 S. Abington Road

City, State, Zip Clarks Summit, PA 18411

County Susquehanna County

Township(s) Forest Lake Township

Receiving Stream(s) and Classification(s) UNT to Forest Lake Creek (CWF/MF)

ESCGP-1 # ESX11-015-0280 (01)

Applicant Name Talisman Energy USA, Inc.

Contact Person Tracy Gregory

Address 337 Daniel Zenker Drive

City, State, Zip Horseheads, NY 14845

County Bradford County

Township(s) Pike, Orwell and Warren Townships

Receiving Stream(s) and Classification(s) Pendleton Creek, UNTs of Johnson Creek, Beaver Creek (All CWF/MF)

ESCGP-1 # ESX12-113-0041

Applicant Name Chief Oil &amp; Gas, LLC

Contact Person Jeffrey Deegan

Address 6051 Wallace Road Ext., Suite 300

City, State, Zip Wexford, PA 15090

County Sullivan County

Township(s) Elkland Township

Receiving Stream(s) and Classification(s) Tribs 20090 and 20091 to Elk Creek (EV/MF);  
Secondary: Elk Creek

ESCGP-1 # ESX12-113-0044

Applicant Name PVR NEPA Gas Gathering, LLC

Contact Person Nicholas Bryan

Address 100 Penn Tower, Suite 201-202, 25 W. Third Street  
 City, State, Zip Williamsport, PA 17701  
 County Sullivan County  
 Township(s) Shrewsbury and Davidson Townships  
 Receiving Stream(s) and Classification(s) UNT to Trout Run, Trout Run (HQ-CWF/MF), UNT to Rock Run, Rock Run, Muncy Creek (All EV/MF)

ESCGP-1 # ESX12-015-0221  
 Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Greg Floreke  
 Address 100 Ist Center  
 City, State, Zip Horseheads, NY 14845  
 County Bradford County  
 Township(s) Wilmot Township  
 Receiving Stream(s) and Classification(s) Two UNTs to Sugar Run (CWF), Sugar Run (CWF);  
 Secondary: Sugar Run Creek (CWF)

ESCGP-1 # ESX12-115-0216  
 Applicant Name Southwestern Energy Production Company  
 Contact Person Dave Sweeley  
 Address 917 State Route 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Susquehanna County  
 Township(s) New Milford and Great Bend Townships  
 Receiving Stream(s) and Classification(s) UNT to Mitchell Creek, UNT to Deacon Creek (Both CWF);  
 Secondary: Susquehanna River (WWF)

ESCGP-1 # ESX12-113-0045  
 Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Greg Floreke  
 Address 100 Ist Center  
 City, State, Zip Horseheads, NY 14845  
 County Sullivan County  
 Township(s) Forks Township  
 Receiving Stream(s) and Classification(s) Yellow Run, 2 UNTs to Yellow Run, UNT to Big Bottom Run, Streby Run (All EV);  
 Secondary: Yellow Run, Big Bottom Run (Both EV)

ESCGP-1 # ESX12-115-0215  
 Applicant Name Cabot Oil and Gas Corporation  
 Contact Person Kenneth Marcum  
 Address Five Penn Center West, Suite 401  
 City, State, Zip Pittsburgh, PA 15276  
 County Susquehanna County

Township(s) Gibson Township  
 Receiving Stream(s) and Classification(s) UNT to Bell Creek (CWF)

ESCGP-1 # ESX12-081-0166  
 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) Cogan House Township  
 Receiving Stream(s) and Classification(s) Flicks Run, Larry's Creek, Wolf Run (HQ/EV)

ESCGP-1 # ESG12-117-0089  
 Applicant Name Ultra Resources, Inc.  
 Contact Person Erika Tokarz  
 Address P. O. Box 1768  
 City, State, Zip Pinedale, WY 82941  
 County Tioga County  
 Township(s) Shippen and Delmar Townships  
 Receiving Stream(s) and Classification(s) Pine Creek, Marsh Creek, Herrington Hollow, Steele Run Hollow, Gray Hollow, Dantz Run, Kinney Hollow (All HQ, EV);  
 Secondary: UNTs to Pine and Marsh Creeks

ESCGP-1 # ESX12-115-0212  
 Applicant Name Williams Field Services Company, LLC  
 Contact Person Julie Nicholas  
 Address 1212 S. Abington Road  
 City, State, Zip Clarks Summit, PA 18411  
 County Susquehanna County  
 Township(s) Forest Lake  
 Receiving Stream(s) and Classification(s) UNT to Forest Lake Creek (CWF/MF)

ESCGP-1 # ESX12-015-0079 (01)  
 Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Greg Floreke  
 Address 100 Ist Center  
 City, State, Zip Horseheads, NY 14845  
 County Bradford County  
 Township(s) Wilmot Township  
 Receiving Stream(s) and Classification(s) 2 UNTs to Panther Lick Creek (CWF);  
 Secondary: Panther Lick Creek (CWF)  
 Corrected from November 27, 2012 (Incorrect Permit Number)

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

<i>ESCGP-1 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
0063128003	MarkWest Liberty Midstream & Resources, LLC 601 Technology Drive Suite 130 Canonsburg, PA 15317	Washington	Independence, Robinson, Smith, Mt. Pleasant, Chartiers Townships	UNT to Chartiers Run (WWF), UNT Raccoon Creek (WWF), UNT to Chamberlain Run (WWF), UNT to Cherry Run (WWF)
0063128004	Enterprise Products Operating, LLC PO Box 4324 Houston, TX 77210	Washington	Chartiers, Mt. Pleasant, Cross Creek, Smith, Jefferson Townships	UNT to Chartiers Run (WWF), UNT to Plum Run (WWF), UNT to Raccoon Creek (WWF), UNT to Scott Run (WWF)

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

ESCGP-1 #ESX12-019-0156A—Heasley Well Pad  
Applicant XTO Energy  
Contact Melissa Breitenbach  
Address 502 Keystone Drive  
City Warrendale State PA Zip Code 15086  
County Butler Township(s) Summit(s)  
Receiving Stream(s) and Classification(s) (2) UNTs to Coal Run

ESCGP-1 #ESX12-019-0173—Kellogg EPS Interconnect  
Applicant SWEPI LP  
Contact H. James Sewell  
Address 190 Thorn Hill Road  
City Warrendale State PA Zip Code 15086  
County Butler Township(s) Slippery Rock(s)  
Receiving Stream(s) and Classification(s) Unnamed Tributaries to Wolf Creek (CWF)

ESCGP-1 #ESX12-019-0177—Ambrose Freshwater Impoundment  
Applicant XTO Energy  
Contact Ms. Melissa Breitenbach  
Address 502 Keystone Drive  
City Warrendale State PA Zip Code 15086  
County Butler Township(s) Summit(s)  
Receiving Stream(s) and Classification(s) UNT to Coal Run

#### 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.

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

Well Permit #: 131-20258-00-00  
Well Farm Name EDF S WYO 9H  
Applicant Name: Chesapeake Appalachia, LLC.  
Contact Person: Eric Haskins  
Address: 101 N. Main Street, Athens, PA 18801  
County: Wyoming

Municipality Mehoopany 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, UNT to North Branch Mehoopany Creek.

Well Permit #: 015-22411-00-00  
Well Farm Name Hannan Bra 2H  
Applicant Name: Chesapeake Appalachia, LLC.  
Contact Person: Eric Haskins  
Address: 101 N. Main Street, Athens, PA 18801  
County: Bradford

Municipality Troy 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: East Troy, Tributary of the UNT to Sugar Creek.

Well Permit #: 015-22426-00-00  
Well Farm Name Elevation Bra 1H  
Applicant Name: Chesapeake Appalachia, LLC.  
Contact Person: Eric Haskins  
Address: 101 N. Main Street, Athens, PA 18801  
County: Bradford

Municipality Towanda 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: Towanda, Sugar Creek

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## STORAGE TANKS

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### 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
13-49-004	Northumberland Terminals Corp. P. O. Box 2621 Harrisburg, PA 17105-2621 Attn: Stephen Carten	Northumberland	Point Township	1 AST storing biodiesel	76,800 gallons

<i>SSIP Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
13-65-011	Allegheny Ludlum, LLC 100 River Road Brackenridge, PA 15014-1597 Attn: Deborah Calderazzo	Westmoreland	Leechburg Borough	1 AST storing chromic acid	10,300 gallons

**SPECIAL NOTICES**

**HAZARDOUS SITES CLEAN-UP  
UNDER THE ACT OF  
OCTOBER 18, 1988**

**Public Notice of Proposed Consent  
Order and Agreement  
Bottle House Site  
City of Allentown, Lehigh County**

Under section 1113 of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1305) (HSCA), notice is hereby provided that the Department of Environmental Protection (Department) has entered into a Consent Order and Agreement (CO&A) with Ignatios Hadjiloukas, J.L. Hoffman Company, and Tradig, Inc. (Settlor). The CO&A addresses the investigation and removal of hazardous substances and/or contaminants which were disposed of at the Bottle House Site (Site) by the Settlor. It has been determined by the Department that the Settlor does not maintain available assets through their certification concerning their financial condition. Therefore the Settlor will not be responsible to reimburse the Department their portion of the costs incurred to perform the site investigation/response activities at the Site.

The Site is located at 401-451 North Front Street, Allentown, Lehigh County and consists of a large three-story brick building that was the former bottling house for the Neuweiler Brewery. Brewery operations ceased at this site in the late 1960s. The Site then became an industrial property being utilized as a warehouse and manufacturing facility, which is surrounded on three sides by family residences, and by a community recreational area on the fourth side. The operations resulted in large quantities of hazardous substances and or contaminants being stored in the building. The Department alleges that the Settlor utilized the facility for the production and packaging of pesticides, plasticizers and cleaning compounds, “hazardous substances” and contaminants and disposed a nominal amount of hazardous substances and/or contaminants at the Site. The Department initiated a prompt interim response action under the HSCA on September 27, 1999. The objective of this prompt interim response action was to eliminate the immediate threat to human health and safety and the environment posed by the hazardous substances and/or contaminants that were present on the site. The response was completed on April 28, 2000, at a cost of \$1,563,183.46.

The settlement proposed in the CO&A referenced above would resolve certain potential claims of the Department solely against the Settlor, for future enforcement and reimbursement of response costs incurred by the Department in addressing the release or threat of release of hazardous substances and/or contaminants at the Site. The claims originated under the authority of the HSCA. The proposed settlement would require the Settlor to pay the Department the amount of \$5,000.

The specific terms of the settlement are set forth in the CO&A between the Department and the Settlor, which is

available for public review and comment. The Department will receive and consider comments relating to the CO&A for 60 days from the date of this Public Notice. The Department has the right to withdraw its consent to the CO&A if the comments concerning the CO&A disclose facts or considerations which indicate that the CO&A is inappropriate, improper, or not in the public interest. After the public comment period, the Department’s settlement with the Settlor shall be effective upon the date that the Department notifies the Settlor, in writing, that the CO&A is final and effective in its present form, and that the Department has filed a response to significant written comments to the CO&A, or that no such comments were received.

A copy of the CO&A is available for inspection at the Department’s Northeast Regional Office. Comments may be submitted, in writing, to Robert Lewis, Department of Environmental Protection, Hazardous Sites Cleanup, 2 Public Square, Wilkes-Barre, PA 18701-0915. Further information may be obtained by contacting Robert Lewis at 570-826-2511.

**HAZARDOUS SITES CLEAN-UP  
UNDER THE ACT OF  
OCTOBER 18, 1988**

**Public Notice of Proposed Consent  
Order and Agreement  
Bottle House Site  
City of Allentown, Lehigh County**

Under section 1113 of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1305) (HSCA), notice is hereby provided that the Department of Environmental Protection (Department) has entered into a Consent Order and Agreement (CO&A) with Rhodia Inc. (Settlor). The CO&A addresses the investigation and removal of hazardous substances and/or contaminants which were disposed of at the Bottle House Site (Site) by the Settlor. It has been determined by the Department that the Settlor does not maintain available assets through their certification concerning their financial condition. Therefore the Settlor will not be responsible to reimburse the Department their portion of the costs incurred to perform the site investigation/response activities at the Site.

The Site is located at 401-451 North Front Street, Allentown, Lehigh County and consists of a large three-story brick building that was the former bottling house for the Neuweiler Brewery. Brewery operations ceased at this site in the late 1960s. The Site then became an industrial property being utilized as a warehouse and manufacturing facility, which is surrounded on three sides by family residences, and by a community recreational area on the fourth side. The operations resulted in large quantities of hazardous substances and or contaminants being stored in the building. The Department alleges that the Settlor generated, owned and/or possessed “hazardous substances” or “contaminants” and that a minor amount of these waste materials were disposed of at the Site by a third party unknown to the parties. The Department initiated a prompt interim response action under the HSCA on September 27, 1999. The objective of this prompt interim response action was to eliminate the

immediate threat to human health and safety and the environment posed by the hazardous substances and/or contaminants that were present on the site. The response was completed on April 28, 2000, at a cost of \$1,563,183.46.

The settlement proposed in the CO&A referenced above would resolve certain potential claims of the Department solely against the Settlor, for future enforcement and reimbursement of response costs incurred by the Department in addressing the release or threat of release of hazardous substances and/or contaminants at the Site. The claims originated under the authority of the HSCA. The proposed settlement would require the Settlor to pay the Department the amount of \$32,000.

The specific terms of the settlement are set forth in the CO&A between the Department and the Settlor, which is available for public review and comment. The Department will receive and consider comments relating to the CO&A for 60 days from the date of this Public Notice. The Department has the right to withdraw its consent to the CO&A if the comments concerning the CO&A disclose facts or considerations which indicate that the CO&A is inappropriate, improper, or not in the public interest. After the public comment period, the Department's settlement with the Settlor shall be effective upon the date that the Department notifies the Settlor, in writing, that the CO&A is final and effective in its present form, and

that the Department has filed a response to significant written comments to the CO&A, or that no such comments were received.

A copy of the CO&A is available for inspection at the Department's Northeast Regional Office. Comments may be submitted, in writing, to Robert Lewis, Department of Environmental Protection, Hazardous Sites Cleanup, 2 Public Square, Wilkes-Barre, PA 18701-0915. Further information may be obtained by contacting Robert Lewis at 570-826-2511.

#### **Notice of Certification to Perform Radon-Related Activities in Pennsylvania**

In the month of December 2012 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>
Allied Inspection Services, Inc.	PO Box 1582 Bethlehem, PA 18016	Testing
David Bollinger	3650 Concorde Parkway #100 Chantilly, VA 20151	Testing
Clerkin Home Inspections, LLC	424 Marion Avenue Lower Gwynedd, PA 19002	Testing
Mark Dilts	2844 Slifer Valley Road Riegelsville, PA 18077	Testing
Raymond Fonos	1216 Edgewood Drive West Homestead, PA 15120	Testing
John Fordyce	7844 Old Route 56 Highway W Indiana, PA 15701	Testing
David Glick	2061 Kenbrook Road Lebanon, PA 17046	Testing
Lindsey Golubosky	5193 Forest Avenue Bedford, PA 15522	Testing
Margie Gordon	125 Nevins Way Coatesville, PA 18320	Testing & Lab Analysis
JCN Radon Services, Inc.	613 Zimmermans Hollow Road Sunbury, PA 17801	Mitigation
Steven Johnson Homechek, Inc.	1529 Rodney Road York, PA 17408	Testing
Daniel Jones Alpha Detection & Control	6 Chestwood Drive Connellsville, PA 15425	Mitigation
Randy Knesnik	413 Long Meadow Road Milford, PA 18337	Mitigation
Bruce Lampe	9615 Berea Street Philadelphia, PA 19114	Testing
Daniel Loeblich	1830 Frankstown Road Johnstown, PA 15902	Testing



<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Karl May, Jr.	82 Walnut Street Wellsboro, PA 16901	Testing
Jocelyne Melton Baxter Group, Inc.	941 Progress Road Chambersburg, PA	Testing & Mitigation
Michael Morrow	PO Box 18 Strasburg, PA 17579	Testing
Thomas Poole Testing Services, Inc.	1844 Swatara Street Harrisburg, PA 17104	Testing & Mitigation
Timothy Quinn, Jr.	322 Mall Boulevard, Ste. 303 Monroeville, PA 15146	Testing
RHIS, Inc.	100 Old Kennett Road Wilmington, DE 19807	Mitigation
David Scott Rawlings	8001 Roosevelt Boulevard Suite 400 Philadelphia, PA 19152	Testing
Lloyd Scarborough	429 Hillside Avenue Morrisville, PA 19067	Testing
Joel Schachter Precise Home Inspections	2901 Hemlock Farms Lords Valley, PA 18428	Testing
Edward Schluth	242 Newtown Road Warminster, PA 18974	Mitigation
Walter Shank	PO Box 1036 Carlisle, PA 17013	Testing
John Staz, III	1738 North 3rd Street, Ste. A Harrisburg, PA 17102	Mitigation
Matthew Steger	2133 Andrew Avenue Elizabethtown, PA 17022	Testing

### Section 401 Water Quality Certification

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

**30080702 and NPDES Permit No. PA0235881. Emerald Coal Resources, LP**, (PO Box 1020, 158 Portal Road, Waynesburg, PA 15370). Request for Section 401 Water Quality Certification for a new coal refuse disposal permit for the Emerald Mine No. 1 Coal Refuse Disposal Area No. 3 in Franklin Township, **Greene County**. This permit application was received on October 1, 2008, and accepted for review October 20, 2009. The Section 401 Water Quality Certification request was received October 9, 2012. Persons wishing to comment on or object to this request for Section 401 Water Quality Certification must submit comments or objections to the District Mining Office identified above within 30 days of the date of this public notice. Comments should contain the name, address, and telephone number of the person commenting, the identification of the permit application to which the comments pertain, and a concise statement of the comments, objections or suggestions including relevant facts upon which they are based. The application describing the details of the proposed installation is available for review, by appointment, at the District Mining Office identified above.

[Pa.B. Doc. No. 13-79. Filed for public inspection January 18, 2013, 9:00 a.m.]

### Solid Waste Advisory Committee Meeting Cancellation

The Solid Waste Advisory Committee (Committee) meeting scheduled for Thursday, February 7, 2013, has been cancelled. The next Committee meeting is scheduled for Thursday, May 16, 2013, at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105.

Questions concerning the next scheduled meeting of the Committee should be directed to Ali Tarquino-Morris at (717) 783-2360 or [altarquino@pa.gov](mailto:altarquino@pa.gov). The agenda and meeting materials for the May 16, 2013, 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 the Department at (717) 783-2360 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 13-80. Filed for public inspection January 18, 2013, 9:00 a.m.]

### State Board for Certification of Sewage Enforcement Officers Special Meeting

The State Board for Certification of Sewage Enforcement Officers (Board) and the Department of Environmental Protection (Department) have scheduled a teleconference meeting at 10 a.m. on Wednesday, January 23, 2013, in Conference Room B, 11th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The purpose of the meeting is to discuss the certification of new Sewage Enforcement Officer (SEO) candidates, acceptance of the July 31, 2012, Board meeting minutes, the 2013 dates for the SEO academy and examination, the 2013 dates for the SEO Board meetings and the nomination of a replacement Board member.

Questions concerning this meeting notice can be directed to Janice Vollero at (717) 783-7416 or [jvollero@pa.gov](mailto:jvollero@pa.gov).

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-7416 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL L. KRANCER,  
Secretary

[Pa.B. Doc. No. 13-81. Filed for public inspection January 18, 2013, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Lease Office Space to the Commonwealth Luzerne County

Proposals are invited to provide the Department of General Services with 2,318 usable square feet of office space for the Pennsylvania State Employees' Retirement System in Luzerne County. For more information on SFP No. 94467, which is due on Tuesday, February 26, 2013, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact David Weyandt at (717) 525-5255.

SHERI PHILLIPS,  
Secretary

[Pa.B. Doc. No. 13-82. Filed for public inspection January 18, 2013, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Bryn Mawr Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Bryn Mawr Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.1-8.5.3.2 (relating to technology distribution room).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [ra-paexcept@pa.gov](mailto:ra-paexcept@pa.gov).

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Acting Secretary

[Pa.B. Doc. No. 13-83. Filed for public inspection January 18, 2013, 9:00 a.m.]

### Application of Bucks County Access Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Bucks County Access Center, LLC has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 3.7-3.3.5, 3.7-3.4.2.3, 3.7-3.6.11.1, 3.7-3.6.11.6 and 3.7-6.1.1.

This facility is also requesting exceptions from 28 Pa. Code § 551.3 (relating to definitions).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [ra-paexcept@pa.gov](mailto:ra-paexcept@pa.gov).

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Acting Secretary

[Pa.B. Doc. No. 13-84. Filed for public inspection January 18, 2013, 9:00 a.m.]

### **Application of Cancer Treatment Centers of America at Eastern Regional Medical Center for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Cancer Treatment Centers of America at Eastern Regional Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.1-7.2.2.2 and 2.2-3.2.1(3) (relating to ceiling height; and general operating rooms x-ray viewing).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-85. Filed for public inspection January 18, 2013, 9:00 a.m.]

### **Application of Children's Surgery Center of Malvern, LLC for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Children's Surgery Center of Malvern, LLC has requested an exception to the requirements of 28 Pa. Code § 551.22(3)(ii) (relating to criteria for performance of ambulatory surgery on pediatric patients).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-86. Filed for public inspection January 18, 2013, 9:00 a.m.]

### **Application of Forbes Regional Hospital for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Forbes Regional Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-3.1.3.6 (relating to examination/treatment rooms work counter and cabinets).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-87. Filed for public inspection January 18, 2013, 9:00 a.m.]

### **Application of Magee Womens Hospital of UPMC for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Magee Womens Hospital of UPMC at the Cumberland Campus has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and*

*Healthcare Facilities.* The facility specifically requests exception from the following standards contained in this publication: 2.2-3.1.1.6(9) (relating to decontamination room).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-88. Filed for public inspection January 18, 2013, 9:00 a.m.]

