

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Rescission of Quarantine Orders and Programs Relating to Plum Pox Virus

#### *Recitals*

A. The Plant Pest Act (act) (3 P. S. §§ 258.1—258.27) empowers the Department of Agriculture (Department) to take various measures to detect, contain and eradicate plant pests in this Commonwealth.

B. The powers granted to the Department under section 21 of the act (3 P. S. § 258.21) include the power to establish quarantines to prevent the dissemination of plant pests within this Commonwealth.

C. Plum Pox Virus (PPV) is a serious plant pest, indigenous to Europe. It injures and damages stone fruits such as peaches, nectarines, plums and apricots by drastically reducing the fruit yields from these stone fruit trees and by disfiguring the fruit to the point that it is unmarketable.

D. PPV has the potential to cause serious damage to the stone fruit production industry within this Commonwealth. It is transmitted from infected trees by aphids and by budding or grafting and can be spread into new areas by movement of infected nursery stock. The movement of PPV-infected fruit trees poses a danger to stone fruit trees in noninfected areas. There is no known control for PPV other than destruction of infected trees.

E. Since 1999, the Department has issued a series of orders addressing the presence of PPV in several townships and boroughs. The orders established quarantines and programs relating to the detection, containment and eradication of PPV. The Department's efforts have been successful, and PPV has not been detected in this Commonwealth for over 6 years.

F. The Department is satisfied it is appropriate to rescind the remaining Orders of Quarantine. These remaining orders apply to portions of Franklin Township and Menallen Township, Adams County, and a portion of South Middleton Township, Cumberland County.

G. The Department is satisfied it is appropriate to rescind the remaining programs relating to the detection, containment and eradication of PPV. These include the Plum Pox Virus Commercial Orchard Fruit Tree Indemnity Program, the Plum Pox Virus Commercial Nursery Fruit Tree Indemnity Program, the Plum Pox Virus Noncommercial Prunus Tree and Landscape Nursery Prunus Tree Indemnity Program and the Plum Pox Virus

Untended Stone Fruit Orchard Indemnity Program. Each of these programs has served its purpose and is no longer needed.

#### *Order*

Under authority of section 21 of the act, and with the foregoing recitals incorporated herein, the Department hereby orders the following:

1. The quarantine of part of Franklin Township, in Adams County, which was established by order published at 36 Pa.B. 6108 (October 7, 2006), and any subsequent orders amending the terms of that quarantine, are hereby rescinded.

2. The quarantine of part of Menallen Township, in Adams County, which was confirmed by order published at 35 Pa.B. 6543 (December 3, 2005), and any subsequent orders amending the terms of that quarantine, are hereby rescinded.

3. The quarantine of part of South Middleton Township, in Cumberland County, which was confirmed by order published at 37 Pa.B. 5902 (November 3, 2007), and any subsequent orders amending the terms of that quarantine, are hereby rescinded.

4. The order establishing the Plum Pox Virus Commercial Orchard Fruit Tree Indemnity Program, which was published at 30 Pa.B. 4014 (August 5, 2000), and subsequent orders amending that program, are hereby rescinded.

5. The order establishing the Plum Pox Virus Commercial Nursery Fruit Tree Indemnity Program, which was published at 30 Pa.B. 4737 (September 9, 2000), and subsequent orders amending that program, are hereby rescinded.

6. The order establishing the Plum Pox Virus Noncommercial Prunus Tree and Landscape Nursery Prunus Tree Indemnity Program, which was published at 31 Pa.B. 2936 (June 9, 2001), and subsequent orders amending that program, are hereby rescinded.

7. The order establishing the Plum Pox Virus Untended Stone Fruit Orchard Indemnity Program, which was published at 34 Pa.B. 4928 (September 4, 2004), and subsequent orders amending that program, are hereby rescinded.

8. With the issuance of this order, all of the pre-existing PPV-related quarantines and programs described above are rescinded.

9. This order is effective as of January 21, 2013.

GEORGE D. GRIEG,  
*Secretary*

[Pa.B. Doc. No. 13-181. Filed for public inspection February 1, 2013, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending January 15, 2013.