### Application of OSS Health Ambulatory Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that OSS Health Ambulatory Surgery Center has requested an exception to the requirements of 28 Pa. Code § 551.21(d)(2) (relating to criteria for ambulatory surgery).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-89. Filed for public inspection January 18, 2013, 9:00 a.m.]

### Application of Penn Presbyterian Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Penn Presbyterian Medical Center has requested an exception to the requirements of 28 Pa. Code § 101.172 (relating to patient limits).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-90. Filed for public inspection January 18, 2013, 9:00 a.m.]

### Application of Pinnacle Health Hospitals at the Cumberland Campus for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Pinnacle Health Hospitals at the Cumberland Campus has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.1-8.5.3.2, 2.2-3.1.3.6 and 2.2-3.9.7.1 (relating to technology distribution room; examination/treatment rooms work counter and cabinets; and renal dialysis staff changing areas and staff shower).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-91. Filed for public inspection January 18, 2013, 9:00 a.m.]

### Application of Quality Vascular Access Services for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Quality Vascular Access Services has requested an exception to the requirements of 28 Pa. Code § 551.21(d)(3) (relating to criteria for ambulatory surgery).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-92. Filed for public inspection January 18, 2013, 9:00 a.m.]

### Application of Riddle Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Riddle Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.1-8.5.3.2 and 2.1-8.5.3.3(2) (relating to technology distribution room; and access to technology distribution room).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of

Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-93. Filed for public inspection January 18, 2013, 9:00 a.m.]

### Application of Saint Vincent Endoscopy Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Saint Vincent Endoscopy Center has requested an exception to the requirements of 28 Pa. Code §§ 553.1—553.4, 553.31, 555.3, 555.4, 557.1—557.3, 559.2 and 563.2(a) and (b).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-94. Filed for public inspection January 18, 2013, 9:00 a.m.]

### Application of Temple University Hospital Episcopal Campus for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives

notice that Temple University Hospital Episcopal Campus has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-3.1.6.9 and 2.2-3.1.6.10 (relating to clean and soiled holding areas in diagnostic; and treatment locations for emergency services).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-95. Filed for public inspection January 18, 2013, 9:00 a.m.]

### Application of Titusville Area Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Titusville Area Hospital has requested an exception to the requirements of 28 Pa. Code § 127.32 (relating to written orders).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

This facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-96. Filed for public inspection January 18, 2013, 9:00 a.m.]

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

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

Fair Winds Manor  
126 Iron Bridge Road  
Sarver, PA 16055

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

Cambria Care Center  
429 Manor Drive  
Ebensburg, PA 15931

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

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-97. Filed for public inspection January 18, 2013, 9:00 a.m.]

### Sexual Assault Victim Emergency Services; Listing of Hospitals that may not Provide Emergency Contraception and Hospitals that may not Provide any Sexual Assault Emergency Services

The Department of Health (Department) published final-form sexual assault victim emergency services regulations at 38 Pa.B. 573 (January 26, 2008). The sexual assault victim emergency services regulations became effective on January 26, 2008, and amended 28 Pa. Code Part IV, Subpart B (relating to general and special hospitals) to add specific requirements for hospitals relating to the provision of sexual assault emergency services. See 28 Pa. Code §§ 117.51—117.58 (relating to sexual assault victim emergency services).

Hospitals that decide they may not provide emergency contraception due to a stated religious or moral belief contrary to providing this medication are required to give notice to the Department of the decision. See 28 Pa. Code § 117.57 (relating to religious and moral exemptions). Hospitals that refer all emergency patients to other hospitals after institution of essential life-saving mea-

sure and decide not to provide any sexual assault emergency services are required to give notice to the Department of the decision. See 28 Pa. Code § 117.58 (relating to exemption for hospitals providing limited emergency services).

Sections 117.57(1)(ii) and 117.58(1)(ii) of 28 Pa. Code state that the Department will annually publish the lists of hospitals in the *Pennsylvania Bulletin* that have chosen not to provide emergency contraception under 28 Pa. Code § 117.57 or any sexual assault emergency services under 28 Pa. Code § 117.58. The following lists are published in accordance with those provisions and do not create any new obligations for hospitals or relieve hospitals of any existing obligations.

*Hospitals that may not Provide Emergency Contraception*

Under 28 Pa. Code § 117.57(1)(ii), the Department publishes the following list of hospitals that have provided notice to the Department that the hospital may not provide emergency contraception due to a stated religious or moral belief:

<i>Hospital Name</i>	<i>City, Zip Code</i>
Holy Spirit Hospital	Camp Hill, 17011
Jersey Shore Hospital	Jersey Shore, 17740
Mercy Fitzgerald Hospital	Darby, 19023
Mercy Hospital Scranton	Scranton, 18501
Mercy Philadelphia Hospital	Philadelphia, 19143
Mercy Suburban Hospital	Norristown, 19401
Millcreek Community Hospital	Erie, 16509
Nazareth Hospital	Philadelphia, 19152
Muncy Valley Hospital	Muncy, 17756
Physicians Care Surgical Hospital	Royersford, 19468
St. Joseph Regional Health Network	Reading, 19603
St. Mary Medical Center	Langhorne, 19047
UPMC Mercy Hospital	Pittsburgh, 15219
Williamsport Hospital	Williamsport, 17701

*Hospitals that may not Provide any Sexual Assault Emergency Services*

Under 28 Pa. Code § 117.58(1)(ii), the Department publishes the following list of hospitals that have provided notice to the Department that the hospital may not provide any sexual assault emergency services due to the limited services provided by the hospital:

<i>Hospital Name</i>	<i>City, Zip Code</i>
Allied Services Institute of Rehabilitation—Scranton	Scranton, 18501
John Heinz Institute of Rehabilitation Medicine—Wilkes-Barre	Wilkes-Barre Township, 18702
Millcreek Community Hospital	Erie, 16509
Physicians Care Surgical Hospital	Royersford, 19468
Rothman Specialty Hospital	Bensalem, 19020

<i>Hospital Name</i>	<i>City, Zip Code</i>
Shamokin Area Community Hospital	Coal Twp, 17866-9697
Triumph Philadelphia Long-Term Acute Care Hospital	Philadelphia, 19145

Additional information regarding the sexual assault victim emergency services regulations and emergency contraception and an up-to-date list of hospitals not providing emergency contraception under 28 Pa. Code § 117.57 or not providing any sexual assault emergency services under 28 Pa. Code § 117.58 is available on the Department's web site at [www.health.state.pa.us](http://www.health.state.pa.us).

The publishing in the *Pennsylvania Bulletin* or on the Department's web site of the lists of hospitals not providing emergency contraception under 28 Pa. Code § 117.57, or not providing any sexual assault emergency services under 28 Pa. Code § 117.58, may not be deemed an acknowledgement or confirmation by the Department that the hospitals are in compliance with the requirements of the regulations.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Joanne Salsgiver, Director of the Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120-0701, (717) 783-8980, fax (717) 772-2163 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-98. Filed for public inspection January 18, 2013, 9:00 a.m.]

### Traumatic Brain Injury Advisory Board Meeting

The Traumatic Brain Injury Advisory Board, established under section 1252 of the Federal Traumatic Brain Injury Act of 1996 (42 U.S.C.A. § 300d-52), will hold a public meeting on Friday, February 1, 2013. The meeting will be held from 10 a.m. to 3 p.m. in the large conference room of the Community Center, 2nd Floor, Giant Food Store, 2300 Linglestown Road, Harrisburg, PA 17110.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so contact Darlene Smith, Administrative Assistant, Division of Child and Adult Health Services at (717) 772-2762, or for speech and/or hearing impaired persons contact V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-99. Filed for public inspection January 18, 2013, 9:00 a.m.]

# DEPARTMENT OF LABOR AND INDUSTRY

## Current Prevailing Wage Act Debarments

The contractors referenced have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these persons and firms, or any firms, corporations or partnerships in which the persons and firms have an interest, shall be awarded no contract for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Adelphia Fire Protection, Inc. and Edward Zimmerman, individually EIN No. 20-0345194	HC1 1375 Switzgable Road Broadheadsville, PA 18322	9/5/2012
Bushey and Son Drywall and Edward Bushey, individually EIN No. 3096075	40 Fox Hollow Road Shermansdale, PA 17090	9/7/2012
Sam K., Inc., and Samuel Klein, individually EIN No. 2324568	2346 Tilbury Avenue Pittsburgh, PA 15217	11/8/2012
Havoc Corporation and Ray A. Rhoden, individually EIN No. 26-2341191	6165 Reach Street Philadelphia, PA 19111-5923	11/8/2012
On Call Contracting Services, LLC and John Ott, individually EIN No. 20-8628213	2262 Mt. Carmel Avenue Glenside, PA 19037	11/29/2012

JULIA K. HEARTHWAY,  
*Secretary*

[Pa.B. Doc. No. 13-100. Filed for public inspection January 18, 2013, 9:00 a.m.]

### Unemployment Compensation Table Specified for the Determination of Rate and Amount of Benefits

The purpose of this notice is to announce the Table Specified for the Determination of Rate and Amount of Benefits (Table) and the maximum weekly benefit rate for 2013.

The Table, in section 404(e)(1) of the Unemployment Compensation Law (law) (43 P. S. § 804(e)(1)), was amended by the act of June 12, 2012 (P. L. 577, No. 60) (Act 60). Under sections 18 and 20 of Act 60, the amended Table is effective January 1, 2013, and applies to benefit years that begin on or after that date. The amended Table is set forth as follows.

As enacted, the amended Table establishes a maximum weekly benefit rate of \$573. Section 404(e)(2) of the law provides that the Table shall be extended or contracted annually to the point when the maximum weekly benefit rate for a calendar year equals 66 2/3% of the average weekly wage for the 36-month period ending on the previous June 30. However, section 404(e)(2)(iii) of the law, as amended by Act 60, contains limitations on the growth of the maximum weekly benefit rate. Amended section 404(e)(2)(iii) of the law became effective January 1, 2013, and provides that the maximum weekly benefit rate for 2013 may not exceed \$573. Therefore, the Department of Labor and Industry (Department) is not extending the Table for 2013.

Under section 201(a) of the law (43 P. S. § 761(a)), section 404(e)(2) of the law and 34 Pa. Code § 65.111 (relating to benefit table), the Department is submitting the Table to the Legislative Reference Bureau for publica-

tion as a notice in the *Pennsylvania Bulletin* and for codification as 34 Pa. Code Chapter 65, Appendix A.

Questions concerning this notice should be directed to Gregg D. Shore, Deputy Secretary for Unemployment Compensation Programs, Labor and Industry Building, 651 Boas Street, Harrisburg, PA 17121.

JULIA K. HEARTHWAY,  
*Secretary*

### Appendix A

#### Table Specified for the Determination of Rate and Amount of Benefits

<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>
\$1,688-\$1,712	\$70	\$3,391
\$1,713-\$1,737	\$71	\$3,440
\$1,738-\$1,762	\$72	\$3,490
\$1,763-\$1,787	\$73	\$3,539
\$1,788-\$1,812	\$74	\$3,589
\$1,813-\$1,837	\$75	\$3,638
\$1,838-\$1,862	\$76	\$3,688
\$1,863-\$1,887	\$77	\$3,737
\$1,888-\$1,912	\$78	\$3,787
\$1,913-\$1,937	\$79	\$3,836
\$1,938-\$1,962	\$80	\$3,886
\$1,963-\$1,987	\$81	\$3,935
\$1,988-\$2,012	\$82	\$3,985



<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>	<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>
\$2,013-\$2,037	\$83	\$4,034	\$3,163-\$3,187	\$129	\$6,311
\$2,038-\$2,062	\$84	\$4,084	\$3,188-\$3,212	\$130	\$6,361
\$2,063-\$2,087	\$85	\$4,133	\$3,213-\$3,237	\$131	\$6,410
\$2,088-\$2,112	\$86	\$4,183	\$3,238-\$3,262	\$132	\$6,460
\$2,113-\$2,137	\$87	\$4,232	\$3,263-\$3,287	\$133	\$6,509
\$2,138-\$2,162	\$88	\$4,282	\$3,288-\$3,312	\$134	\$6,559
\$2,163-\$2,187	\$89	\$4,331	\$3,313-\$3,337	\$135	\$6,608
\$2,188-\$2,212	\$90	\$4,381	\$3,338-\$3,362	\$136	\$6,658
\$2,213-\$2,237	\$91	\$4,430	\$3,363-\$3,387	\$137	\$6,707
\$2,238-\$2,262	\$92	\$4,480	\$3,388-\$3,412	\$138	\$6,757
\$2,263-\$2,287	\$93	\$4,529	\$3,413-\$3,437	\$139	\$6,806
\$2,288-\$2,312	\$94	\$4,579	\$3,438-\$3,462	\$140	\$6,856
\$2,313-\$2,337	\$95	\$4,628	\$3,463-\$3,487	\$141	\$6,905
\$2,338-\$2,362	\$96	\$4,678	\$3,488-\$3,512	\$142	\$6,955
\$2,363-\$2,387	\$97	\$4,727	\$3,513-\$3,537	\$143	\$7,004
\$2,388-\$2,412	\$98	\$4,777	\$3,538-\$3,562	\$144	\$7,054
\$2,413-\$2,437	\$99	\$4,826	\$3,563-\$3,587	\$145	\$7,103
\$2,438-\$2,462	\$100	\$4,876	\$3,588-\$3,612	\$146	\$7,153
\$2,463-\$2,487	\$101	\$4,925	\$3,613-\$3,637	\$147	\$7,202
\$2,488-\$2,512	\$102	\$4,975	\$3,638-\$3,662	\$148	\$7,252
\$2,513-\$2,537	\$103	\$5,024	\$3,663-\$3,687	\$149	\$7,301
\$2,538-\$2,562	\$104	\$5,074	\$3,688-\$3,712	\$150	\$7,351
\$2,563-\$2,587	\$105	\$5,123	\$3,713-\$3,737	\$151	\$7,400
\$2,588-\$2,612	\$106	\$5,173	\$3,738-\$3,762	\$152	\$7,450
\$2,613-\$2,637	\$107	\$5,222	\$3,763-\$3,787	\$153	\$7,500
\$2,638-\$2,662	\$108	\$5,272	\$3,788-\$3,812	\$154	\$7,549
\$2,663-\$2,687	\$109	\$5,321	\$3,813-\$3,837	\$155	\$7,599
\$2,688-\$2,712	\$110	\$5,371	\$3,838-\$3,862	\$156	\$7,648
\$2,713-\$2,737	\$111	\$5,420	\$3,863-\$3,887	\$157	\$7,698
\$2,738-\$2,762	\$112	\$5,470	\$3,888-\$3,912	\$158	\$7,747
\$2,763-\$2,787	\$113	\$5,519	\$3,913-\$3,937	\$159	\$7,797
\$2,788-\$2,812	\$114	\$5,569	\$3,938-\$3,962	\$160	\$7,846
\$2,813-\$2,837	\$115	\$5,618	\$3,963-\$3,987	\$161	\$7,896
\$2,838-\$2,862	\$116	\$5,668	\$3,988-\$4,012	\$162	\$7,945
\$2,863-\$2,887	\$117	\$5,717	\$4,013-\$4,037	\$163	\$7,995
\$2,888-\$2,912	\$118	\$5,767	\$4,038-\$4,062	\$164	\$8,044
\$2,913-\$2,937	\$119	\$5,816	\$4,063-\$4,087	\$165	\$8,094
\$2,938-\$2,962	\$120	\$5,866	\$4,088-\$4,112	\$166	\$8,143
\$2,963-\$2,987	\$121	\$5,915	\$4,113-\$4,137	\$167	\$8,193
\$2,988-\$3,012	\$122	\$5,965	\$4,138-\$4,162	\$168	\$8,242
\$3,013-\$3,037	\$123	\$6,014	\$4,163-\$4,187	\$169	\$8,292
\$3,038-\$3,062	\$124	\$6,064	\$4,188-\$4,212	\$170	\$8,341
\$3,063-\$3,087	\$125	\$6,113	\$4,213-\$4,237	\$171	\$8,391
\$3,088-\$3,112	\$126	\$6,163	\$4,238-\$4,262	\$172	\$8,440
\$3,113-\$3,137	\$127	\$6,212	\$4,263-\$4,287	\$173	\$8,490
\$3,138-\$3,162	\$128	\$6,262	\$4,288-\$4,312	\$174	\$8,539

<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>	<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>
\$4,313-\$4,337	\$175	\$8,589	\$5,463-\$5,487	\$221	\$10,866
\$4,338-\$4,362	\$176	\$8,638	\$5,488-\$5,512	\$222	\$10,915
\$4,363-\$4,387	\$177	\$8,688	\$5,513-\$5,537	\$223	\$10,965
\$4,388-\$4,412	\$178	\$8,737	\$5,538-\$5,562	\$224	\$11,014
\$4,413-\$4,437	\$179	\$8,787	\$5,563-\$5,587	\$225	\$11,064
\$4,438-\$4,462	\$180	\$8,836	\$5,588-\$5,612	\$226	\$11,113
\$4,463-\$4,487	\$181	\$8,886	\$5,613-\$5,637	\$227	\$11,163
\$4,488-\$4,512	\$182	\$8,935	\$5,638-\$5,662	\$228	\$11,212
\$4,513-\$4,537	\$183	\$8,985	\$5,663-\$5,687	\$229	\$11,262
\$4,538-\$4,562	\$184	\$9,034	\$5,688-\$5,712	\$230	\$11,311
\$4,563-\$4,587	\$185	\$9,084	\$5,713-\$5,737	\$231	\$11,361
\$4,588-\$4,612	\$186	\$9,133	\$5,738-\$5,762	\$232	\$11,410
\$4,613-\$4,637	\$187	\$9,183	\$5,763-\$5,787	\$233	\$11,460
\$4,638-\$4,662	\$188	\$9,232	\$5,788-\$5,812	\$234	\$11,509
\$4,663-\$4,687	\$189	\$9,282	\$5,813-\$5,837	\$235	\$11,559
\$4,688-\$4,712	\$190	\$9,331	\$5,838-\$5,862	\$236	\$11,608
\$4,713-\$4,737	\$191	\$9,381	\$5,863-\$5,887	\$237	\$11,658
\$4,738-\$4,762	\$192	\$9,430	\$5,888-\$5,912	\$238	\$11,707
\$4,763-\$4,787	\$193	\$9,480	\$5,913-\$5,937	\$239	\$11,757
\$4,788-\$4,812	\$194	\$9,529	\$5,938-\$5,962	\$240	\$11,806
\$4,813-\$4,837	\$195	\$9,579	\$5,963-\$5,987	\$241	\$11,856
\$4,838-\$4,862	\$196	\$9,628	\$5,988-\$6,012	\$242	\$11,905
\$4,863-\$4,887	\$197	\$9,678	\$6,013-\$6,037	\$243	\$11,955
\$4,888-\$4,912	\$198	\$9,727	\$6,038-\$6,062	\$244	\$12,004
\$4,913-\$4,937	\$199	\$9,777	\$6,063-\$6,087	\$245	\$12,054
\$4,938-\$4,962	\$200	\$9,826	\$6,088-\$6,112	\$246	\$12,103
\$4,963-\$4,987	\$201	\$9,876	\$6,113-\$6,137	\$247	\$12,153
\$4,988-\$5,012	\$202	\$9,925	\$6,138-\$6,162	\$248	\$12,202
\$5,013-\$5,037	\$203	\$9,975	\$6,163-\$6,187	\$249	\$12,252
\$5,038-\$5,062	\$204	\$10,024	\$6,188-\$6,212	\$250	\$12,301
\$5,063-\$5,087	\$205	\$10,074	\$6,213-\$6,237	\$251	\$12,351
\$5,088-\$5,112	\$206	\$10,123	\$6,238-\$6,262	\$252	\$12,400
\$5,113-\$5,137	\$207	\$10,173	\$6,263-\$6,287	\$253	\$12,450
\$5,138-\$5,162	\$208	\$10,222	\$6,288-\$6,312	\$254	\$12,500
\$5,163-\$5,187	\$209	\$10,272	\$6,313-\$6,337	\$255	\$12,549
\$5,188-\$5,212	\$210	\$10,321	\$6,338-\$6,362	\$256	\$12,599
\$5,213-\$5,237	\$211	\$10,371	\$6,363-\$6,387	\$257	\$12,648
\$5,238-\$5,262	\$212	\$10,420	\$6,388-\$6,412	\$258	\$12,698
\$5,263-\$5,287	\$213	\$10,470	\$6,413-\$6,437	\$259	\$12,747
\$5,288-\$5,312	\$214	\$10,519	\$6,438-\$6,462	\$260	\$12,797
\$5,313-\$5,337	\$215	\$10,569	\$6,463-\$6,487	\$261	\$12,846
\$5,338-\$5,362	\$216	\$10,618	\$6,488-\$6,512	\$262	\$12,896
\$5,363-\$5,387	\$217	\$10,668	\$6,513-\$6,537	\$263	\$12,945
\$5,388-\$5,412	\$218	\$10,717	\$6,538-\$6,562	\$264	\$12,995
\$5,413-\$5,437	\$219	\$10,767	\$6,563-\$6,587	\$265	\$13,044
\$5,438-\$5,462	\$220	\$10,816	\$6,588-\$6,612	\$266	\$13,094

<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>	<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>
\$6,613-\$6,637	\$267	\$13,143	\$7,763-\$7,787	\$313	\$15,420
\$6,638-\$6,662	\$268	\$13,193	\$7,788-\$7,812	\$314	\$15,470
\$6,663-\$6,687	\$269	\$13,242	\$7,813-\$7,837	\$315	\$15,519
\$6,688-\$6,712	\$270	\$13,292	\$7,838-\$7,862	\$316	\$15,569
\$6,713-\$6,737	\$271	\$13,341	\$7,863-\$7,887	\$317	\$15,618
\$6,738-\$6,762	\$272	\$13,391	\$7,888-\$7,912	\$318	\$15,668
\$6,763-\$6,787	\$273	\$13,440	\$7,913-\$7,937	\$319	\$15,717
\$6,788-\$6,812	\$274	\$13,490	\$7,938-\$7,962	\$320	\$15,767
\$6,813-\$6,837	\$275	\$13,539	\$7,963-\$7,987	\$321	\$15,816
\$6,838-\$6,862	\$276	\$13,589	\$7,988-\$8,012	\$322	\$15,866
\$6,863-\$6,887	\$277	\$13,638	\$8,013-\$8,037	\$323	\$15,915
\$6,888-\$6,912	\$278	\$13,688	\$8,038-\$8,062	\$324	\$15,965
\$6,913-\$6,937	\$279	\$13,737	\$8,063-\$8,087	\$325	\$16,014
\$6,938-\$6,962	\$280	\$13,787	\$8,088-\$8,112	\$326	\$16,064
\$6,963-\$6,987	\$281	\$13,836	\$8,113-\$8,137	\$327	\$16,113
\$6,988-\$7,012	\$282	\$13,886	\$8,138-\$8,162	\$328	\$16,163
\$7,013-\$7,037	\$283	\$13,935	\$8,163-\$8,187	\$329	\$16,212
\$7,038-\$7,062	\$284	\$13,985	\$8,188-\$8,212	\$330	\$16,262
\$7,063-\$7,087	\$285	\$14,034	\$8,213-\$8,237	\$331	\$16,311
\$7,088-\$7,112	\$286	\$14,084	\$8,238-\$8,262	\$332	\$16,361
\$7,113-\$7,137	\$287	\$14,133	\$8,263-\$8,287	\$333	\$16,410
\$7,138-\$7,162	\$288	\$14,183	\$8,288-\$8,312	\$334	\$16,460
\$7,163-\$7,187	\$289	\$14,232	\$8,313-\$8,337	\$335	\$16,509
\$7,188-\$7,212	\$290	\$14,282	\$8,338-\$8,362	\$336	\$16,559
\$7,213-\$7,237	\$291	\$14,331	\$8,363-\$8,387	\$337	\$16,608
\$7,238-\$7,262	\$292	\$14,381	\$8,388-\$8,412	\$338	\$16,658
\$7,263-\$7,287	\$293	\$14,430	\$8,413-\$8,437	\$339	\$16,707
\$7,288-\$7,312	\$294	\$14,480	\$8,438-\$8,462	\$340	\$16,757
\$7,313-\$7,337	\$295	\$14,529	\$8,463-\$8,487	\$341	\$16,806
\$7,338-\$7,362	\$296	\$14,579	\$8,488-\$8,512	\$342	\$16,856
\$7,363-\$7,387	\$297	\$14,628	\$8,513-\$8,537	\$343	\$16,905
\$7,388-\$7,412	\$298	\$14,678	\$8,538-\$8,562	\$344	\$16,955
\$7,413-\$7,437	\$299	\$14,727	\$8,563-\$8,587	\$345	\$17,004
\$7,438-\$7,462	\$300	\$14,777	\$8,588-\$8,612	\$346	\$17,054
\$7,463-\$7,487	\$301	\$14,826	\$8,613-\$8,637	\$347	\$17,103
\$7,488-\$7,512	\$302	\$14,876	\$8,638-\$8,662	\$348	\$17,153
\$7,513-\$7,537	\$303	\$14,925	\$8,663-\$8,687	\$349	\$17,202
\$7,538-\$7,562	\$304	\$14,975	\$8,688-\$8,712	\$350	\$17,252
\$7,563-\$7,587	\$305	\$15,024	\$8,713-\$8,737	\$351	\$17,301
\$7,588-\$7,612	\$306	\$15,074	\$8,738-\$8,762	\$352	\$17,351
\$7,613-\$7,637	\$307	\$15,123	\$8,763-\$8,787	\$353	\$17,400
\$7,638-\$7,662	\$308	\$15,173	\$8,788-\$8,812	\$354	\$17,450
\$7,663-\$7,687	\$309	\$15,222	\$8,813-\$8,837	\$355	\$17,500
\$7,688-\$7,712	\$310	\$15,272	\$8,838-\$8,862	\$356	\$17,549
\$7,713-\$7,737	\$311	\$15,321	\$8,863-\$8,887	\$357	\$17,599
\$7,738-\$7,762	\$312	\$15,371	\$8,888-\$8,912	\$358	\$17,648

<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>	<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>
\$8,913-\$8,937	\$359	\$17,698	\$10,063-\$10,087	\$405	\$19,975
\$8,938-\$8,962	\$360	\$17,747	\$10,088-\$10,112	\$406	\$20,024
\$8,963-\$8,987	\$361	\$17,797	\$10,113-\$10,137	\$407	\$20,074
\$8,988-\$9,012	\$362	\$17,846	\$10,138-\$10,162	\$408	\$20,123
\$9,013-\$9,037	\$363	\$17,896	\$10,163-\$10,187	\$409	\$20,173
\$9,038-\$9,062	\$364	\$17,945	\$10,188-\$10,212	\$410	\$20,222
\$9,063-\$9,087	\$365	\$17,995	\$10,213-\$10,237	\$411	\$20,272
\$9,088-\$9,112	\$366	\$18,044	\$10,238-\$10,262	\$412	\$20,321
\$9,113-\$9,137	\$367	\$18,094	\$10,263-\$10,287	\$413	\$20,371
\$9,138-\$9,162	\$368	\$18,143	\$10,288-\$10,312	\$414	\$20,420
\$9,163-\$9,187	\$369	\$18,193	\$10,313-\$10,337	\$415	\$20,470
\$9,188-\$9,212	\$370	\$18,242	\$10,338-\$10,362	\$416	\$20,519
\$9,213-\$9,237	\$371	\$18,292	\$10,363-\$10,387	\$417	\$20,569
\$9,238-\$9,262	\$372	\$18,341	\$10,388-\$10,412	\$418	\$20,618
\$9,263-\$9,287	\$373	\$18,391	\$10,413-\$10,437	\$419	\$20,668
\$9,288-\$9,312	\$374	\$18,440	\$10,438-\$10,462	\$420	\$20,717
\$9,313-\$9,337	\$375	\$18,490	\$10,463-\$10,487	\$421	\$20,767
\$9,338-\$9,362	\$376	\$18,539	\$10,488-\$10,512	\$422	\$20,816
\$9,363-\$9,387	\$377	\$18,589	\$10,513-\$10,537	\$423	\$20,866
\$9,388-\$9,412	\$378	\$18,638	\$10,538-\$10,562	\$424	\$20,915
\$9,413-\$9,437	\$379	\$18,688	\$10,563-\$10,587	\$425	\$20,965
\$9,438-\$9,462	\$380	\$18,737	\$10,588-\$10,612	\$426	\$21,014
\$9,463-\$9,487	\$381	\$18,787	\$10,613-\$10,637	\$427	\$21,064
\$9,488-\$9,512	\$382	\$18,836	\$10,638-\$10,662	\$428	\$21,113
\$9,513-\$9,537	\$383	\$18,886	\$10,663-\$10,687	\$429	\$21,163
\$9,538-\$9,562	\$384	\$18,935	\$10,688-\$10,712	\$430	\$21,212
\$9,563-\$9,587	\$385	\$18,985	\$10,713-\$10,737	\$431	\$21,262
\$9,588-\$9,612	\$386	\$19,034	\$10,738-\$10,762	\$432	\$21,311
\$9,613-\$9,637	\$387	\$19,084	\$10,763-\$10,787	\$433	\$21,361
\$9,638-\$9,662	\$388	\$19,133	\$10,788-\$10,812	\$434	\$21,410
\$9,663-\$9,687	\$389	\$19,183	\$10,813-\$10,837	\$435	\$21,460
\$9,688-\$9,712	\$390	\$19,232	\$10,838-\$10,862	\$436	\$21,509
\$9,713-\$9,737	\$391	\$19,282	\$10,863-\$10,887	\$437	\$21,559
\$9,738-\$9,762	\$392	\$19,331	\$10,888-\$10,912	\$438	\$21,608
\$9,763-\$9,787	\$393	\$19,381	\$10,913-\$10,937	\$439	\$21,658
\$9,788-\$9,812	\$394	\$19,430	\$10,938-\$10,962	\$440	\$21,707
\$9,813-\$9,837	\$395	\$19,480	\$10,963-\$10,987	\$441	\$21,757
\$9,838-\$9,862	\$396	\$19,529	\$10,988-\$11,012	\$442	\$21,806
\$9,863-\$9,887	\$397	\$19,579	\$11,013-\$11,037	\$443	\$21,856
\$9,888-\$9,912	\$398	\$19,628	\$11,038-\$11,062	\$444	\$21,905
\$9,913-\$9,937	\$399	\$19,678	\$11,063-\$11,087	\$445	\$21,955
\$9,938-\$9,962	\$400	\$19,727	\$11,088-\$11,112	\$446	\$22,004
\$9,963-\$9,987	\$401	\$19,777	\$11,113-\$11,137	\$447	\$22,054
\$9,988-\$10,012	\$402	\$19,826	\$11,138-\$11,162	\$448	\$22,103
\$10,013-\$10,037	\$403	\$19,876	\$11,163-\$11,187	\$449	\$22,153
\$10,038-\$10,062	\$404	\$19,925	\$11,188-\$11,212	\$450	\$22,202

<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>	<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>
\$11,213-\$11,237	\$451	\$22,252	\$12,363-\$12,387	\$497	\$24,529
\$11,238-\$11,262	\$452	\$22,301	\$12,388-\$12,412	\$498	\$24,579
\$11,263-\$11,287	\$453	\$22,351	\$12,413-\$12,437	\$499	\$24,628
\$11,288-\$11,312	\$454	\$22,400	\$12,438-\$12,462	\$500	\$24,678
\$11,313-\$11,337	\$455	\$22,450	\$12,463-\$12,487	\$501	\$24,727
\$11,338-\$11,362	\$456	\$22,500	\$12,488-\$12,512	\$502	\$24,777
\$11,363-\$11,387	\$457	\$22,549	\$12,513-\$12,537	\$503	\$24,826
\$11,388-\$11,412	\$458	\$22,599	\$12,538-\$12,562	\$504	\$24,876
\$11,413-\$11,437	\$459	\$22,648	\$12,563-\$12,587	\$505	\$24,925
\$11,438-\$11,462	\$460	\$22,698	\$12,588-\$12,612	\$506	\$24,975
\$11,463-\$11,487	\$461	\$22,747	\$12,613-\$12,637	\$507	\$25,024
\$11,488-\$11,512	\$462	\$22,797	\$12,638-\$12,662	\$508	\$25,074
\$11,513-\$11,537	\$463	\$22,846	\$12,663-\$12,687	\$509	\$25,123
\$11,538-\$11,562	\$464	\$22,896	\$12,688-\$12,712	\$510	\$25,173
\$11,563-\$11,587	\$465	\$22,945	\$12,713-\$12,737	\$511	\$25,222
\$11,588-\$11,612	\$466	\$22,995	\$12,738-\$12,762	\$512	\$25,272
\$11,613-\$11,637	\$467	\$23,044	\$12,763-\$12,787	\$513	\$25,321
\$11,638-\$11,662	\$468	\$23,094	\$12,788-\$12,812	\$514	\$25,371
\$11,663-\$11,687	\$469	\$23,143	\$12,813-\$12,837	\$515	\$25,420
\$11,688-\$11,712	\$470	\$23,193	\$12,838-\$12,862	\$516	\$25,470
\$11,713-\$11,737	\$471	\$23,242	\$12,863-\$12,887	\$517	\$25,519
\$11,738-\$11,762	\$472	\$23,292	\$12,888-\$12,912	\$518	\$25,569
\$11,763-\$11,787	\$473	\$23,341	\$12,913-\$12,937	\$519	\$25,618
\$11,788-\$11,812	\$474	\$23,391	\$12,938-\$12,962	\$520	\$25,668
\$11,813-\$11,837	\$475	\$23,440	\$12,963-\$12,987	\$521	\$25,717
\$11,838-\$11,862	\$476	\$23,490	\$12,988-\$13,012	\$522	\$25,767
\$11,863-\$11,887	\$477	\$23,539	\$13,013-\$13,037	\$523	\$25,816
\$11,888-\$11,912	\$478	\$23,589	\$13,038-\$13,062	\$524	\$25,866
\$11,913-\$11,937	\$479	\$23,638	\$13,063-\$13,087	\$525	\$25,915
\$11,938-\$11,962	\$480	\$23,688	\$13,088-\$13,112	\$526	\$25,965
\$11,963-\$11,987	\$481	\$23,737	\$13,113-\$13,137	\$527	\$26,014
\$11,988-\$12,012	\$482	\$23,787	\$13,138-\$13,162	\$528	\$26,064
\$12,013-\$12,037	\$483	\$23,836	\$13,163-\$13,187	\$529	\$26,113
\$12,038-\$12,062	\$484	\$23,886	\$13,188-\$13,212	\$530	\$26,163
\$12,063-\$12,087	\$485	\$23,935	\$13,213-\$13,237	\$531	\$26,212
\$12,088-\$12,112	\$486	\$23,985	\$13,238-\$13,262	\$532	\$26,262
\$12,113-\$12,137	\$487	\$24,034	\$13,263-\$13,287	\$533	\$26,311
\$12,138-\$12,162	\$488	\$24,084	\$13,288-\$13,312	\$534	\$26,361
\$12,163-\$12,187	\$489	\$24,133	\$13,313-\$13,337	\$535	\$26,410
\$12,188-\$12,212	\$490	\$24,183	\$13,338-\$13,362	\$536	\$26,460
\$12,213-\$12,237	\$491	\$24,232	\$13,363-\$13,387	\$537	\$26,509
\$12,238-\$12,262	\$492	\$24,282	\$13,388-\$13,412	\$538	\$26,559
\$12,263-\$12,287	\$493	\$24,331	\$13,413-\$13,437	\$539	\$26,608
\$12,288-\$12,312	\$494	\$24,381	\$13,438-\$13,462	\$540	\$26,658
\$12,313-\$12,337	\$495	\$24,430	\$13,463-\$13,487	\$541	\$26,707
\$12,338-\$12,362	\$496	\$24,480	\$13,488-\$13,512	\$542	\$26,757

<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>
\$13,513-\$13,537	\$543	\$26,806
\$13,538-\$13,562	\$544	\$26,856
\$13,563-\$13,587	\$545	\$26,905
\$13,588-\$13,612	\$546	\$26,955
\$13,613-\$13,637	\$547	\$27,004
\$13,638-\$13,662	\$548	\$27,054
\$13,663-\$13,687	\$549	\$27,103
\$13,688-\$13,712	\$550	\$27,153
\$13,713-\$13,737	\$551	\$27,202
\$13,738-\$13,762	\$552	\$27,252
\$13,763-\$13,787	\$553	\$27,301
\$13,788-\$13,812	\$554	\$27,351
\$13,813-\$13,837	\$555	\$27,400
\$13,838-\$13,862	\$556	\$27,450
\$13,863-\$13,887	\$557	\$27,500
\$13,888-\$13,912	\$558	\$27,549
\$13,913-\$13,937	\$559	\$27,599
\$13,938-\$13,962	\$560	\$27,648
\$13,963-\$13,987	\$561	\$27,698
\$13,988-\$14,012	\$562	\$27,747
\$14,013-\$14,037	\$563	\$27,797
\$14,038-\$14,062	\$564	\$27,846
\$14,063-\$14,087	\$565	\$27,896
\$14,088-\$14,112	\$566	\$27,945
\$14,113-\$14,137	\$567	\$27,995
\$14,138-\$14,162	\$568	\$28,044
\$14,163-\$14,187	\$569	\$28,094
\$14,188-\$14,212	\$570	\$28,143
\$14,213-\$14,237	\$571	\$28,193
\$14,238-\$14,262	\$572	\$28,242

\$14,263 or more      \$573      Amount required  
under section  
401(a)(2)\*

\* Section 401(a)(2) states: "Except as provided in section 404(a)(3), not less than forty-nine and one half percent (49.5%) of the employe's total base year wages have been paid in one or more quarters, other than the highest quarter in such employe's base year."

[Pa.B. Doc. No. 13-101. Filed for public inspection January 18, 2013, 9:00 a.m.]

## DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

### Per Diem Rates at Pennsylvania State Veterans' Homes

The Department of Military and Veterans Affairs (Department) has established the following per diem rates

for the costs of care for residents at the six Pennsylvania State Veterans' Homes. These rates are based on costs of care for the period July 1, 2011, to June 30, 2012. The Department has implemented and will continue to implement cost-savings measures for the State Veterans' Homes, which are reflected in these per diem rates.

These per diem rates are effective January 1, 2013, until further notice.

#### *Hollidaysburg Veterans' Home, Hollidaysburg*

Nursing Care      \$335.00  
Personal Care (Domiciliary)      \$169.00

#### *Pennsylvania Soldiers' and Sailors' Home, Erie*

Nursing Care      \$356.00  
Personal Care (Domiciliary)      \$181.00

#### *Southeastern Veterans' Center, Spring City*

Nursing Care      \$356.00  
Personal Care (Domiciliary)      \$181.00

#### *Gino J. Merli Veterans' Center, Scranton*

Nursing Care      \$324.00  
Personal Care (Domiciliary)      NA

#### *Southwestern Veterans' Center, Pittsburgh*

Nursing Care      \$314.00  
Personal Care (Domiciliary)      \$165.00

#### *Delaware Valley Veterans' Home, Philadelphia*

Nursing Care      \$342.00  
Personal Care (Domiciliary)      \$157.00

MICHAEL G. GOULD,  
Brigadier General (PA)  
The Deputy Adjutant General  
for Veterans Affairs

[Pa.B. Doc. No. 13-102. Filed for public inspection January 18, 2013, 9:00 a.m.]

## DEPARTMENT OF STATE

### Bureau of Commissions, Elections and Legislation v. Brittany R. Luce, Notary Public; Doc. No. 0006-99-12

On April 9, 2012, Brittany R. Luce, notary public of DuBois, Clearfield County, had her commission revoked. The action was based on Brittany R. Luce's lack of good character, integrity and ability, failure to be familiar with the duties and responsibilities of a notary public and failure to keep and maintain custody of an accurate chronological register of all official acts by that notary done by virtue of her office, in violation of sections 3, 5(b) and 15(a) of The Notary Public Law (57 P. S. §§ 149, 151(b) and 161(a)).

Individuals may obtain a copy of the order by writing to Martha H. Brown, Assistant Counsel, Department of State, Bureau of Commissions, Elections and Legislation, 301 North Office Building, Harrisburg, PA 17120.

CAROL AICHELE,  
Secretary

[Pa.B. Doc. No. 13-103. Filed for public inspection January 18, 2013, 9:00 a.m.]

**Bureau of Commissions, Elections and Legislation  
v. Carmen Milagro Melendez, Notary Public; Doc.  
No. 0014-99-09**

On April 9, 2012, Carmen Milagro Melendez, notary public of Philadelphia County, had her commission revoked. The action was based on Carmen Milagro Melendez's notarization of a deed without personal knowledge or satisfactory evidence that the person appearing before her was the person described in and who was executing the instrument, in violation of section 12.1 of The Notary Public Law (57 P.S. § 158.1). Carmen Milagro Melendez was also determined to be not of good character, integrity and ability to hold the office of notary public, in violation of section 3 of The Notary Public Law (57 P.S. § 149).

Individuals may obtain a copy of the order by writing to Martha H. Brown, Assistant Counsel, Department of State, Bureau of Commissions, Elections and Legislation, 301 North Office Building, Harrisburg, PA 17120.

CAROL AICHELE,  
*Secretary*

[Pa.B. Doc. No. 13-104. Filed for public inspection January 18, 2013, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
57-289	Pennsylvania Public Utility Commission Establishing a Uniform Definition and Metrics for Unaccounted-For-Gas 42 Pa.B. 6637 (October 20, 2012)	12/4/12	1/3/13

**Pennsylvania Public Utility Commission  
Regulation #57-289 (IRRC #2977)**

**Establishing a Uniform Definition and Metrics for  
Unaccounted-For-Gas**

**January 3, 2013**

We submit for your consideration the following comments on the proposed rulemaking published in the October 20, 2012 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Pennsylvania Public Utility Commission (PUC) to respond to all comments received from us or any other source.

**1. Subsection (a) Definitions.—Clarity.**

*Adjustments*

The second sentence of this definition specifies substantive regulatory requirements for adjustments. Substantive provisions should not be included in a definition (*Pennsylvania Code and Bulletin Style Manual*, § 1.7(c)). Therefore, the PUC should remove this sentence from the definition and move the requirements to a provision in the body of the regulation that addresses adjustments, such as Paragraph (b)(5).

In addition, commentators suggest that the definition should encompass storage losses. Why didn't the PUC include storage losses in this definition?

*UFG—Unaccounted-for-gas*

A commentator recommends using the American Gas Association (AGA) definition of this term. The PUC should consider whether the AGA definition is appropriate for use in this regulation.

**2. Subsection (c) Metrics for distribution system losses.—Reasonableness; Economic impact.**

*Percentage targets in the regulation and the single standard for all gas utilities*

Paragraph (c)(1) includes a table that specifies the percent of unaccounted-for-gas allowable in each successive year. Commentators are concerned that these percentages are arbitrary and question whether setting a single standard for all utilities rather than individual performance standards is the best approach.

We ask the PUC to demonstrate three things. First, will the calculation of the percent of unaccounted-for-gas under the regulation differ from the percentages shown in Table 1 of the Preamble and, if so, by how much? Second, the PUC should demonstrate that the diminishing percentage reductions of unaccounted-for-gas specified in Paragraph (c)(1) are attainable for all gas utilities affected by the regulation. Finally, the PUC should demonstrate that the use of a single standard will best accomplish the purposes of reducing unaccounted-for-gas for all system types.

*Calendar year*

Paragraph (c)(2) specifies that the calculations shall be “on an annual basis for the year ending December 31.” Several commentators asked that an alternative timeframe be used, such as an annual period ending August 31. We ask that the PUC review this ending date with the commentators and also, to the extent practical, that the ending date be coordinated with other filings the utilities make that require a calculation of unaccounted-for-gas.

*Disallowing cost recovery*

Paragraph (c)(3) states that amounts of unaccounted-for-gas in excess of the standard may not be recovered unless approved by the PUC. Commentators raise concerns with the use of a single standard applied to the different types of systems in place. We note the PUC does not yet have experience with the result of the new definitions and calculations. The PUC should explain why it is necessary to impose the penalty of not allowing cost recovery now rather than waiting until after the PUC and the gas utilities have more experience with these new definitions, calculations and their results.

**3. Miscellaneous Clarity.**

To improve clarity, parentheses should be added to the formula in Paragraph (b)(2).

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 13-105. Filed for public inspection January 18, 2013, 9:00 a.m.]

**INSURANCE DEPARTMENT****Aetna Health, Inc.; Individual Advantage HMO Plans; Rate Filing**

Aetna Health, Inc. is seeking a rate increase on policyholders of their Individual Advantage HMO Plans. The overall impact will increase rates by 16.3% with a minimum increase of 0% and a maximum increase of 18.1%. Approximately 15,500 policyholders will be affected by this change.

Unless formal administrative action is taken prior to April 4, 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.”

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department’s regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to James Laverty, Insurance Department, Insurance Product Regulation, 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. 13-106. Filed for public inspection January 18, 2013, 9:00 a.m.]

**Eligible Surplus Lines Insurer List**

In accordance with section 1605(b) of The Insurance Company Law of 1921 (40 P. S. § 991.1605(b)), the Insurance Department (Department) hereby publishes the most recent Eligible Surplus Lines Insurer List. This list replaces in its entirety the Eligible Surplus Lines Insurer List as of January 17, 2012, published at 42 Pa.B. 630 (January 28, 2012).

Persons with any questions concerning this notice should contact Robert Brackbill, Chief, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 787-2735.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

<i>Key#</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
48123	ACE EUROPEAN GROUP LIMITED	100 LEADENHALL STREET LONDON, United Kingdom EC3A 3BP
10512	ADMIRAL INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
10513	ADRIATIC INSURANCE COMPANY	314 EAST THAYER AVENUE BISMARCK, ND 58501
67489	AIX SPECIALTY INSURANCE COMPANY	103 FOULK ROAD SUITE 202 WILMINGTON, DE 19803
48099	ALLIANZ GLOBAL CORPORATE & SPECIALTY AG	KONIGINASTRASSE 28 MUNICH, Germany D80802
10516	ALLIANZ UNDERWRITERS INSURANCE COMPANY	2350 EMPIRE AVENUE BURBANK, CA 91504-3350
10535	ALLIED WORLD ASSURANCE COMPANY (U.S.) INC.	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
10570	ALTERRA EXCESS & SURPLUS INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801



<i>Key#</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
10519	AMERICAN EMPIRE SURPLUS LINES INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
10520	AMERICAN EQUITY INSURANCE COMPANY	2401 WEST PEORIA AVENUE PHOENIX, AZ 85029
63828	AMERICAN MODERN SURPLUS LINES INSURANCE COMPANY	7000 MIDLAND BLVD AMELIA, OH 45102-2607
18146	AMERICAN SAFETY INDEMNITY COMPANY	201 ROBERT S. KERR AVENUE OKLAHOMA CITY, OK 73102-4267
10522	AMERICAN WESTERN HOME INSURANCE COMPANY	600 BANK OF OKLAHOMA PLAZA OKLAHOMA CITY, OK 73102
83774	AMTRUST INTERNATIONAL UNDERWRITERS LIMITED	40 WESTLAND ROW DUBLIN, Ireland 2
10524	APPALACHIAN INSURANCE COMPANY	270 CENTRAL AVENUE JOHNSTON, RI 02919-4949
33748	ARCH EXCESS & SURPLUS INSURANCE COMPANY	10909 MILL VALLEY ROAD OMAHA, NE 68145
97477	ARCH INSURANCE COMPANY (EUROPE) LIMITED	6TH FLOOR PLANTATION PLACE SOUTH 60 GREAT TOWER STREET LONDON, United Kingdom EC3R 5AZ
10587	ARCH SPECIALTY INSURANCE COMPANY	10909 MILL VALLEY ROAD OMAHA, NE 68145
10588	ARROWOOD SURPLUS LINES INSURANCE COMPANY	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
51442	ASPEN INSURANCE UK LIMITED	30 FENCHURCH STREET LONDON, United Kingdom EC3M 3BD
35611	ASPEN SPECIALTY INSURANCE COMPANY	316 NORTH FIFTH STREET BISMARCK, ND 58502
22348	ASSICURAZIONI GENERALI S.P.A.	PIAZZA DUCA DEGLI ABRUZZI, 2 TRIESTE, Italy 34132
22349	ASSOCIATED ELECTRIC & GAS INSURANCE SERVICES LIMITED	THE MAXWELL ROBERTS BUILDING 4TH FLOOR ONE CHURCH STREET HAMILTON, Bermuda HM11
94396	ASSOCIATED INDUSTRIES INSURANCE COMPANY	903 N W 65TH STREET BOCA RATON, FL 33487
10525	ASSOCIATED INTERNATIONAL INSURANCE COMPANY	TEN PARKWAY NORTH DEERFIELD, IL 60015
52712	ATAIN INSURANCE COMPANY	2301 E. LAMAR BOULEVARD 5TH FLOOR ARLINGTON, TX 76006
41586	ATLANTIC CASUALTY INSURANCE COMPANY	400 COMMERCE COURT GOLDSBORO, NC 27534
41562	AXA CORPORATE SOLUTIONS ASSURANCE	4 RUE JULES LEFEBVRE PARIS, France 75009
59554	AXIS SPECIALTY EUROPE SE	MOUNT HERBERT COURT 34 UPPER MOUNT STREET DUBLIN, Ireland 2
10592	AXIS SURPLUS INSURANCE COMPANY	303 WEST MADISON SUITE 500 CHICAGO, IL 60606
10584	BERKLEY ASSURANCE COMPANY	11201 DOUGLAS AVENUE URBANDALE, IA 50322
75458	BERKLEY REGIONAL SPECIALITY INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801-1120

<i>Key#</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
63055	BERKSHIRE HATHAWAY INTERNATIONAL INSURANCE LIMITED	33 ST MARY AXE LONDON, United Kingdom EC3A 8LL
78247	BRACKEN HILL SPECIALTY INSURANCE COMPANY	233 NORTH MICHIGAN AVENUE SUITE 1840 CHICAGO, IL 60601
22369	BRITISH AVIATION INSURANCE COMPANY LIMITED	FITZWILLIAM HOUSE 10 ST. MARY'S AXE LONDON, United Kingdom EC3A 8EQ
10528	CANAL INDEMNITY COMPANY	400 EAST STONE AVENUE GREENVILLE, SC 29601
75544	CANOPIUS US INSURANCE, INC	C/O CORPORATION TRUST COMPANY 1209 ORANGE STREET WILMINGTON, DE 19801
48319	CAPITOL SPECIALTY INSURANCE CORPORATION	1600 ASPEN COMMONS MIDDLETON, WI 53562
99474	CATALINA LONDON LIMITED	18 MANSELL STREET LONDON, United Kingdom E1 8AA
64641	CATLIN INSURANCE COMPANY (UK) LIMITED	20 GRACECHURCH STREET LONDON, United Kingdom 3C3V OBG
63239	CATLIN SPECIALTY INSURANCE COMPANY	160 GREENTREE DRIVE SUITE 101 DOVER, DE 19904
10529	CENTENNIAL CASUALTY COMPANY	2200 WOODCREST PLACE SUITE 200 BIRMINGHAM, AL 35209
10531	CENTURY SURETY COMPANY	465 CLEVELAND AVENUE WESTERVILLE, OH 43082
10521	CHARTIS SPECIALTY INSURANCE COMPANY	300 SOUTH RIVERSIDE PLAZA SUITE 2100 CHICAGO, IL 60606-6613
10532	CHUBB CUSTOM INSURANCE COMPANY	C/O CORPORATE SERVICE COMPANY 1209 ORANGE STREET WILMINGTON, DE 19801-1120
72782	CINCINNATI SPECIALTY UNDERWRITERS INSURANCE COMPANY (THE)	BRANDYWINE VILLAGE 1807 NORTH MARKET STREET WILMINGTON, DE 19802-4810
18617	CLARENDON AMERICA INSURANCE COMPANY	196 PRINCETON HIGHSTOWN ROAD BUILDING 2, STE 14A PRINCETON JUNCTION, NJ 08550
10533	COLONY INSURANCE COMPANY	8720 STONY POINT PARKWAY SUITE 300 RICHMOND, VA 23235
10582	COLONY NATIONAL INSURANCE COMPANY	8720 STONY POINT PARKWAY SUITE 300 RICHMOND, VA 23235
10534	COLUMBIA CASUALTY COMPANY	333 S. WABASH, 43S CHICAGO, IL 60604
74670	COMPANION SPECIALTY INSURANCE COMPANY	51 CLEMSON ROAD COLUMBIA, SC 29229
86914	CONIFER INSURANCE COMPANY	26300 NORTHWESTERN HIGHWAY SUITE 410 SOUTHFIELD, MI 48076

<i>Key#</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
96047	COVINGTON SPECIALTY INSURANCE COMPANY	C/O NIXON PEABODY LLP 900 ELM STREET MANCHESTER, NH 03101
37372	CRUM & FORSTER SPECIALTY INSURANCE COMPANY	2999 NORTH 44TH STREET SUITE 250 PHOENIX, AZ 85018
66658	CUMIS SPECIALTY INSURANCE COMPANY, INC.	2000 HERITAGE WAY WAVERLY, IA 50677
10600	DARWIN SELECT INSURANCE COMPANY	320 WEST CAPITAL STREET SUITE 1000 LITTLE ROCK, AR 72201-3525
37001	DISCOVER SPECIALTY INSURANCE COMPANY	200 NORTH LASALLE STREET CHICAGO, IL 60661
10541	EMPIRE INDEMNITY INSURANCE COMPANY	630 NE 63RD STREET OKLAHOMA CITY, OK 73105
63338	ENDURANCE AMERICAN SPECIALTY INSURANCE COMPANY	767 THIRD AVENUE FIFTH FLOOR NEW YORK, NY 10017
94256	ENDURANCE SPECIALTY INSURANCE LTD	THE WELLESLEY HOUSE 90 PITTS BAY ROAD PEMBROKE, Bermuda HM 08
10542	ESSEX INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
10543	EVANSTON INSURANCE COMPANY	TEN PARKWAY NORTH DEERFIELD, IL 60015
10544	EVEREST INDEMNITY INSURANCE COMPANY	CORPORATION TRUST CENTER 1209 ORANGE STREET WILMINGTON, DE 19801
10545	EXECUTIVE RISK SPECIALTY INSURANCE COMPANY	82 HOPMEADOW STREET SIMSBURY, CT 06070-7683
10547	FIREMAN'S FUND INSURANCE COMPANY OF OHIO	41 SOUTH HIGH STREET SUITE 1700 COLUMBUS, OH 43215-6101
10548	FIRST FINANCIAL INSURANCE COMPANY	C/O HINSHAW & CULBERTSON, LLP 400 SOUTH NINTH STREET SPRINGFIELD, IL 62701-1822
10549	FIRST MERCURY INSURANCE COMPANY	ONE SOUTH WACKER DRIVE SUITE 1350 CHICAGO, IL 60606
10550	FIRST SPECIALTY INSURANCE CORPORATION	237 EAST HIGH STREET JEFFERSON CITY, MO 65102
18477	GEMINI INSURANCE COMPANY	CORPORATION TRUST CENTER 1209 ORANGE STREET WILMINGTON, DE 19801
10552	GENERAL SECURITY INDEMNITY COMPANY OF ARIZONA	2338 W. ROYAL PALM ROAD SUITE J PHOENIX, AZ 85021
10554	GENERAL STAR INDEMNITY COMPANY	120 LONG RIDGE ROAD STAMFORD, CT 08902-1843
58119	GEOVERA SPECIALTY INSURANCE COMPANY	4820 BUSINESS CENTER DRIVE SUITE 200 FAIRFIELD, CA 94534
44715	GLENCOE INSURANCE LIMITED	RENAISSANCE HOUSE 12 CROW LANE PEMBROKE, Bermuda HM19
73754	GNY CUSTOM INSURANCE COMPANY	200 MADISON AVENUE NEW YORK, NY 10016-3904

<i>Key#</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
10556	GOTHAM INSURANCE COMPANY	59 MAIDEN LANE, SUITE 2700 NEW YORK, NY 10036
10514	GREAT AMERICAN E & S INSURANCE COMPANY	CORPORATION TRUST COMPANY 1209 ORANGE STREET WILMINGTON, DE 19801
10518	GREAT AMERICAN FIDELITY INSURANCE COMPANY	CORPORATION TRUST COMPANY 1209 ORANGE STREET WILMINGTON, DE 19801
10540	GREAT AMERICAN PROTECTION INSURANCE COMPANY	301 EAST FOURTH STREET CINCINNATI, OH 45202
22412	GREAT LAKES REINSURANCE (UK) PLC	PLANTATION PLAN 30 FENCHURCH STREET LONDON, United Kingdom EC3M 3AJ
100854	GUIDEONE NATIONAL INSURANCE COMPANY	1111 ASHWORTH ROAD WEST DES MOINES, IA 50265-3538
36489	GUILFORD INSURANCE COMPANY	C/O HINSHAW & CULBERTSON, LLP 400 SOUTH NINTH STREET SUITE 200 SPRINGFIELD, IL 62701-1822
10557	GULF UNDERWRITERS INSURANCE COMPANY	ONE TOWER SQUARE HARTFORD, CT 06183
66133	HCC SPECIALTY INSURANCE COMPANY	201 ROBERT S. HERR AVENUE OKLAHOMA, OK 73102
100960	HOMELAND INSURANCE COMPANY OF DELAWARE	1209 ORANGE STREET WILMINGTON, DE 19801
44169	HOMELAND INSURANCE COMPANY OF NEW YORK	1000 WOODBURY ROAD SUITE 403 WOODBURY, NY 11797
10559	HOUSTON CASUALTY COMPANY	13403 NORTHWEST FREEWAY HOUSTON, TX 77040
75182	HOUSTON SPECIALTY INSURANCE COMPANY	800 GESSNER, SUITE 600 HOUSTON, TX 77024
102374	HSB SPECIALTY INSURANCE COMPANY	ONE STATE STREET HARTFORD, CT 06102-5024
37373	HUDSON SPECIALTY INSURANCE COMPANY	100 WILLIAM STREET, 5TH FLR. NEW YORK, NY 10038
10560	ILLINOIS EMCASCO INSURANCE COMPANY	717 MULBERRY STREET DES MOINES, IA 50309-3872
10561	ILLINOIS UNION INSURANCE COMPANY	525 WEST MONROE STREET CHICAGO, IL 60631
10562	INDIAN HARBOR INSURANCE COMPANY	CT CORPORATION SYSTEM 314 EAST THAYER AVENUE BISMARCK, ND 58501
75461	INFRASSURE, LTD	UETLIBERGSTRASSE 134A P O BOX 5089 ZURICH, Switzerland CH8045
28076	INTERNATIONAL INSURANCE CO OF HANNOVER, LTD	2ND FLOOR, 1 ARLINGTON SQUARE DOWNSHIRE WAY BERKSHIRE, United Kingdom RG12 1WA
10564	INTERSTATE FIRE & CASUALTY COMPANY	33 WEST MONROE CHICAGO, IL 60603
70118	IRONSHORE INSURANCE LTD.	141 FRONT STREET HAMILTON, Bermuda HM19

<i>Key#</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
10596	IRONSHORE SPECIALTY INSURANCE COMPANY	8601 NORTH SCOTTSDALE ROAD SUITE 300 SCOTTSDALE, AZ 85253
10546	JAMES RIVER INSURANCE COMPANY	52 EAST GAY STREET COLUMBUS, OH 43215
36855	KINSALE INSURANCE COMPANY	425 W. CAPITOL AVENUE SUITE 1800 LITTLE ROCK, AR 72201
80046	LANCASHIRE INSURANCE COMPANY (UK) LIMITED	LEVEL 11, VITRO 60, FENCHURCH STREET LONDON, United Kingdom EC3M 4AD
75297	LANCASHIRE INSURANCE COMPANY LIMITED	POWERHOUSE 7 PAR-LA-VILLE ROAD HAMILTON, Bermuda HM 11
8967	LANDMARK AMERICAN INSURANCE COMPANY	201 ROBERT KERR AVENUE SUITE 600 OKLAHOMA CITY, OK 73102-4267
45576	LANTANA INSURANCE LTD.	THE SWAN BUILDING 26 VICTORIA STREET P. O. BOX HM 1234 HAMILTON, Bermuda HM FX
10569	LEXINGTON INSURANCE COMPANY	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
22415	LIBERTY MUTUAL INSURANCE EUROPE LIMITED	3RD FLOOR, TWO MINSTER COURT MINCING LANE LONDON, United Kingdom EC3R 7YE
18457	LIBERTY SURPLUS INSURANCE CORPORATION	175 BERKELEY STREET BOSTON, MA 02117
22416	LLOYD'S, LONDON (UNDERWRITERS AT)	ONE LIME STREET LONDON, United Kingdom EC3M7HA
22417	LONDON AND EDINBURGH INSURANCE COMPANY LIMITED	8 SURREY STREET NORWICH, United Kingdom NR1 3NG
45736	MAIDEN SPECIALTY INSURANCE COMPANY	C/O CT CORPORATION SYSTEM 150 FAYETTEVILLE STREET BOX 1011 RALEIGH, NC 27601
92689	MAPFRE GLOBAL RISKS COMPANIA INTERNACIONAL DE SEGUROS Y REASEGUROS S A	CARRETERA POZUELO 52 EDIFICIO M-11 MADRID, Spain
22418	MARINE INSURANCE COMPANY LIMITED	ST MARKS COURT. CHART WAY HORSHAM, WEST SUSSEX ENGLAND, Great Britain RH 12 1XL
22455	MARKEL INTERNATIONAL INSURANCE COMPANY LIMITED	THE MARKEL BUILDING 49 LEADENHALL STREET LONDON, United Kingdom EC3A2EA
10527	MAXUM INDEMNITY COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
69016	MEDICAL MUTUAL LIABILITY INSURANCE SOCIETY OF MARYLAND	225 INTERNATIONAL CIRCLE HUNT VALLEY, MD 21030
75542	MERCHANTS NATIONAL INSURANCE COMPANY	5 BEDFORD FARMS SUITE 101 BEDFORD, NH 03110
10553	MESA UNDERWRITERS SPECIALTY INSURANCE COMPANY	115 S. W. 89TH STREET OKLAHOMA, OK 73139

<i>Key#</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
96043	MID-CONTINENT EXCESS AND SURPLUS INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
75518	MITSUI SUMITOMO INSURANCE COMPANY (EUROPE) LIMITED	25 FENCHURCH AVENUE LONDON, United Kingdom EC3M 5AD
94717	MONTPELIER REINSURANCE LTD	MONTPELIER HOUSE 94 PITTS BAY ROAD PEMBROKE, Bermuda HM 08
10571	MT. HAWLEY INSURANCE COMPANY	9025 N. LINDBERGH DRIVE PEORIA, IL 61615
10572	NAMIC INSURANCE COMPANY, INC.	3601 VINCENNES ROAD INDIANAPOLIS, IN 46268
10573	NATIONAL FIRE & MARINE INSURANCE COMPANY	3024 HARNEY STREET OMAHA, NE 68131-3580
10574	NAUTILUS INSURANCE COMPANY	7233 E. BUTHERUS DRIVE SCOTTSDALE, AZ 85260
10575	NAVIGATORS SPECIALTY INSURANCE COMPANY	ONE PENN PLAZA 32nd FLOOR NEW YORK, NY 10119-0002
10537	NOETIC SPECIALTY INSURANCE COMPANY	100 EAST STATE STREET MONTPELIER, VT 05602
10576	NORTH AMERICAN CAPACITY INSURANCE COMPANY	650 ELM STREET MANCHESTER, NH 03101-2524
79123	NORTH LIGHT SPECIALTY INSURANCE COMPANY	2775 SANDERS ROAD NORTHBROOK, IL 60062-7127
22388	NORTHBRIDGE INDEMNITY INSURANCE CORPORATION	595 BURRARD STREET, SUITE 1500 BOX 49115 BENTALL TOWER THREE VANCOUVER, British Columbia V7X 1G4
10577	NORTHFIELD INSURANCE COMPANY	1270 OFFICE PLAZA DRIVE WEST DES MOINES, IA 50266
10578	NUTMEG INSURANCE COMPANY	ONE HARTFORD PLAZA HARTFORD, CT 06155
22421	OCEAN MARINE INSURANCE COMPANY LIMITED	ST. HELEN'S 1 UNDERSHAFT LONDON, United Kingdom EC3P3DQ
10579	OLD REPUBLIC UNION INSURANCE COMPANY	307 NORTH MICHIGAN AVENUE CHICAGO, IL 60601
10566	PACIFIC INSURANCE COMPANY, LIMITED	ONE HARTFORD PLAZA HARTFORD, CT 06155
99478	PARTNERRE IRELAND INSURANCE LIMITED	5TH FLOOR, BLOCK 1, THE OVAL 160 SHELBOURNE ROAD, BALLSBRIDGE DUBLIN, Ireland 4
58179	PENN-PATRIOT INSURANCE COMPANY	526 KING STREET ALEXANDRIA, VA 22314
74667	PRIME INSURANCE COMPANY	303 WEST MADISON #2075 CHICAGO, IL 60606
23150	PRINCETON EXCESS AND SURPLUS LINES INSURANCE COMPANY	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
44436	PROASSURANCE SPECIALTY INSURANCE COMPANY, INC.	100 BROOKWOOD PLACE SUITE 500 BIRMINGHAM, AL 35209
10583	PROFESSIONAL UNDERWRITERS LIABILITY INSURANCE COMPANY	2180 SOUTH 1300 EAST SUITE 650 SALT LAKE CITY, UT 84106

<i>Key#</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
75543	PROTECTIVE SPECIALTY INSURANCE COMPANY	1099 NORTH MERIDIAN STREET INDIANAPOLIS, IN 46204
22449	QBE INSURANCE (EUROPE) LIMITED	PLANTATION PLACE 30 FENCHURCH STREET LONDON, United Kingdom EC3M 3BD
47448	QBE SPECIALTY INSURANCE COMPANY	314 EAST THAYER AVENUE BISMARCK, ND 58501
53074	QUANTA SPECIALTY LINES INSURANCE COMPANY	10 WEST MARKET STREET SUITE 450 INDIANAPOLIS, IN 46204
70898	REPUBLIC-VANGUARD INSURANCE COMPANY	2394 E. CAMELBACK ROAD PHOENIX, AZ 85016
10603	ROCKHILL INSURANCE COMPANY	8601 N. SCOTTSDALE ROAD, SUITE 300 SCOTTSDALE, AZ 85253
10589	SAFECO SURPLUS LINES INSURANCE COMPANY	SAFECO PLAZA 1001 FOURTH AVENUE SEATTLE, WA 98154
10590	SAVERS PROPERTY AND CASUALTY INSURANCE COMPANY	700 WEST 47TH STREET KANSAS CITY, MO 64112-1802
94496	SCOR UK COMPANY LIMITED	10 LIME STREET LONDON, United Kingdom EC3M 7AA
10591	SCOTTSDALE INSURANCE COMPANY	ONE NATIONWIDE PLAZA COLUMBUS, OH 43215
44276	SENECA SPECIALTY INSURANCE COMPANY	2999 NORTH 44TH STREET SUITE 250 PHOENIX, AZ 85018-7256
33514	SIRIUS INTERNATIONAL INSURANCE CORPORATION	BIRGER JARISGATAN 57B STOCKHOLM, Sweden SE 113 96
86970	SPARTA SPECIALTY INSURANCE COMPANY	CITYPLACE II 185 ASYLUM STREET HARTFORD, CT 06103
10593	ST. PAUL SURPLUS LINES INSURANCE COMPANY	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
79898	STARR SURPLUS LINES INSURANCE COMPANY	500 WEST MONROE STREET 26TH FLOOR CHICAGO, IL 60661
10594	STEADFAST INSURANCE COMPANY	SUITE 202 32 LOOCKERMAN SQUARE DOVER, DE 19904
22453	SWISS RE INTERNATIONAL SE	2A, RUE ALBERT BORSCHETTE KIRCHBERG, Luxembourg L1246
99437	SWISS RE SPECIALTY INSURANCE (UK) LIMITED	ST MARY AXE HOUSE 60 ST MARY AXE FENCHURCH STREET LONDON, United Kingdom EC3A 8JQ
22456	THROUGH TRANSPORT MUTUAL INSURANCE ASSOCIATION LIMITED	FIRST FLOOR CHEVRON HOUSE 11 CHURCH STREET HAMILTON, Bermuda HM11
73071	TOKIO MARINE EUROPE INSURANCE LIMITED	150 LEADENHALL STREET LONDON, United Kingdom EC3V 4TE
8705	TOKIO MARINE SPECIALTY INSURANCE COMPANY	1807 NORTH MARKET STREET WILMINGTON, DE 19802

<i>Key#</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
98475	TORUS INSURANCE (UK) LIMITED	5TH FLOOR 88 LEADENHALL STREET LONDON, United Kingdom EC3A 3BP
40659	TORUS SPECIALTY INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801-1120
10597	TRAVELERS EXCESS AND SURPLUS LINES COMPANY	ONE TOWER SQUARE HARTFORD, CT 06183
54486	TT CLUB MUTUAL INSURANCE LIMITED	90 FENCHURCH STREET LONDON, United Kingdom ECM 4ST
10598	TUDOR INSURANCE COMPANY	50 WASHINGTON STREET KEENE, NH 03431
10599	U. S. UNDERWRITERS INSURANCE COMPANY	316 NORTH FIFTH STREET SIXTH FLOOR BISMARCK, ND 58501
99475	UNITED KINGDOM MUTUAL STEAM SHIP ASSURANCE ASSOCIATION (BERMUDA) LIMITED (THE)	WINDSOR PLACE, QUEEN STREET P. O. BOX 665 HAMILTON, Bermuda HMCX
10558	UNITED NATIONAL SPECIALTY INSURANCE COMPANY	411 EAST WISCONSIN AVENUE SUITE 700 MILWAUKEE, WI 53202
64798	UNITED SPECIALTY INSURANCE COMPANY	160 GREENTREE DRIVE SUITE 101 DOVER, DE 19904
82097	UTICA SPECIALTY RISK INSURANCE COMPANY	2435 N CENTRAL EXPRESSWAY SUITE 400 RICHARDSON, TX 75080
10605	VOYAGER INDEMNITY INSURANCE COMPANY	260 INTERSTATE NORTH CIRCLE SE ATLANTA, GA 30339
99476	W. R. BERKLEY INSURANCE (EUROPE) LIMITED	2ND FLOOR 40 LIME STREET LONDON, United Kingdom EC3M 7AW
10607	WESTCHESTER SURPLUS LINES INSURANCE COMPANY	500 COLONIAL CENTER PARKWAY SUITE 200 ROSWELL, GA 30076
10608	WESTERN HERITAGE INSURANCE COMPANY	9200 E. PIMA CENTER PKWY SUITE 350 SCOTTSDALE, AZ 85258
10610	WESTERN WORLD INSURANCE COMPANY	50 WASHINGTON STREET KEENE, NH 03431
49219	WILSHIRE INSURANCE COMPANY	702 OBERLIN ROAD RALEIGH, NC 27605-0800
10604	XL SELECT INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
100530	YORK INSURANCE COMPANY OF MAINE	707 SABLE OAKS DRIVE, SUITE 100 SO. PORTLAND, ME 04106-6917

[Pa.B. Doc. No. 13-107. Filed for public inspection January 18, 2013, 9:00 a.m.]

### **Keystone Health Plan East; Medically Underwritten Individual HMO Product Rate Filing**

Keystone Health Plan East requests approval to increase the rates for the Medically Underwritten Individual HMO Product. The requested rate increase is 8.9%. The proposed rate increase would affect approximately 20,000 policyholders and would produce additional income of about \$8 million annually. The requested effective date of the change is July 1, 2013.

Unless formal administrative action is taken prior to April 4, 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."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.



Interested parties are invited to submit written or e-mail comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, rmathur@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
Insurance Commissioner

[Pa.B. Doc. No. 13-108. Filed for public inspection January 18, 2013, 9:00 a.m.]

### Qualified Unlicensed Reinsurers List

January 4, 2013

15539	AAA Northern California, Nevada & Utah Insurance Exchange, Walnut Creek, California	21555	Farm Bureau Mutual Insurance Company of Michigan, Lansing, MI
10852	Allstate New Jersey Insurance Company, Northbrook, Illinois	97071	Generali USA Life Reassurance Company, Lansing, Michigan
37990	American Empire Insurance Company, Cincinnati, Ohio	11049	Genworth Mortgage Reinsurance Corporation, Raleigh, NC
10316	Appalachian Insurance Company, Johnston, Rhode Island	37532	Great American E & S Insurance Company, Wilmington, Delaware
11680	Aspen Bermuda Ltd., Hamilton, Bermuda	41858	Great American Fidelity Insurance Company, Wilmington, Delaware
27189	Aspen Insurance UK Limited, London, England	14117	Grinnell Mutual Reinsurance Company, Grinnell, Iowa
27189	Associated International Insurance Company, Woodland Hills, California	88340	Hannover Life Reassurance Company of America, Orlando, Florida
98167	Blue Cross Blue Shield of Florida, Jacksonville, Florida	10241	Hannover Ruckversicherung AG, Hannover, Germany
27081	Bond Safeguard Insurance Company, Louisville, Kentucky	93505	Hartford International Life Reassurance Corporation, Hartford, Connecticut
30511	Castle Key Insurance Company, Northbrook, Illinois	42374	Houston Casualty Company, Houston, Texas
36951	Century Surety Company, Columbus, Ohio	27960	Illinois Union Insurance Company, Chicago, Illinois
26883	Chartis Specialty Insurance Company, Anchorage, Alaska	22829	Interstate Fire & Casualty Company, Chicago, Illinois
36552	Coliseum Reinsurance Company, Wilmington, Delaware	22993	Kentucky Farm Bureau Mutual Insurance Company, Louisville, Kentucky
39993	Colony Insurance Company, Richmond, Virginia	19437	Lexington Insurance Company, Wilmington, Delaware
27812	Columbia Insurance Company, Omaha, Nebraska	41939	Liberty Northwest Insurance Corporation, Portland, Oregon
40371	Columbia Mutual Insurance Company, Columbia, Missouri		Lloyd's Underwriters, London, England
14034	DaVinci Reinsurance Ltd., Pembroke, Bermuda	12324	Mapfre Re, Compania de Reaseguros, S.A., Madrid, Spain
40509	EMC Reinsurance Company, Des Moines, Iowa	10744	Markel International Insurance Company Limited, London, England
39020	Essex Insurance Company, Wilmington, Delaware	26743	Maxum Indemnity Company, Wilmington, Delaware
35378	Evanston Insurance Company, Evanston, Illinois	32089	Medmarc Mutual Insurance Company, Montpelier, Vermont
		13921	Montpelier Reinsurance Ltd., Hamilton, Bermuda
		20079	National Fire & Marine Insurance Company, Omaha, Nebraska
		41629	New England Reinsurance Corporation, Hartford, Connecticut
		17400	Noetic Specialty Insurance Company, Chicago, Illinois
		31143	Old Republic Union Insurance Company, Chicago, Illinois
		88099	Optimum Re Insurance Company, Dallas, Texas
		13787	Partner Reinsurance Company Ltd., Hamilton, Bermuda
		38636	Partner Reinsurance Company of the U. S., New York, New York
		88536	Protective Life and Annuity Insurance Company, Birmingham, Alabama

29807	PXRE Reinsurance Company, Hartford, Connecticut
11515	QBE Specialty Insurance Company, New York, New York
14033	Renaissance Reinsurance Ltd., Pembroke, Bermuda
12318	RiverStone Insurance (UK) Limited, London, England
21911	San Francisco Reinsurance Company, Novato, California
87017	SCOR Global Life Re Insurance Company of Texas, Plano, TX
87572	Scottish Re (U.S.) Inc., Dover, Delaware
90670	Scottish Re Life Corporation, Dover, Delaware
41297	Scottsdale Insurance Company, Columbus, Ohio
23388	Shelter Mutual Insurance Company, Columbia, Missouri
26557	Shelter Reinsurance Company, Columbia, Missouri
39187	Suecia Insurance Company, Nanuet, New York
19887	Trinity Universal Insurance Company, Dallas, Texas
37982	Tudor Insurance Company, Keene, New Hampshire
10292	Unionamerica Insurance Company Limited, London, England
36048	Unione Italiana Reinsurance Company of America, Inc., New York, New York
10172	Westchester Surplus Lines Insurance Company, Atlanta, Georgia
13196	Western World Insurance Company, Keene, New Hampshire

#### *Changes to the Qualified Unlicensed Reinsurers List*

The following companies have been added since the List was published at 42 Pa.B. 283 (January 14, 2012):

- Aspen Bermuda Ltd.
- DaVinci Reinsurance Ltd.
- Maxum Indemnity Company
- Renaissance Reinsurance Ltd.
- Scottish Re (US), Inc.

The following company received licensure in this Commonwealth since the List was last published at 42 Pa.B. 283 and therefore has withdrawn as a qualified unlicensed reinsurer:

- Samsung Fire & Marine Insurance Company Ltd. (U.S. Branch)

The following companies were merged out of existence since the List was last published at 42 Pa.B. 283:

- Chartis Select Insurance Company
- Landmark Insurance Company

The following company voluntarily withdrew from the List since it was last published at 42 Pa.B. 283:

- Zurich Specialties London Limited  
MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-109. Filed for public inspection January 18, 2013, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Executive Board*

Resolution No. CB-12-018, Dated November 19, 2012. Authorizes the Memorandum of Understanding between the Commonwealth of Pennsylvania and the International Union, United Government Security Officers of America (UGSOA) and its Affiliated Local 304. The Memorandum of Understanding provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period September 1, 2011 through August 31, 2014.

Resolution No. CB-12-019, Dated November 19, 2012. Authorizes the Collective Bargaining Agreement between the Commonwealth of Pennsylvania and the International Union, United Government Security Officers of America (UGSOA) and its Affiliated Local 304. The Collective Bargaining Agreement provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period September 1, 2011 through August 31, 2014.

Resolution No. CB-12-020, Dated November 19, 2012. Authorizes the Interest Arbitration Award between the Commonwealth of Pennsylvania and the Fraternal Order of Police, Lodge #85, Capitol Police L4 Unit. The Arbitration Award provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period July 1, 2011 through June 30, 2015.

#### *Governor's Office*

Management Directive No. 310.13—Responsibilities for Comprehensive Annual Financial Reporting, Amended December 21, 2012.

Management Directive No. 410.10—Guidelines for Investigating and Resolving Internal Discrimination Complaints, Amended December 5, 2012.

Administrative Circular 12-15—Holiday Trees and Decorations in Commonwealth-Owned or Leased Buildings, Dated November 21, 2012.

Administrative Circular 12-16—Computation of Interest Penalties, Act 1982-266 Amended, Dated December 14, 2012.

MARY JANE PHELPS,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 13-110. Filed for public inspection January 18, 2013, 9:00 a.m.]

## PENNSYLVANIA MUNICIPAL RETIREMENT BOARD

### Hearing Scheduled

A hearing has been scheduled, as authorized by Pennsylvania Municipal Retirement Law (53 P. S. §§ 881.101—888.501), in connection with the Pennsylvania Municipal Retirement Board's (Board) denial of Claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the Pennsylvania Municipal Retirement Board, 1010 North 7th Street, Suite 301, Eastgate Center, Harrisburg, PA 17102:

April 3, 2013      The City of Lebanon Authority      1 p.m.  
(Portability)

Persons with a disability, who wish to attend the previously-listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Wanita Hoke at (717) 787-2065 to discuss how the Board may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 16 Pa. Code § 91.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JAMES B. ALLEN,  
*Secretary*

[Pa.B. Doc. No. 13-111. Filed for public inspection January 18, 2013, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### PPL Electric Utilities Corporation; Northeast-Pocono Reliability Project; Prehearing Conference; Prehearing Order

**A-2012-2340872.** For approval of the siting and construction of transmission lines associated with the Northeast-Pocono Reliability Project in portions of Luzerne, Lackawanna, Monroe and Wayne Counties.

**P-2012-2340871.** For a finding that a building to shelter control equipment at the North Pocono 230-69 kV

substation in Covington Township, Lackawanna County, is reasonably necessary for the convenience or welfare of the public.

**P-2012-2341105.** For a finding that a building to shelter control equipment at the West Pocono 230-69 kV Substation in Buck Township, Luzerne County, is reasonably necessary for the convenience or welfare of the public.

**A-2012-2341107.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) (relating to additional powers of certain public utility corporations) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of John C. Justice and Linda S. Justice in Salem Township, Wayne County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2012-2341114.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Three Griffins Enterprises, Inc. in Salem Township, Wayne County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2012-2341115.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Margaret G. Arthur and Barbara A. Saurman, Trustees of the Residuary Trust of James C. Arthur in Sterling Township, Wayne County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2012-2341118.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Anthony J. Lupas, Jr. and Lillian Lupas, John Lupas and Judy Lupas, Grace Lupas, Eugene A. Bartoli and Robert J. Frankelli in Bear Creek Township, Luzerne County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2012-2341120.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Ronald G. Sidovar and Gloria J. Sidovar in Salem Township, Luzerne County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2012-2341123.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and

determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of FR First Avenue Property Holding, LP in Covington Township, Lackawanna County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341208.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of transcontinental Gas Pipe Line Corporation in Buck Township, Luzerne County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341209.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of William Petrouleas and Joanna Petrouleas in Clifton Township, Lackawanna County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341211.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Peter Palermo and Francine Palermo in Salem Township, Wayne County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341213.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Christopher Maros and Melinda Maros in Sterling Township, Wayne County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341214.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Dianne L. Doss in Paupack Township, Wayne County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341215.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of

eminent domain to acquire a certain portion of the lands of Donald Januszewski in Salem Township, Wayne County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341216.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of International Consolidated Investment Company in Clifton Township, Lackawanna County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341220.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Bradley D. Hummel in Salem Township, Wayne County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341221.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Michael Palermo and Joanne Palermo in Salem Township, Wayne County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341232.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Roberta Searfoss a/k/a Judy Searfoss, Executrix of the Estate of Euylla Hughes a/k/a Eylla Hughes in Buck Township, Luzerne County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341233.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of John F. and Veronica Iskra in Bear Creek Township, Luzerne County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341234.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Michael A. Mitch and Sue K. Mitch in Paupack Township, Wayne County, for siting and construction of

transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341236.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Clifton Acres, Inc. in Clifton Township, Lackawanna County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341237.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Dietrich Hunting Club in Lehigh Township, Lackawanna County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2012-2341238.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Art Borrower Propco 2010-5 LLC in Covington Township, Lackawanna County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341239.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of NLMS, Inc. in Clifton Township, Lackawanna County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341241.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of US Industrial Reit II in Covington Township, Lackawanna County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341249.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Ronald Solt in Plains Township, Luzerne County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341250.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Merel J. and Arlene J. Swingle in Salem Township, Wayne County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341253.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Edward R. Schultz in Covington Township, Lackawanna County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341262.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Donald W. Henderson and Louis Bellucci in Paupack Township, Wayne County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341263.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Fr E2 Property Holding LP in Covington Township, Lackawanna County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341267.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Sylvester J. Coccia in Clifton Township, Lackawanna County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341271.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Lawrence Duda in Salem Township, Wayne County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341272.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of

eminent domain to acquire a certain portion of the lands of Mark M. Mack, J. Dean Mack and Heather K. Mack in Bear Creek Township, Luzerne County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2013-2341277.** Application of PPL Electric Utilities Corporation under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Blue Ridge Real Estate in Buck Township, Luzerne County, for siting and construction of transmission lines associated with the proposed Northeast-Pocono Reliability Project is necessary or proper for the service, accommodation, convenience or safety of the public.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on Administrative Law Judge David A. Salapa and the applicant, on or before February 27, 2013. The documents filed in support of the applications and petitions are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov), and at the Applicant's business address.

*Applicant:* PPL Electric Utilities Corporation

*Through and By Counsel:* David B. MacGregor, Post & Schell, PC, Four Penn Center, 1600 John F. Kennedy Boulevard, Philadelphia, PA 19103-2808

Paul E. Russell, Associate General Counsel, PPL Services Corporation, Two North Ninth Street, Allentown, PA 18106

Christopher T. Wright, John H. Isom, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601

### Prehearing Conference

An initial prehearing conference on the previously-captioned case will be held as follows:

*Date:* Wednesday, March 6, 2013

*Time:* 10 a.m.

*Location:* Hearing Room 3  
Plaza Level  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

*Presiding:* Administrative Law Judge David A. Salapa  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
(717) 787-1399  
Fax: (717) 787-0481

Persons with a disability who wish to attend the hearing should contact the Commission to make arrangements for their special needs. Call the scheduling office at the Commission at least 5 business days prior to the hearing to submit a request.

For persons who require an interpreter to participate in the hearings, the Commission will make every reasonable effort to have an interpreter present. Call the scheduling

office at the Commission at least 10 business days prior to the hearing to submit a request.

- Scheduling Office: (717) 787-1399
- Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

### Prehearing Order

*Application of PPL Electric Utilities Corporation filed pursuant to 52 Pa. Code Chapter 57, Subchapter G, for approval of the siting and construction of transmission lines associated with the Northeast-Pocono Reliability Project in portions of Luzerne, Lackawanna, Monroe, and Wayne Counties, Pennsylvania; A-2012-2340872*

*Petition of PPL Electric Utilities Corporation for a finding that a building to shelter control equipment at the North Pocono 230-69 kV Substation in Covington Township, Lackawanna County, Pennsylvania is reasonably necessary for the convenience or welfare of the public; P-2012-2340871*

*Petition of PPL Electric Utilities Corporation for a finding that a building to shelter control equipment at the West Pocono 230-69 kV Substation in Buck Township, Luzerne County, Pennsylvania is reasonably necessary for the convenience or welfare of the public; P-2012-2341105*

### Prehearing Order #1

*The purpose of this Order*

If you are receiving this Order, it is because you have been identified as a person who may have an interest in the proceedings filed with the Pennsylvania Public Utility Commission (Commission) listed in the caption, above. This Order will describe: (1) the filings involved in this proceeding; (2) the process that the Commission will follow in considering the proceedings; (3) the different options that you have for involvement; and (4) how to become a party to this case, if that is your choice.

There is no requirement that you participate; however, if you do not, then the case will proceed and be decided without your input.

#### 1. The filings

On December 28, 2012, PPL Electric Utilities Corporation (PPL) filed its application with the Commission for authority to construct a new 230 kV transmission line approximately 58 miles in length through portions of Luzerne, Lackawanna, Monroe, and Wayne Counties. In conjunction with its application, PPL requests authority to construct two new substations, the North Pocono Substation and the West Pocono Substation, in Covington Township, Lackawanna County and Buck Township, Luzerne County respectively. These two substations will be connected to the existing 230 kV transmission system by the new 58 mile long 230 kV transmission line. PPL also requests authority to construct five new 138/69 kV lines totaling approximately 11.3 miles to connect the new North Pocono and West Pocono Substations to the existing 138/69 kV transmission system.

I will consolidate these filings for the purposes of discovery, litigation and decision.

#### 2. The Process

The first step in the proceeding is to establish a list of parties who have a legitimate interest in the case. Options and directions for participating are included below. A prehearing conference is set for March 6, 2013, and will be held in Harrisburg in Hearing Room 2 of the Commonwealth Keystone Building, 400 North Street, at 10:00 am. On or before February 27, 2013, any entity

wishing to become a party to this proceeding must file either a petition to intervene or a protest. Directions regarding how to do this appear in this Order, below. At the prehearing conference, each petition to intervene will be considered, and at the end of the prehearing conference, a parties' list will be established. Only parties will be served with notices after that date. If you do not file either a protest or a petition to intervene, your name will be dropped from the service list.

In addition, the litigation schedule for this proceeding will be set at the prehearing conference. Other matters to be decided include the number of and locations for public input hearings, if necessary, due dates for the service of direct and rebuttal testimony, dates for the evidentiary hearings and briefing, and modification of discovery rules.

The prehearing conference is for the discussion and planning of the litigation of the case. No testimony will be taken. Only lawyers representing parties of record and individual persons representing themselves as full litigants will be permitted to participate in the prehearing conference. One of the topics for discussion will be the number and location of public input hearings, if necessary, where all members of the public would be afforded an opportunity to provide testimony regarding this case. Notice of these public input hearings would be published in local newspapers prior to the dates of the hearings themselves.

Following evidentiary hearings and briefing by the parties, I will issue a recommended decision which: (1) sets forth the chronology of the case; (2) summarizes the testimony; (3) applies the relevant law; and (4) makes a recommendation to the full Commission on how to rule on the matter. The parties may file exceptions and reply exceptions to the recommended decision and a final decision of the full Commission will be issued in December 2013, unless circumstances require an extension of time.

### 3. *Your involvement*

For proceedings before the Commission, the Pennsylvania General Assembly has provided for three agencies to advocate for the public interest. The Office of Consumer Advocate is concerned with the rights of consumers, the Office of Small Business Advocate advocates for small businesses, and the Commission's Bureau of Investigation and Enforcement intervenes in cases in order to protect the interest of the general public. Any or all of these agencies may be part of this proceeding and if they are, they will scrutinize the PPL's application carefully, as well as presenting their own witnesses at the formal hearings.

If, however, you believe that your own interests need to be protected by participation in this case, the Commission recognizes your right to participate. Your actions in response to this prehearing order will be important.

*In response to this prehearing order, you may proceed one of three ways:*

(1) *Do nothing.* If you do nothing after receiving this prehearing order, your name will be removed from the service list. After the prehearing conference on March 6, 2013, you will not receive any pleadings, filings, discovery requests, written testimony or orders and decisions in this matter. You may still attend and testify at a public input hearing, as explained in the next paragraph.

(2) *Attend a public input hearing.* Public input hearings are held in geographical areas affected by the application for the purpose of giving citizens who do not

wish to participate in the formal litigation an opportunity to express their opinions regarding the Company's proposal. In order to testify at a public input hearing, all a citizen has to do is show up and sign in. No advance registration is required. If you want to attend a public input hearing and do not wish to remain on the service list for pleadings, filings, discovery requests or orders and decisions in this matter, you are not required to do anything. Notice of the public input hearing will be published in your local newspaper two weeks before it is held.

(3) *Become a party of record.* As a party of record, you will be served with all of the pleadings, filings, discovery requests, written testimony and orders and decisions served and issued in this proceeding. These documents will be voluminous. Your rights as a party of record include the ability to present your own testimony and to cross-examine other witnesses at the formal hearings, and to file exceptions to the presiding officer's recommended decision. Your duties as a party of record are that you must answer all discovery requests served upon you in accordance with the Commission's rules. You will be required to serve a copy of anything that you file upon the presiding officer and each party appearing on the service list, as modified after the prehearing conference on March 6, 2013, regardless of the cost of postage. If you intend to present evidence at the formal evidentiary hearings, you will be required to submit your testimony in writing in advance, in accordance with the schedule to be set after the prehearing conference and to provide a copy of your written testimony to each party on the service list at that time. You will be expected to participate in accordance with the rules of Commission practice appearing in Title 52 of the Pennsylvania Code Chapters 1, 3 and 5. The Pennsylvania Code is available on-line at [www.pacode.com](http://www.pacode.com). Although a natural person or a sole proprietor may appear on his or her own behalf, if you are any entity other than a natural person or a sole proprietor, (e.g., a corporation, partnership, municipality, etc.), you will be required to have an attorney represent you in accordance with the laws of Pennsylvania. See Ordering Paragraph 7, below.

To become a party of record, you must file with the Commission's Secretary either a protest to the application or a petition to intervene on or before February 27, 2013. A protest shall be in the form set forth in the Commission regulations, 52 Pa. Code § 5.51—53, and must state the grounds for the protest. A copy of your protest must be served on PPL and me in addition to being filed with the Commission's Secretary.

A petition to intervene must conform to the requirements in 52 Pa. Code §§ 5.71—76, and shall state briefly the interest of the intervenor and the objections to be raised, if any. 52 Pa. Code § 5.75(c). All timely-filed petitions to intervene will be ruled upon at the prehearing conference on March 6, 2013 or in the scheduling order to be issued following the prehearing conference.

*Therefore,*

*It Is Ordered:*

1. That a prehearing conference is scheduled for Wednesday, March 6, 2013, at 10:00 am. in Hearing Room 2 of the Commonwealth Keystone Building, Harrisburg PA 17120. Unless you are the applicant, you must file a timely protest or a petition to intervene in order to participate in the prehearing conference.

2. That the cases captioned Application of PPL Electric Utilities Corporation filed pursuant to 52 Pa. Code Chap-

ter 57 Subchapter G, for approval of the siting and construction of transmission lines associated with the Northeast-Pocono Reliability Project in portions of Luzerne, Lackawanna, Monroe and Wayne Counties, Pennsylvania at Docket No. A-2012-2340872, Petition of PPL Electric Utilities Corporation for a finding that a building to shelter control equipment at the North Pocono 230-69 kV Substation in Covington Township, Lackawanna County, Pennsylvania is reasonably necessary for the convenience or welfare of the public at Docket No. P-2012-2340871 and Petition of PPL Electric Utilities Corporation for a finding that a building to shelter control equipment at the West Pocono 230-69 kV Substation in Buck Township, Luzerne County, Pennsylvania is reasonably necessary for the convenience or welfare of the public at Docket No. P-2012-2341105 are consolidated for purposes of discovery, litigation and disposition. The parties are directed to place the docket number of the application, A-2012-2340872 on the top of every document filed in the cases.

3. That, consistent with the publication in the *Pennsylvania Bulletin*, the protests or petitions for intervention shall be filed with the Commission's Secretary on or before February 27, 2013, and a copy must be served upon me and PPL Electric Utilities Corporation.

4. That a protest shall be in the form set forth in the Commission regulations, 52 Pa. Code § 5.51—53, and must set forth the grounds for the protest. A copy of your protest must be served on PPL Electric Utilities Corporation and me in addition to filing the protest with the Commission's Secretary.

5. That a petition to intervene must conform to the requirements in 52 Pa. Code §§ 5.71—76, and shall state briefly the interest of the intervenor and the objections to be raised, if any. 52 Pa. Code § 5.75(c). A copy must be served upon me and PPL Electric Utilities Corporation in addition to filing the petition to intervene with the Commission's Secretary.

6. That those individuals and entities planning on participating in the prehearing conference review the regulation pertaining to prehearing conferences, 52 Pa. Code § 5.222. Please be prepared to discuss possibilities for settlement, scheduling, the amount of hearing time necessary, and electronic service among parties. In addition, please note subsection (d), which provides, in part:

(d) Parties and counsel will be expected to attend the conference fully prepared for a useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto. 52 Pa. Code § 5.222.

7. That if you are an individual, you may either represent yourself or have an attorney licensed to practice law in the Commonwealth of Pennsylvania represent you. However, if you are a partnership, corporation, trust, association, joint venture, other business organization, trust, trustee, legal representative, receiver, agency, governmental entity, municipality or other political subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall comply with the Commission's appearance requirements. 52 Pa. Code § 1.24(b).

8. That a copy of any document filed with the Commission's Secretary or submitted shall be sent directly to me. Service on me shall be by hard copy to the following

address: Administrative Law Judge David A. Salapa, Pennsylvania Public Utility Commission, Office of Administrative Law Judge, P. O. Box 3265, Harrisburg PA 17105-3265.

9. That parties review the regulations regarding discovery, particularly 52 Pa. Code § 5.331(b) advising that parties shall initiate discovery as early as possible. The parties shall conduct discovery pursuant to 52 Pa. Code §§ 5.321—5.373. I encourage the parties to cooperate and exchange information on an informal basis. The parties shall cooperate rather than engage in numerous or protracted discovery disagreements that require my participation to resolve. All motions to compel shall contain a certification by counsel setting forth the specific actions the parties have undertaken to resolve their discovery disputes informally. If a motion to compel does not contain this certification, I shall contact the parties and direct them to resolve the matter informally and provide the certification if they are unsuccessful. There are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa. Code §§ 5.361, 5.371—5.372.

10. Please be prepared to schedule the case at the prehearing conference. If there is no agreement upon an acceptable schedule, the following will be imposed:

Testimony of parties Other than the PPL	May 6, 2013
Public input hearings	April 29-May 3, 2013
Rebuttal testimony	June 6, 2013
Surrebuttal testimony	June 17, 2013
Evidentiary hearings	June 24-28, 2013
Initial briefs	July 26, 2013
Reply briefs	August 5, 2013
Recommended decision	September 18, 2013
Exceptions	October 1, 2013
Reply Exceptions	October 9, 2013
Commission Order	December 2013

11. A scheduling and briefing order shall be issued following the prehearing conference. Parties will be required to follow a common outline for initial briefs, and parties are encouraged to work together to develop it.

Dated: January 8, 2013

David A. Salapa,  
*Administrative Law Judge*  
ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-112. Filed for public inspection January 18, 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 Commis-



sion, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by February 4, 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-2012-2291937. Quality Transport Services, Inc.** (1025 Longfield Road, Southampton, PA 18966)—for the right to begin to transport, as a common carrier, persons in paratransit service, whose medical condition prevents them from owning or operating motor vehicles within the City limits of Philadelphia, and to and from Chester, Montgomery and Bucks Counties. To transport persons to medical facilities in the City of Philadelphia and to transport persons in wheelchair and stretcher vans within the City limits of Philadelphia.

**A-2012-2300845. Yourway Transport, Inc.** (6681 Snowdrift Road, Allentown, Lehigh County, PA 18106)—persons upon call or demand, between points in the Counties of Lehigh and Northampton.

**A-2012-2325953. Jake Smucker** (7 Pleasant Road, Gordonville, PA 17529) 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 Lancaster, to points in Pennsylvania, and return.

**A-2012-2329406. Lancaster City Cabs, LLC** (332 Dickens Drive, Lancaster, Lancaster County, PA 17603)—for the right to begin to transport, as a common carrier, by motor vehicle, persons in call or demand service, from points in the City and County of Lancaster, to points in Pennsylvania, and return.

**A-2012-2329914. Bridging the Gap Transportation, LLC** (336 East Hortter Street, Philadelphia, PA 19119) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the City and County of Philadelphia to correctional facilities in Pennsylvania, and return.

**A-2012-2333034. Ken Robinson Limousine Service, LLC** (10511 Valley Forge Circle, King of Prussia, PA 19406) to transport, as a common carrier, by motor vehicle, persons, in limousine service, between points in the Counties of Montgomery, Delaware, Chester and Bucks and from points in said counties to points in Pennsylvania, and return; excluding service that is 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 persons by transfer of rights as described under the application.**

**A-2012-2327532. Atlas Transportation, Inc.** (480 Woodland Drive, Wayne, PA 19087)—in limousine service, between points in Pennsylvania; excluding that service which is under the jurisdiction of the Philadelphia Parking Authority, which is to be a transfer of all rights authorized under the certificate issued at A-6410195 to Hi-Line Limousine Services, Inc., subject to the same limitations and conditions.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.**

**A-2012-2329517. Keep It Moving, LLC** (1727 Guilford Street, Philadelphia, PA 19111) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in the Counties of Bucks, Chester, Delaware, Montgomery and Philadelphia.

**Application of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.**

**A-2012-2331777. Joel B. Showalter** (5436 Meadville Road, New Holland, Lancaster County, PA 17557)—for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Freddy Colon-Tejeda;*  
A-00123162; C-2012-2305429

**COMPLAINT**

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

1. That Freddy Colon-Tejeda, respondent, operates his business from 707 Alter St, Hazleton, PA 18201.

2. That respondent was previously certificated as a paratransit carrier at Docket A-00123162, prior to cancellation on March 26, 2007.

3. That on May 2, 2012, carrier did provide transportation from points in Hazelton, PA area, to the TJ MAXX store located at Oldfield Drive, Pittston, PA, for \$25 per week in compensation, while not holding authority to do so.

4. That respondent, in performing the acts described in Paragraph 3 of this complaint, violated the Public Utility Code, 66 Pa.C.S. § 1101, in that respondent provided transportation for compensation between points in the Commonwealth of Pennsylvania while not holding a certificate of public convenience issued by this Commission. The penalty is \$1,000.00. Future violations may result in possible criminal prosecution with penalties up to \$10,000.00 and one year in prison.

Wherefore, the Bureau of Investigation and Enforcement's Prosecutory Staffs hereby requests that the Commission fine Freddy Colon-Tejeda, the proposed civil penalty of one thousand dollars (\$1,000.00) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105 3265

VERIFICATION

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

Date: 10/16/2012 David W. Loucks, Chief of  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

NOTICE

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

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

Or, may be sent by overnight delivery to:

400 North Street, 2nd Floor  
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, Pennsylvania 17105-3265

B. If you fail to answer this Complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing the penalty proposed in the Complaint.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to the:

Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105 3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed. In such case, to prevent the suspension of your vehicle registration(s), you must file an application for authority with the Secretary of the Commission, P. O. Box 3265, Harrisburg, PA 17105-

3265. If no application is received within the twenty (20) day time period, the Bureau of Investigation and Enforcement will proceed with the request for suspension of your vehicle registration(s). Your response should be directed to the Compliance Office, Bureau of Technical Utility Services, P. O. Box 3265, Harrisburg, Pennsylvania 17105 3265.

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing the penalty proposed in the Complaint.

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

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227. Questions on how to respond to this Complaint may also be directed to the Compliance Office.

*Pennsylvania Public Utility Commission, Bureau of  
Investigation and Enforcement v. Alfred R. Diehl;  
Doc. No. C-2012-2326678*

COMPLAINT

Now Comes the Pennsylvania Public Utility Commission's ("Commission"), Bureau of Investigation and Enforcement ("I&E"), by its counsel, and files this Complaint against Alfred R. Diehl ("Respondent"), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P. O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer  
Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.772.8839  
stwimer@pa.gov

Wayne T. Scott  
First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.783.6150  
wascott@pa.gov

4. Respondent is Alfred R. Diehl and maintains his principal place of business at 1005 Bald Eagle Avenue, Tyrone, PA 16686, Attention: Alfred R. Diehl.

5. Respondent provides a "public utility" as that term is defined at 66 Pa.C.S. § 102, as he is engaged in transporting property in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about May 11, 1999, at A-00115752, for trucking authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission, inter alia, to hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting property as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

#### Factual Background

##### 2008-2009 Fiscal Year

12. On or about February 15, 2008, the Commission mailed to Respondent an assessment report form for Respondent to report his 2007 calendar year revenues.

13. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2008.

14. Respondent failed to file an assessment report to show his 2007 calendar year revenues.

15. On or about September 22, 2008, the Commission mailed Respondent an assessment invoice for the July 1, 2008 to June 30, 2009 Fiscal Year that was based, in part, on Respondent's estimated revenues for the 2007 calendar year. Respondent's assessment was \$13.

16. Accompanying the assessment invoice was a notice that informed Respondent that he was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

17. The Commission received no objections from Respondent to the 2008-2009 Fiscal Year Assessment.

18. Respondent failed to pay the amount set forth in his 2008-2009 Fiscal Year Assessment.

##### 2009-2010 Fiscal Year

19. On or about February 15, 2009, the Commission mailed to Respondent an assessment report form for Respondent to report his 2008 calendar year revenues.

20. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2009.

21. Respondent failed to file an assessment report to show his 2008 calendar year revenues.

22. On or about September 17, 2009, the Commission mailed Respondent an assessment invoice for the July 1, 2009 to June 30, 2010 Fiscal Year that was based, in part, on Respondent's estimated revenues for the 2008 calendar year. Respondent's assessment was \$14.

23. Accompanying the assessment invoice was a notice that informed Respondent that he was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

24. The Commission received no objections from Respondent to the 2009-2010 Fiscal Year Assessment.

25. Respondent failed to pay the amount set forth in his 2009-2010 Fiscal Year Assessment.

##### 2010-2011 Fiscal Year

26. On or about February 15, 2010, the Commission mailed to Respondent an assessment report form for Respondent to report his 2009 calendar year revenues.

27. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2010.

28. Respondent failed to file an assessment report to show his 2009 calendar year revenues.

29. On or about September 9, 2010, the Commission mailed Respondent an assessment invoice for the July 1, 2010 to June 30, 2011 Fiscal Year that was based, in part, on Respondent's estimated revenues for the 2009 calendar year. Respondent's assessment was \$22.

30. Accompanying the assessment invoice was a notice that informed Respondent that he was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

31. The Commission received no objections from Respondent to the 2010-2011 Fiscal Year Assessment.

32. Respondent failed to pay the amount set forth in his 2010-2011 Fiscal Year Assessment.

##### 2011-2012 Fiscal Year

33. On or about February 15, 2011, the Commission mailed to Respondent an assessment report form for Respondent to report his 2010 calendar year revenues.

34. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2011.

35. Respondent failed to file an assessment report to show his 2010 calendar year revenues.

36. On or about September 14, 2011, the Commission mailed Respondent an assessment invoice for the July 1, 2011 to June 30, 2012 Fiscal Year that was based, in part, on Respondent's estimated revenues for the 2010 calendar year. Respondent's assessment was \$21.

37. Accompanying the assessment invoice was a notice that informed Respondent that he was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

38. The Commission received no objections from Respondent to the 2011-2012 Fiscal Year Assessment.

39. Respondent failed to pay the amount set forth in his 2011-2012 Fiscal Year Assessment.

40. The total outstanding assessment balance for Respondent is \$70.

## Violations

## COUNT 1

41. That Respondent, by failing to file assessment reports to demonstrate his gross intrastate operating revenues for the 2007, 2008, 2009, and 2010 calendar years violated Section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b).

The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$200.

## COUNT 2

42. That Respondent, by failing to pay the Commission's assessments for four (4) fiscal years, violated Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c).

The Bureau of Investigation and Enforcement recommends that the Commission impose a civil penalty in the amount of \$10 or 15% of the outstanding amount due.

Wherefore, for all the foregoing reasons, the Bureau of Investigation and Enforcement of Pennsylvania Public Utility Commission respectfully requests that:

(a) Respondent be ordered to pay a total of \$280, which consists of his outstanding assessment balance, which totals \$70, and a civil penalty of \$210 for the above-described violations.

(b) If payment of the civil penalty and assessments is not made, the Bureau of Investigation and Enforcement requests that:

(1) the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent;

(2) the Commission certify automobile registrations to the Department of Transportation for suspension or revocation; and

(3) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action.

Respectfully submitted,

Stephanie M. Wimer  
Prosecutor  
Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Date: September 28, 2012

VERIFICATION

I, Susan A. Daub, Accountant, Bureau of Administrative Services, Assessment Section, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: September 28, 2012

\_\_\_\_\_  
Susan A. Daub, Accountant  
Assessment Section  
Bureau of Administrative Services  
PA. Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

NOTICE

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

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

Additionally, you must serve a copy on:

Wayne T. Scott  
First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty set forth in the Complaint.

C. You may elect not to contest this Complaint by paying the civil penalty and your outstanding assessment within 20 days. Your check or money order for the civil penalty and assessment should be payable to the Commonwealth of Pennsylvania and should be mailed to:

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

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. See 52 Pa. Code §§ 1.21—1.22.

Alternative formats of this material are available for persons with disabilities by contacting the Pennsylvania Public Utility Commission at 717-787-717-787-5620.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Allegheny Coin Company, Inc. t/a Allegheny Telephone Company;*  
Doc. No. C-2012-2331111

COMPLAINT

Now Comes the Pennsylvania Public Utility Commission's ("Commission"), Bureau of Investigation and Enforcement ("I&E"), by its counsel, and files this Complaint against Allegheny Coin Company, Inc. t/a Allegheny Telephone Company ("Respondent"), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

## Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P. O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer  
Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.772.8839  
stwimer@pa.gov

Wayne T. Scott  
First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.783.6150  
wascott@pa.gov

4. Respondent is Allegheny Coin Company, Inc. t/a Allegheny Telephone Company and maintains its principal place of business at 6245 Saltsburg Road, Pittsburgh, PA 15235, Attention: Burton Nord.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as it is engaged in conveying or transmitting messages or communications by telephone in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about January 29, 1996, at A-310296, for interexchange carrier reseller authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission, inter alia, to hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in conveying or transmitting messages or communications by telephone for the public for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

## Factual Background

## 2009-2010 Fiscal Year

12. On or about September 17, 2009, the Commission sent Respondent, through certified mail, an assessment invoice for the July 1, 2009 to June 30, 2010 Fiscal Year. Respondent's assessment was \$387.

13. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

14. The Commission received no objections from Respondent to the 2009-2010 Fiscal Year Assessment.

15. Respondent failed to pay the total amount set forth in its 2009-2010 Fiscal Year Assessment.

## 2010-2011 Fiscal Year

16. On or about September 9, 2010, the Commission sent Respondent, through certified mail, an assessment invoice for the July 1, 2010 to June 30, 2011 Fiscal Year. Respondent's assessment was \$313.

17. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

18. The Commission received no objections from Respondent to the 2010-2011 Fiscal Year Assessment.

19. Respondent failed to pay the total amount set forth in its 2010-2011 Fiscal Year Assessment.

## 2011-2012 Fiscal Year

20. On or about February 15, 2011, the Commission mailed to Respondent an assessment report form for Respondent to report its 2010 calendar year revenues.

21. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2011.

22. Respondent failed to file an assessment report to show its 2010 calendar year revenues.

23. On or about September 14, 2011, the Commission sent Respondent, through certified mail, an assessment invoice for the July 1, 2011 to June 30, 2012 Fiscal Year that was based, in part, on Respondent's estimated revenues for the 2010 calendar year. Respondent's assessment was \$418.

24. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

25. The Commission received no objections from Respondent to the 2011-2012 Fiscal Year Assessment.

26. Respondent failed to pay the total amount set forth in its 2011-2012 Fiscal Year Assessment.

27. The total outstanding assessment balance for Respondent is \$1,118.

## Violations

## COUNT 1

28. That Respondent, by failing to file an assessment report to demonstrate its gross intrastate operating revenues for the 2010 calendar year violated Section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b).

The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$1,000.

## COUNT 2

29. That Respondent, by failing to pay the Commission's assessments for three (3) fiscal years, violated Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c).

Pursuant to Section 3301(a) and (b) of the Public Utility Code, 66 Pa.C.S. § 3301(a)—(b), the Bureau of Investigation and Enforcement submits that each day the assessment is late may be considered a separate violation and that, pursuant to Section 3301(a) and (b) of the Public Utility Code, 66 Pa.C.S. § 3301(a)—(b), a maximum civil penalty of \$1,000 per day for each day that the assessment is late could be levied against Respondent. Such a civil penalty, in this instance, would exceed the assessment amount that Respondent owes. Therefore, the Bureau of Investigation and Enforcement recommends that the Commission impose a civil penalty in the amount of \$165 or 15% of the outstanding amount due. The Bureau submits that this amount is both equitable and sufficiently large enough to deter future violations.

Wherefore, for all the foregoing reasons, the Bureau of Investigation and Enforcement of Pennsylvania Public Utility Commission respectfully requests that:

(a) Respondent be ordered to pay a total of \$2,283, which consists of its outstanding assessment balance, which totals \$1,118 and a civil penalty of \$1,165 for the above-described violations.

(b) If payment of the civil penalty and assessments is not made, the Bureau of Investigation and Enforcement requests that:

(1) the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent; and

(2) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action.

Respectfully submitted,

Stephanie M. Wimer  
Prosecutor  
Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Date: October 26, 2012

VERIFICATION

I, Susan A. Daub, Accountant, Bureau of Administrative Services, Assessment Section, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: October 26, 2012

Susan A. Daub, Accountant  
Assessment Section  
Bureau of Administrative Services  
PA. Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial

Cover Letter for this Complaint and Notice. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense and must include the docket number of this Complaint. Your Answer must be verified and the original and three copies sent to:

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

Additionally, you must serve a copy on:

Wayne T. Scott  
First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty set forth in the Complaint.

C. You may elect not to contest this Complaint by paying the civil penalty and your outstanding assessment within 20 days. Your check or money order for the civil penalty and assessment should be payable to the Commonwealth of Pennsylvania and should be mailed to:

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

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. See 52 Pa. Code §§ 1.21—1.22.

Alternative formats of this material are available for persons with disabilities by contacting the Pennsylvania Public Utility Commission at 717-787-5620

*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. C & J Services, Inc.;  
Doc. No. C-2012-2335066*

COMPLAINT

Now Comes the Pennsylvania Public Utility Commission's ("Commission"), Bureau of Investigation and Enforcement ("I&E"), by its counsel, and files this Complaint against C & J Services, Inc. ("Respondent"), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P. O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities

within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer  
Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.772.8839  
stwimer@pa.gov

Wayne T. Scott  
First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.783.6150  
wascott@pa.gov

4. Respondent is C & J Services, Inc. and maintains its principal place of business at 1003 Heather Lane, Quakertown, PA 18951, Attention: Gale Humlhanz, President.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as it is engaged in transporting property in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about August 7, 2006, at A-00122956, for trucking authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission, inter alia, to hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting property as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

#### Factual Background

12. On or about February 15, 2011, the Commission mailed to Respondent an assessment report form for Respondent to report its 2010 calendar year revenues.

13. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2011.

14. Respondent failed to file an assessment report to show its 2010 calendar year revenues.

15. On or about September 14, 2011, the Commission sent Respondent, through certified mail, an assessment invoice for the July 1, 2011 to June 30, 2012 Fiscal Year that was based, in part, on Respondent's estimated revenues for the 2010 calendar year. Respondent's assessment was \$101.

16. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

17. The Commission received no objections from Respondent to the 2011-2012 Fiscal Year Assessment.

18. Respondent failed to pay this assessment and has an outstanding balance of \$101 for the 2011-2012 Fiscal Year.

#### Violations

##### COUNT 1

19. That Respondent, by failing to file an assessment report to demonstrate its gross intrastate operating revenues for the 2010 calendar year violated Section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b).

The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$1,000.

##### COUNT 2

20. That Respondent, by failing to pay the Commission's assessment, violated Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c).

Pursuant to Section 3301(a) and (b) of the Public Utility Code, 66 Pa.C.S. § 3301(a)—(b), the Bureau of Investigation and Enforcement submits that each day the assessment is late may be considered a separate violation and that, pursuant to Section 3301(a) and (b) of the Public Utility Code, 66 Pa.C.S. § 3301(a)—(b), a maximum civil penalty of \$1,000 per day for each day that the assessment is late could be levied against Respondent. Such a civil penalty, in this instance, would exceed the assessment amount that Respondent owes. Therefore, the Bureau of Investigation and Enforcement recommends that the Commission impose a civil penalty in the amount of \$15 or 15% of the outstanding amount due. The Bureau submits that this amount is both equitable and sufficiently large enough to deter future violations.

Wherefore, for all the foregoing reasons, the Bureau of Investigation and Enforcement of Pennsylvania Public Utility Commission respectfully requests that:

(a) Respondent be ordered to pay a total of \$1,116, which consists of its outstanding assessment balance, which totals \$101 and a civil penalty of \$1,015 for the above-described violations.

(b) If payment of the civil penalty and assessment is not made, the Bureau of Investigation and Enforcement requests that:

1) the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent;

2) the Commission certify automobile registrations to the Department of Transportation for suspension or revocation; and

3) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action.

Respectfully submitted,

Stephanie M. Wimer  
Prosecutor  
Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Date: November 20, 2012

#### VERIFICATION

I, Susan A. Daub, Accountant, Bureau of Administrative Services, Assessment Section, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: November 20, 2012

\_\_\_\_\_  
Susan A. Daub, Accountant  
Assessment Section  
Bureau of Administrative Services  
PA. Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### NOTICE

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

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

Additionally, you must serve a copy on:

Wayne T. Scott  
First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty set forth in the Complaint.

C. You may elect not to contest this Complaint by paying the civil penalty and your outstanding assessment within 20 days. Your check or money order for the civil penalty and assessment should be payable to the Commonwealth of Pennsylvania and should be mailed to:

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

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of

Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. See 52 Pa. Code §§ 1.21—1.22.

Alternative formats of this material are available for persons with disabilities by contacting the Pennsylvania Public Utility Commission at 717-787-5620.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
Investigation and Enforcement v. Direc Transit, LLC;  
Doc. No. C-2012-2318330*

#### COMPLAINT

Now Comes the Pennsylvania Public Utility Commission's ("Commission"), Bureau of Investigation and Enforcement ("I&E"), by its counsel, and files this Complaint against Direc Transit, LLC ("Respondent"), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

#### Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P. O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer  
Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.772.8839  
stwimer@pa.gov

Wayne T. Scott  
First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.783.6150  
wascott@pa.gov

(4) Respondent is Direc Transit, LLC and maintains its principal place of business at 45 East City Line Avenue, Suite 286, Bala Cynwyd, PA 19004.

(5) Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as it is engaged in transporting passengers in the Commonwealth of Pennsylvania for compensation.



(6) The Commission issued Respondent a certificate of public convenience on or about October 13, 2009, at A-2009-2097346, for paratransit authority.

(7) Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

(8) Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission, inter alia, to hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

(9) Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

(10) Respondent, in transporting passengers as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

(11) Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

#### Factual Background

(12) On September 26, 2011, Respondent signed a certified mail card, which indicated that it received an assessment invoice for the Commission's July 1, 2011 to June 30, 2012 Fiscal Year. Respondent's assessment was \$143.

(13) Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

(14) Payment of Respondent's assessment was due on or before October 26, 2011.

(15) The Commission received no objections from Respondent to this assessment.

(16) Respondent failed to pay this assessment and has an outstanding balance of \$143.

#### Violation

(17) That Respondent, by failing to pay the Commission's assessment, violated Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c).

Pursuant to Section 3301(a) and (b) of the Public Utility Code, 66 Pa.C.S. § 3301(a)—(b), the Bureau of Investigation and Enforcement submits that each day the assessment is late may be considered a separate violation and that, pursuant to Section 3301(a) and (b) of the Public Utility Code, 66 Pa.C.S. § 3301(a)—(b), a maximum civil penalty of \$1,000 per day for each day that the assessment is late could be levied against Respondent. Such a civil penalty, in this instance, would exceed the assessment amount that Respondent owes. Therefore, the Bureau of Investigation and Enforcement recommends that the Commission impose a civil penalty in the amount of \$20 or 15% of the outstanding amount due. The Bureau submits that this amount is both equitable and sufficiently large enough to deter future violations.

Wherefore, for all the foregoing reasons, the Bureau of Investigation and Enforcement of Pennsylvania Public Utility Commission respectfully requests that:

(a) Respondent be ordered to pay a total of \$163, which consists of its outstanding assessment balance, which totals \$143, and a civil penalty of \$20 for the above-described violation.

(b) If payment of the civil penalty and assessment is not made, the Bureau of Investigation and Enforcement requests that:

(1) the Commission issue an Order that cancels the Certificate of Public Convenience issued to Respondent;

(2) the Commission certify automobile registrations to the Department of Transportation for suspension or revocation; and

(3) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action.

Respectfully submitted,

Stephanie M. Wimer  
Prosecutor  
Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Date: August 8, 2012

#### VERIFICATION

I, Susan A. Daub, Accountant, Bureau of Administrative Services, Assessment Section, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: August 8, 2012

Susan A. Daub, Accountant  
Assessment Section  
Bureau of Administrative Services  
PA. Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### NOTICE

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

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

Additionally, you must serve a copy on:

Wayne T. Scott  
First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty set forth in the Complaint.

C. You may elect not to contest this Complaint by paying the civil penalty and your outstanding assessment within 20 days. Your check or money order for the civil penalty and assessment should be payable to the Commonwealth of Pennsylvania and should be mailed to:

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

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. See 52 Pa. Code §§ 1.21—1.22.

Alternative formats of this material are available for persons with disabilities by contacting the Pennsylvania Public Utility Commission at 717-787-5620.

*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Collegeville Airport Service t/a Great Valley Cab Company;*  
 Doc. No. C-2012-2335062

#### COMPLAINT

Now Comes the Pennsylvania Public Utility Commission's ("Commission"), Bureau of Investigation and Enforcement ("I&E"), by its counsel, and files this Complaint against Collegeville Airport Service t/a Great Valley Cab Company ("Respondent"), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of this Complaint, I&E respectfully represents the following:

#### Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P. O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer  
 Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265  
 717.772.8839  
 stwimer@pa.gov

Wayne T. Scott  
 First Deputy Chief Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265  
 717.783.6150  
 wascott@pa.gov

4. Respondent is Collegeville Airport Service t/a Great Valley Cab Company and maintains its principal place of business at 150 Sproul Road, Malvern, PA 19355, Attention: Nghia Trong Le.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as it is engaged in transporting passengers in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about June 6, 2007, at A-00119575, for airport transfer authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission, inter alia, to hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting passengers as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

#### Factual Background

12. On or about September 14, 2011, the Commission sent Respondent, through certified mail, an assessment invoice for the July 1, 2011 to June 30, 2012 Fiscal Year. Respondent's assessment was \$286.

13. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

14. The Commission received no objections from Respondent to the 2011-2012 Fiscal Year Assessment.

15. Respondent failed to pay this assessment and has an outstanding balance of \$286 for the 2011-2012 Fiscal Year.

#### Violation

16. That Respondent, by failing to pay the Commission's assessment, violated Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c).

Pursuant to Section 3301(a) and (b) of the Public Utility Code, 66 Pa.C.S. § 3301(a)—(b), the Bureau of

Investigation and Enforcement submits that each day the assessment is late may be considered a separate violation and that, pursuant to Section 3301(a) and (b) of the Public Utility Code, 66 Pa.C.S. § 3301(a)—(b), a maximum civil penalty of \$1,000 per day for each day that the assessment is late could be levied against Respondent. Such a civil penalty, in this instance, would exceed the assessment amount that Respondent owes. Therefore, the Bureau of Investigation and Enforcement recommends that the Commission impose a civil penalty in the amount of \$40 or 15% of the outstanding amount due. The Bureau submits that this amount is both equitable and sufficiently large enough to deter future violations.

*Wherefore*, for all the foregoing reasons, the Bureau of Investigation and Enforcement of Pennsylvania Public Utility Commission respectfully requests that:

(a) Respondent be ordered to pay a total of \$326, which consists of its outstanding assessment balance, which totals \$286 and a civil penalty of \$40 for the above-described violation.

(b) If payment of the civil penalty and assessment is not made, the Bureau of Investigation and Enforcement requests that:

(1.) the Commission issue an Order that cancels the Certificate of Public Convenience issued to Respondent;

(2.) the Commission certify automobile registrations to the Department of Transportation for suspension or revocation; and

(3.) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action.

Respectfully submitted,

Stephanie M. Wimer  
Prosecutor  
Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Date: November 20, 2012

#### VERIFICATION

I, Susan A. Daub, Accountant, Bureau of Administrative Services, Assessment Section, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: November 20, 2012

\_\_\_\_\_  
Susan A. Daub, Accountant  
Assessment Section  
Bureau of Administrative Services  
PA. Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense

and must include the docket number of this Complaint. Your Answer must be verified and the original and three copies sent to:

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

Additionally, you must serve a copy on:

Wayne T. Scott  
First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty set forth in the Complaint.

C. You may elect not to contest this Complaint by paying the civil penalty and your outstanding assessment within 20 days. Your check or money order for the civil penalty and assessment should be payable to the Commonwealth of Pennsylvania and should be mailed to:

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

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. See 52 Pa. Code §§ 1.21—1.22.

Alternative formats of this material are available for persons with disabilities by contacting the Pennsylvania Public Utility Commission at 717-787-5620.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission,  
Bureau of Investigation and Enforcement v.  
DJ Grubb Trucking, LLC;  
Doc. No. C-2012-2335064*

#### COMPLAINT

*Now Comes* the Pennsylvania Public Utility Commission's ("Commission"), Bureau of Investigation and Enforcement ("I&E"), by its counsel, and files this Complaint against DJ Grubb Trucking, LLC ("Respondent"), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

Parties and Jurisdiction

1) The Pennsylvania Public Utility Commission, with a mailing address of P. O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2) Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3) Complainant is represented by:

Stephanie M. Wimer  
Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.772.8839  
stwimer@pa.gov

Wayne T. Scott  
First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.783.6150  
wascott@pa.gov

4. Respondent is DJ Grubb Trucking, LLC and maintains its principal place of business at 3317 Jacksonwald Avenue, Reading, PA 19606, Attention: Daniel Grubb, Jr.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as it is engaged in transporting property in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about September 26, 2008, at A-2008-2043934, for trucking authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission, inter alia, to hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting property as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

#### Factual Background

12. On or about September 14, 2011, the Commission sent Respondent, through certified mail, an assessment invoice for the July 1, 2011 to June 30, 2012 Fiscal Year. Respondent's assessment was \$277.

13. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

14. The Commission received no objections from Respondent to the 2011-2012 Fiscal Year Assessment.

15. Respondent failed to pay this assessment and has an outstanding balance of \$277.

#### Violation

16. That Respondent, by failing to pay the Commission's assessment, violated Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c).

Pursuant to Section 3301(a) and (b) of the Public Utility Code, 66 Pa.C.S. § 3301(a)—(b), the Bureau of Investigation and Enforcement submits that each day the assessment is late may be considered a separate violation and that, pursuant to Section 3301(a) and (b) of the Public Utility Code, 66 Pa.C.S. § 3301(a)—(b), a maximum civil penalty of \$1,000 per day for each day that the assessment is late could be levied against Respondent. Such a civil penalty, in this instance, would exceed the assessment amount that Respondent owes. Therefore, the Bureau of Investigation and Enforcement recommends that the Commission impose a civil penalty in the amount of \$40 or 15% of the outstanding amount due. The Bureau submits that this amount is both equitable and sufficiently large enough to deter future violations.

*Wherefore*, for all the foregoing reasons, the Bureau of Investigation and Enforcement of Pennsylvania Public Utility Commission respectfully requests that:

(a) Respondent be ordered to pay a total of \$317, which consists of its outstanding assessment balance, which totals \$277 and a civil penalty of \$40 for the above-described violation.

(b) If payment of the civil penalty and assessment is not made, the Bureau of Investigation and Enforcement requests that:

1) the Commission issue an Order that cancels the Certificate of Public Convenience issued to Respondent;

2) the Commission certify automobile registrations to the Department of Transportation for suspension or revocation; and

3) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action.

Respectfully submitted,

Stephanie M. Wimer  
Prosecutor  
Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Date: November 20, 2012

#### VERIFICATION

I, Susan A. Daub, Accountant, Bureau of Administrative Services, Assessment Section, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 PA.C.S. § 4904 relating to unsworn falsification to authorities.

Date: November 20, 2012

---

Susan A. Daub, Accountant  
Assessment Section  
Bureau of Administrative Services  
PA. Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

NOTICE

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

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

Additionally, you must serve a copy on:

Wayne T. Scott  
First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty set forth in the Complaint.

C. You may elect not to contest this Complaint by paying the civil penalty and your outstanding assessment within 20 days. Your check or money order for the civil penalty and assessment should be payable to the Commonwealth of Pennsylvania and should be mailed to:

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

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. See 52 Pa. Code §§ 1.21—1.22.

Alternative formats of this material are available for persons with disabilities by contacting the Pennsylvania Public Utility Commission at 717-787-5620.

*Pennsylvania Public Utility Commission,  
Bureau of Investigation and Enforcement v.  
Rodney P. Andrews t/a Classic Limousines;  
Doc. No. C-2012-2330883*

COMPLAINT

Now Comes the Pennsylvania Public Utility Commission's ("Commission"), Bureau of Investigation and Enforcement ("I&E"), by its counsel, and files this Complaint against Rodney P. Andrews t/a Classic Limousines ("Respondent"), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

Parties and Jurisdiction

1) The Pennsylvania Public Utility Commission, with a mailing address of P. O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2) Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3) Complainant is represented by:

Stephanie M. Wimer  
Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.772.8839  
stwimer@pa.gov

Wayne T. Scott  
First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.783.6150  
wascott@pa.gov

4. Respondent is Rodney P. Andrews t/a Classic Limousines and maintains its principal place of business at 34031 West Superior Avenue, Tonopah, AZ 85354-7569, Attention: Rodney P. Andrews.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as it is engaged in transporting passengers in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about August 16, 2001, at A-00117313, for limousine authority. Respondent also has group and party 15 or less authority at A-2008-1218752.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission, inter alia, to hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corpora-

tion subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting passengers as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

#### Factual Background

##### 2007-2008 Fiscal Year

12. On or about December 21, 2007, the Commission sent Respondent, through certified mail, an assessment invoice for the July 1, 2007 to June 30, 2008 Fiscal Year. Respondent's assessment was \$2,632.

13. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

14. The Commission received no objections from Respondent to the 2007-2008 Fiscal Year Assessment.

15. Respondent failed to pay the total amount set forth in its 2007-2008 Fiscal Year Assessment.

##### 2008-2009 Fiscal Year

16. On or about September 22, 2008, the Commission sent Respondent, through certified mail, an assessment invoice for the July 1, 2008 to June 30, 2009 Fiscal Year. Respondent's assessment was \$2,452.

17. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

18. The Commission received no objections from Respondent to the 2008-2009 Fiscal Year Assessment.

19. Respondent failed to pay the total amount set forth in its 2008-2009 Fiscal Year Assessment.

##### 2009-2010 Fiscal Year

20. On or about September 17, 2009, the Commission sent Respondent, through certified mail, an assessment invoice for the July 1, 2009 to June 30, 2010 Fiscal Year. Respondent's assessment was \$1,824.

21. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

22. The Commission received no objections from Respondent to the 2009-2010 Fiscal Year Assessment.

23. Respondent failed to pay the total amount set forth in its 2009-2010 Fiscal Year Assessment.

##### 2010-2011 Fiscal Year

24. On or about September 9, 2010, the Commission sent Respondent, through certified mail, an assessment invoice for the July 1, 2010 to June 30, 2011 Fiscal Year. Respondent's assessment was \$2,229.

25. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

26. The Commission received no objections from Respondent to the 2010-2011 Fiscal Year Assessment.

27. Respondent failed to pay the total amount set forth in its 2010-2011 Fiscal Year Assessment.

##### 2011-2012 Fiscal Year

28. On or about February 15, 2011, the Commission mailed to Respondent an assessment report form for Respondent to report its 2010 calendar year revenues.

29. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2011.

30. Respondent failed to file an assessment report to show its 2010 calendar year revenues.

31. On or about September 14, 2011, the Commission sent Respondent, through certified mail, an assessment invoice for the July 1, 2011 to June 30, 2012 Fiscal Year that was based, in part, on Respondent's estimated revenues for the 2010 calendar year. Respondent's assessment was \$2,617.

32. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

33. The Commission received no objections from Respondent to the 2011-2012 Fiscal Year Assessment.

34. Respondent failed to pay the total amount set forth in its 2011-2012 Fiscal Year Assessment.

35. The total outstanding assessment balance for Respondent is \$10,876.67.

#### Violations

##### COUNT 1

36. That Respondent, by failing to file an assessment report to demonstrate its gross intrastate operating revenues for the 2010 calendar year violated Section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b).

The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$1,000.

##### COUNT 2

37. That Respondent, by failing to pay the Commission's assessments for five (5) fiscal years, violated Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c).

Pursuant to Section 3301(a) and (b) of the Public Utility Code, 66 Pa.C.S. § 3301(a)—(b), the Bureau of Investigation and Enforcement submits that each day the assessment is late may be considered a separate violation and that, pursuant to Section 3301(a) and (b) of the Public Utility Code, 66 Pa.C.S. § 3301(a)—(b), a maximum civil penalty of \$1,000 per day for each day that the assessment is late could be levied against Respondent. Such a civil penalty, in this instance, would exceed the assessment amount that Respondent owes. Therefore, the Bureau of Investigation and Enforcement recommends that the Commission impose a civil penalty in the amount of \$1,630 or 15% of the outstanding amount due. The Bureau submits that this amount is both equitable and sufficiently large enough to deter future violations.

Wherefore, for all the foregoing reasons, the Bureau of Investigation and Enforcement of Pennsylvania Public Utility Commission respectfully requests that:

(a) Respondent be ordered to pay a total of \$13,506.67, which consists of its outstanding assessment balance,

which totals \$10,876.67 and a civil penalty of \$2,630 for the above-described violations.

(b) If payment of the civil penalty and assessments is not made, the Bureau of Investigation and Enforcement requests that:

(1.) the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent;

(2.) the Commission certify automobile registrations to the Department of Transportation for suspension or revocation; and

(3.) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action.

Respectfully submitted,

Stephanie M. Wimer  
Prosecutor  
Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Date: October 25, 2012

#### VERIFICATION

I, Susan A. Daub, Accountant, Bureau of Administrative Services, Assessment Section, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: October 25, 2012

\_\_\_\_\_  
Susan A. Daub, Accountant  
Assessment Section  
Bureau of Administrative Services  
PA. Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### NOTICE

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

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

Additionally, you must serve a copy on:

Wayne T. Scott  
First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty set forth in the Complaint.

C. You may elect not to contest this Complaint by paying the civil penalty and your outstanding assessment within 20 days. Your check or money order for the civil penalty and assessment should be payable to the Commonwealth of Pennsylvania and should be mailed to:

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

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. See 52 Pa. Code §§ 1.21—1.22.

G. Alternative formats of this material are available for persons with disabilities by contacting the Pennsylvania Public Utility Commission at 717-787-5620.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission,  
Bureau of Investigation and Enforcement v.  
Scott A. Dechert t/a Distinctive Limousine Service;  
Doc. No. C-2012-2334904*

#### COMPLAINT

*Now Comes* the Pennsylvania Public Utility Commission's ("Commission"), Bureau of Investigation and Enforcement ("I&E"), by its counsel, and files this Complaint against Scott A. Dechert t/a Distinctive Limousine Service ("Respondent"), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

#### Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P. O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer  
Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.772.8839  
stwimer@pa.gov

Wayne T. Scott  
 First Deputy Chief Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265  
 717.783.6150  
 wascott@pa.gov

4. Respondent is Scott A. Dechert t/a Distinctive Limousine Service and maintains its principal place of business at 1224 Oak Street, Lebanon, PA 17042, Attention: Scott A. Dechert.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as it is engaged in transporting passengers in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about February 7, 2000, at A-00116103, for limousine and group and party 16 or greater authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission, inter alia, to hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting passengers as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

#### Factual Background

##### Fiscal Year 2010-2011

12. On or about September 9, 2010, the Commission sent Respondent, through certified mail, an assessment invoice for the July 1, 2010 to June 30, 2011 Fiscal Year. Respondent's assessment was \$293.

13. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

14. The Commission received no objections from Respondent to the 2010-2011 Fiscal Year Assessment.

15. Respondent failed to pay the total amount set forth in its 2010-2011 Fiscal Year Assessment.

##### 2011-2012 Fiscal Year

16. On or about September 14, 2011, the Commission sent Respondent, through certified mail, an assessment invoice for the July 1, 2011 to June 30, 2012 Fiscal Year. Respondent's assessment was \$288.

17. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days.

18. The Commission received no objections from Respondent to the 2011-2012 Fiscal Year Assessment.

19. Respondent failed to pay the total amount set forth in its 2011-2012 Fiscal Year Assessment.

20. The total outstanding assessment balance for Respondent is \$581 for the 2010-2011 and 2011-2012 Fiscal Years.

#### Violation

21. That Respondent, by failing to pay the Commission's assessments for two (2) fiscal years, violated Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c).

Pursuant to Section 3301(a) and (b) of the Public Utility Code, 66 Pa.C.S. § 3301(a)—(b), the Bureau of Investigation and Enforcement submits that each day the assessment is late may be considered a separate violation and that, pursuant to Section 3301(a) and (b) of the Public Utility Code, 66 Pa.C.S. § 3301(a)—(b), a maximum civil penalty of \$1,000 per day for each day that the assessment is late could be levied against Respondent. Such a civil penalty, in this instance, would exceed the assessment amount that Respondent owes. Therefore, the Bureau of Investigation and Enforcement recommends that the Commission impose a civil penalty in the amount of \$85 or 15% of the outstanding amount due. The Bureau submits that this amount is both equitable and sufficiently large enough to deter future violations.

*Wherefore*, for all the foregoing reasons, the Bureau of Investigation and Enforcement of Pennsylvania Public Utility Commission respectfully requests that:

(a) Respondent be ordered to pay a total of \$666, which consists of its outstanding assessment balance, which totals \$581 and a civil penalty of \$85 for the above-described violation.

(b) If payment of the civil penalty and assessments is not made, the Bureau of Investigation and Enforcement requests that:

(1) the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent;

(2) the Commission certify automobile registrations to the Department of Transportation for suspension or revocation; and

(3) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action.

Respectfully submitted,

Stephanie M. Wimer  
 Prosecutor  
 Bureau of Investigation & Enforcement  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Date: November 19, 2012

#### VERIFICATION

I, Susan A. Daub, Accountant, Bureau of Administrative Services, Assessment Section, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements



herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: November 19, 2012

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Susan A. Daub, Accountant  
Assessment Section  
Bureau of Administrative Services  
PA. Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

NOTICE

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

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

Additionally, you must serve a copy on:

Wayne T. Scott  
First Deputy Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty set forth in the Complaint.

C. You may elect not to contest this Complaint by paying the civil penalty and your outstanding assessment within 20 days. Your check or money order for the civil penalty and assessment should be payable to the Commonwealth of Pennsylvania and should be mailed to:

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

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. See 52 Pa. Code §§ 1.21—1.22.

G. Alternative formats of this material are available for persons with disabilities by contacting the Pennsylvania Public Utility Commission at 717-787-5620

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-113. Filed for public inspection January 18, 2013, 9:00 a.m.]

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**Smart Meter Deployment Plan; Metropolitan Edison Company; Doc. No. M-2013-2341990**

At M-2009-2123950, First Energy (MetEd, Penelec and Penn Power) petitioned for the approval of their Smart Meter Technology Procurement and Installation Plans. Under the Pennsylvania Public Utility Commission's (Commission) Order, entered June 24, 2009, at Doc. No. M-2009-2092655, electric distribution companies were granted a 30-month grace period to design networks, select vendors, train personnel and establish a smart meter deployment plan. The grace period of the First Energy companies ran through December 31, 2012.

Documents filed in support of the deployment plan 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 petitioner's business address, 2800 Pottsville Pike, P. O. Box 16001, Reading, PA 19612-6001. The documents are also available on the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov).

*Petitioner:* Metropolitan Edison Company

*Through and By Counsel:* Kathy J. Kolich, FirstEnergy Service Company, 76 South Main Street, Akron, OH 44308; Thomas P. Gadsden, Morgan, Lewis & Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921; and John F. Povilaitis, 409 North Second Street, Suite 500, Harrisburg, PA 17101-1357.

Comments and petitions for intervention should be filed with the Secretary by the close of business on February 8, 2013.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-114. Filed for public inspection January 18, 2013, 9:00 a.m.]

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**Smart Meter Deployment Plan; Penn Power Company; Doc. No. M-2013-2341993**

At M-2009-2123950, First Energy (MetEd, Penelec and Penn Power) petitioned for the approval of their Smart Meter Technology Procurement and Installation Plans. Under the Pennsylvania Public Utility Commission's (Commission) Order, entered June 24, 2009, at Doc. No. M-2009-2092655, electric distribution companies were granted a 30-month grace period to design networks, select vendors, train personnel and establish a smart meter deployment plan. The grace period of the First Energy companies ran through December 31, 2012.

Documents filed in support of the deployment plan 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 petitioner's business address located at

4 North Mill Street, New Castle, PA 16101-0891. The documents are also available on the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov).

*Petitioner:* Penn Power Company

*Through and By Counsel:* Kathy J. Kolich, FirstEnergy Service Company, 76 South Main Street, Akron, OH 44308; Thomas P. Gadsden, Morgan, Lewis & Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921; and John F. Povilaitis, 409 North Second Street, Suite 500, Harrisburg, PA 17101-1357.

Comments and petitions for intervention should be filed with the Secretary by the close of business on February 8, 2013.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-115. Filed for public inspection January 18, 2013, 9:00 a.m.]

### Smart Meter Deployment Plan; Pennsylvania Electric Company; Doc. No. M-2013-2341994

At M-2009-2123950, First Energy (MetEd, Penelec and Penn Power) petitioned for the approval of their Smart Meter Technology Procurement and Installation Plans. Under the Pennsylvania Public Utility Commission's (Commission) Order, entered June 24, 2009, at Doc. No. M-2009-2092655, electric distribution companies were granted a 30-month grace period to design networks, select vendors, train personnel and establish a smart meter deployment plan. The grace period of the First Energy companies ran through December 31, 2012.

Documents filed in support of the deployment plan 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 petitioner's business address, 5404 Evans Road, Erie, PA 16509. The documents are also available on the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov).

*Petitioner:* Pennsylvania Electric Company

*Through and By Counsel:* Kathy J. Kolich, FirstEnergy Service Company, 76 South Main Street, Akron, OH 44308; Thomas P. Gadsden, Morgan, Lewis & Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921; and John F. Povilaitis, 409 North Second Street, Suite 500, Harrisburg, PA 17101-1357.

Comments and petitions for intervention should be filed with the Secretary by the close of business on February 8, 2013.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-116. Filed for public inspection January 18, 2013, 9:00 a.m.]

### Smart Meter Deployment Plan; West Penn Power Company; Doc. No. M-2013-2341991

At M-2009-2123951, West Penn Power Company petitioned for the approval of their Smart Meter Technology Procurement and Installation Plans. Under the Pennsylvania Public Utility Commission's (Commission) Order, entered June 24, 2009, at Doc. No. M-2009-2092655,

electric distribution companies were granted a 30-month grace period to design networks, select vendors, train personnel and establish a smart meter deployment plan. The grace period for the West Penn Power Company ran through December 31, 2012.

Documents filed in support of the deployment plan 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 petitioner's business address, 800 Cabin Hill Drive, Greensburg, PA 15601. The documents are also available on the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov).

*Petitioner:* West Penn Power Company

*Through and By Counsel:* Kathy J. Kolich, FirstEnergy Service Company, 76 South Main Street, Akron, OH 44308; Thomas P. Gadsden, Morgan, Lewis & Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921; and John F. Povilaitis, 409 North Second Street, Suite 500, Harrisburg, PA 17101-1357.

Comments and petitions for intervention should be filed with the Secretary by the close of business on February 8, 2013.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-117. Filed for public inspection January 18, 2013, 9:00 a.m.]

## Telecommunications

**A-2013-2342184. Frontier Communications of Breezewood, LLC and United States Cellular Corporation.** Joint petition of Frontier Communications of Breezewood, LLC and United States Cellular Corporation for approval of amendment No. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Frontier Communications of Breezewood, LLC and United States Cellular Corporation, by its counsel, filed on January 8, 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 Frontier Communications of Breezewood, LLC and United States Cellular Corporation 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. 13-118. Filed for public inspection January 18, 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) by the following named applicant. The company has applied to transfer the rights held by Jarnail Taxi, Inc. (CPC No. 1028469-01, Medallion P-0130) 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.

**MNAG Trans, Inc.**, 632 Fairway Road, Linden, NJ 07036, registered with the Commonwealth on March 26, 2009.

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 by February 4, 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. 13-119. Filed for public inspection January 18, 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) by the following named applicant. The company has applied to transfer the rights held by Moro, Inc. (CPC No. 1000186-01, Medallion P-0340) 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.

**PK Taxi, Inc.**, 2223 South Chadwick Street, Philadelphia, PA 19145, registered with the Commonwealth on October 9, 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 by February 4, 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. 13-120. Filed for public inspection January 18, 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) by the following named applicant. The company has applied to transfer the rights held by TWA Cab Co. (CPC No. 1016112-01, Medallion P-0750) 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.

**PK Taxi, Inc.**, 2223 South Chadwick Street, Philadelphia, PA 19145, registered with the Commonwealth on October 9, 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 by February 4, 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. 13-121. Filed for public inspection January 18, 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) by the following named applicant. The company has applied to transfer the stock of Malik Cab Co., CPC No. 1000614-01, Re: Medallion P-0614 held by Zahira Malik 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.

**Nasir Malik**, 10119 Bustleton Avenue, Philadelphia, PA 19116, corporation registered with the Commonwealth on March 26, 2004.

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 by February 4, 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. 13-122. Filed for public inspection January 18, 2013, 9:00 a.m.]

### Motor Carrier Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant. The company has applied to transfer the rights held by Hi-Line Limousine Service, Inc. (CPC No. 1025809-07, Limousine Service) to transport persons in luxury limousine service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Atlas Transportation, Inc.**, 480 Woodland Drive, Wayne, PA 19087, registered with the Commonwealth on August 17, 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 by February 4, 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. 13-123. Filed for public inspection January 18, 2013, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 12-119.P, Purchase of Printer and Fax Cartridges, until 2 p.m. on Thursday, February 7, 2013. Information concerning this project 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. 13-124. Filed for public inspection January 18, 2013, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of Claimant's request concerning the indicated account.

The hearings will be held before a hearing officer at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

March 13, 2013	Kenneth R. Mosley (D) (Death Benefit)	1 p.m.
April 17, 2013	Ronald J. Creighton (Effective Date of Retirement)	1 p.m.

Persons with a disability, who wish to attend the previously listed hearings, and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Barb Book, Assistant to the Executive Director at (717) 720-4617 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matter will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,  
*Executive Director*

[Pa.B. Doc. No. 13-125. Filed for public inspection January 18, 2013, 9:00 a.m.]

## STATE BOARD OF NURSING

### Suspension of the License to Practice Professional Nursing of Alicia Lynn Kofke, RN; Doc. No. 0220-51-11; File No. 11-51-00584

On October 23, 2012, Alicia Lynn Kofke, RN, license no. RN567928, of Shillington, Berks County, was suspended for no less than 3 years, retroactive to February 17, 2011, based on finding that she violated the terms of a previous agreement entered into with the State Board of Nursing (Board).

Individuals may obtain a copy of the adjudication by writing to Beth Sender Michlovitz, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and final order represents the Board's 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.

JOSEPH J. NAPOLITANO, PhD, MPH, CRNP,  
*Chairperson*

[Pa.B. Doc. No. 13-126. Filed for public inspection January 18, 2013, 9:00 a.m.]

# STATE EMPLOYEES' RETIREMENT BOARD

## Hearing Scheduled

The following hearing has been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to the State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimant's request concerning the indicated account.

The hearing will be held before a hearing officer at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

February 7, Joseph A. Greene 1 p.m.  
2013 Disability Retirement Benefits

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

DAVID E. DURBIN,  
*Secretary*

[Pa.B. Doc. No. 13-127. Filed for public inspection January 18, 2013, 9:00 a.m.]

# SUSQUEHANNA RIVER BASIN COMMISSION

## Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has approved by rule the following list of projects during October 1, 2012, through November 30, 2012.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436, rcairo@srbc.net; or regular mail inquiries may be sent to the Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391.

### *Supplementary Information*

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process set forth in 18 CFR 806.22(e) and (f) (relating to standards for consumptive uses of water) for the time period specified previously:

### *Approvals By Rule Issued Under 18 CFR 806.22(e):*

1. Cinram Group, Inc., Olyphant, PA. Facility, ABR-201211001, Borough of Olyphant, Lackawanna County, PA; Consumptive Use of Up to 0.200 mgd; Approval Date: November 5, 2012.

### *Approvals By Rule Issued Under 18 CFR 806.22(f):*

1. Chesapeake Appalachia, LLC, Pad ID: Hare Ridge, ABR-201210001, Rush Township, Susquehanna County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: October 2, 2012.

2. Cabot Oil & Gas Corporation, Pad ID: AldrichL P1, ABR-201210002, Gibson Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: October 3, 2012.

3. Cabot Oil & Gas Corporation, Pad ID: RutkowskiB P1, ABR-201210003, Lenox Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: October 3, 2012.

4. Cabot Oil & Gas Corporation, Pad ID: BrayB P1, ABR-201210004, Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: October 3, 2012.

5. WPX Energy Appalachia, LLC, Pad ID: Reber—Dozier Well Pad, ABR-201210005, Liberty Township, Susquehanna County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: October 3, 2012.

6. Chief Oil & Gas, LLC, Pad ID: T. Brown Drilling Pad, ABR-201210006, Lemon Township, Wyoming County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: October 9, 2012.

7. Chesapeake Appalachia, LLC, Pad ID: Ramsher, ABR-201210007, Terry Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: October 9, 2012.

8. XTO Energy Incorporated, LLC, Pad ID: West Brown A, ABR-201210008, Moreland Township, Lycoming County, PA; Consumptive Use of Up to 4.500 mgd; Approval Date: October 12, 2012.

9. EOG Resources, Inc., Pad ID: WARD B Pad, ABR-201210009, Springfield Township, Bradford County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: October 15, 2012.

10. EOG Resources, Inc., Pad ID: KLINE A Pad, ABR-201210010, Springfield Township, Bradford County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: October 15, 2012.

11. EOG Resources, Inc., Pad ID: KLINE B Pad, ABR-201210011, Springfield Township, Bradford County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: October 15, 2012.

12. Chief Oil & Gas, LLC, Pad ID: Tague West Drilling Pad, ABR-201210012, Lemon Township, Wyoming County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: October 16, 2012.

13. Chief Oil & Gas, LLC, Pad ID: Teeter Drilling Pad, ABR-201210013, Smithfield Township, Bradford County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: October 16, 2012.

14. EOG Resources, Inc., Pad ID: PLOUSE A Pad, ABR-201210014, Ridgebury Township, Bradford County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: October 19, 2012.

15. EOG Resources, Inc., Pad ID: GRIPPIN A Pad, ABR-201210015, Springfield Township, Bradford County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: October 19, 2012.

16. EOG Resources, Inc., Pad ID: KINGSLY E Pad, ABR-201210016, Springfield Township, Bradford County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: October 19, 2012.

17. WPX Energy Appalachia, LLC, Pad ID: Bolles South Drilling Pad, ABR-201210017, Franklin Township, Susquehanna County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: October 26, 2012.

18. Chief Oil & Gas, LLC, Pad ID: Mehalick Drilling Pad, ABR-201210018, Cherry Township, Sullivan County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: October 26, 2012.

19. WPX Energy Appalachia, LLC, Pad ID: Nota Well Pad, ABR-201210019, Franklin Township, Susquehanna County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: October 29, 2012.

20. Cabot Oil & Gas Corporation, Pad ID: DeluciaR P1, ABR-201211002, Harford Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: November 9, 2012.

21. Chesapeake Appalachia, LLC, Pad ID: Molly J, ABR-201211003, Monroe and Overton Townships, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: November 16, 2012.

22. Chesapeake Appalachia, LLC, Pad ID: Slattery, ABR-201211004, Cherry Township, Sullivan County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: November 16, 2012.

23. Anadarko E&P Company, LP, Pad ID: Terry D. Litzelman Pad A, ABR-201211005, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: November 16, 2012.

24. Anadarko E&P Company, LP, Pad ID: Larry's Creek F&G Pad F, ABR-201211006, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: November 16, 2012.

25. Cabot Oil & Gas Corporation, Pad ID: EmpetD P1, ABR-201211007, Harford Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: November 20, 2012.

26. Cabot Oil & Gas Corporation, Pad ID: WoodE P1, ABR-201211008, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: November 20, 2012.

27. Cabot Oil & Gas Corporation, Pad ID: McLeanD P1, ABR-201211009, Lathrop Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: November 20, 2012.

28. Chesapeake Appalachia, LLC, Pad ID: Kupetsky, ABR-201211010, Nicholson Township, Wyoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: November 28, 2012.

29. EXCO Resources (PA), LLC, Pad ID: COP Tract 727 (Pad 3), ABR-201211011, Gallagher Township, Clinton County, PA; Consumptive Use of Up to 8.000 mgd; Approval Date: November 28, 2012.

30. EXCO Resources (PA), LLC, Pad ID: Short Mountain Pad 1, ABR-201211012, Watson Township, Lycoming County, PA; Consumptive Use of Up to 8.000 mgd; Approval Date: November 28, 2012.

31. Southwestern Energy Production Company, Pad ID: SHELDON EAST PAD, ABR-201211013, Thompson Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: November 30, 2012.

32. Southwestern Energy Production Company, Pad ID: LOKE PAD, ABR-201211014, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: November 30, 2012.

33. Southwestern Energy Production Company, Pad ID: HARRIS PAD, ABR-201211015, Harford Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: November 30, 2012.

34. Cabot Oil & Gas Corporation, Pad ID: HordisC P1, ABR-201211016, Lathrop Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: November 30, 2012.

35. Cabot Oil & Gas Corporation, Pad ID: LoffredoJ P1, ABR-201211017, Nicholson Township, Wyoming County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: November 30, 2012.

36. Chesapeake Appalachia, LLC, Pad ID: Amcor, ABR-201211018, Meshoppen Township, Wyoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: November 30, 2012.

37. Chesapeake Appalachia, LLC, Pad ID: Joeqswa, ABR-201211019, Cherry Township, Sullivan County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: November 30, 2012.

*Authority:* Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

*Dated:* December 31, 2012.

PAUL O. SWARTZ,  
*Executive Director*

[Pa.B. Doc. No. 13-128. Filed for public inspection January 18, 2013, 9:00 a.m.]