Under section 503.E of the Department of Banking and Securities Code (71 P. S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file their comments in writing with

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

### BANKING INSTITUTIONS

#### Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-28-2012	<p><i>From:</i> Franklin Security Bank Wilkes-Barre Luzerne County</p> <p><i>To:</i> Franklin Security Bank Wilkes-Barre Luzerne County</p> <p>Conversion from a Federal savings bank to a Pennsylvania State-chartered savings bank. Franklin Security Bank is a wholly-owned subsidiary of Franklin Security Bancorp, Inc. (5028548), Wilkes-Barre, an existing bank holding company.</p> <p>Branch offices operated by Franklin Security Bank: 139 Wyoming Avenue Scranton Lackawanna County</p>	Effective

#### Consolidations, Mergers, and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
11-16-2012	<p>The Bryn Mawr Trust Company Bryn Mawr Montgomery County</p> <p>Application for approval to purchase assets and assume liabilities of one branch of First Bank of Delaware, Wilmington, Delaware, located at: 1000 Rocky Run Parkway Wilmington New Castle County Delaware</p>	Effective

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
1-2-2013	Somerset Trust Company Somerset Somerset County	802 Atkinson Way Somerset Somerset County	Opened
1-8-2013	Huntingdon Valley Bank Huntingdon Valley Montgomery County	900 Pine Valley Boulevard Philadelphia Philadelphia County	Opened
1-11-2013	Penn Security Bank and Trust Company Scranton Lackawanna County	435 Wyoming Avenue Kingston Luzerne County	Approved

##### Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
1-14-2013	S&T Bank Indiana Indiana County	35 West Scribner Avenue DuBois Clearfield County	Approved
1-14-2013	S&T Bank Indiana Indiana County	200 Patchway Road Duncansville Blair County	Approved

## NOTICES

## SAVINGS INSTITUTIONS

No activity.

## CREDIT UNIONS

No activity.

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 13-182. Filed for public inspection February 1, 2013, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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

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

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

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

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

<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>
PA0030996 (Sewage)	Bangor Area School District STP 123 Five Points Richmond Road Bangor, PA 18013	Northampton County Upper Mount Bethel Township	Unnamed Tributary of Jacoby Creek (1-F)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0087891 (Storm Water)	Growmark FS, LLC 3150 Stoney Point Road East Berlin, PA 17316	Adams County Latimore Township	Unnamed Tributary to Mud Run (7-F)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAS604802 (Storm Water)	Gray's Vehicle Clinic 1314 Axemann Road Bellefonte, PA 16823	Centre County Spring Township	Logan Branch (9-C)	Y
PA0229253 (Sewage)	Karthaus-Burnside Joint Sewer Authority WWTP PO Box 97 Karthaus, PA 16845	Clearfield County Karthaus Township	West Branch Susquehanna River (8-D)	Y
PA0027359 (IW)	Danville Municipal Water Authority 12 West Market Street Danville, PA 17821	Montour County Danville Borough	Susquehanna River (5-E)	Y
PA0027359 (IW)	Danville Municipal Water Authority 12 West Market Street Danville, PA 17821	Montour County Danville Borough	Susquehanna River (5-E)	Y
PA0229105	Amos Newswanger (Garreau Farm) 158 Miller Road, Lewisburg, PA 17837-7851	Union County, Buffalo Township	Muddy Run, (10-C)	N
PAS804801 (Storm Water)	University Park Airport 2535 Fox Hill Road State College, PA 16803	Centre County Benner Township	Unnamed Tributary of Buffalo Run, Unnamed Tributary of Spring Creek and Big Hollow (9-C)	Y
PA0209511 (Sewage)	Sullivan Township STP P O Box 84 Mainesburg, PA 16932	Tioga County Sullivan Township	Corey Creek (4-A)	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0240087 (Sewerage)	Paul V Wittenbrink SFTF Wolf Run Road Bradford, PA 16701	McKean County Corydon Township	Chander Run (16-B)	Y
PA0221872 (Industrial Waste)	Universal Stainless & Alloy Products 121 Caldwell Street Titusville, PA 16354-2055	Crawford County City of Titusville	Church Run and Oil Creek (16-E)	Y

<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>
PA0037974 (Sewage)	Washington Township Sewer Authority Kline Rd STP Kline Road Edinboro, PA 16412	Erie County Washington Township	Unnamed Tributary to Darrows Creek (16-A)	Y
PA0264024 (Sewage)	Hickory Township STP PO Box 44, Endeavor, PA 16353	Forest County Hickory Township	East Hickory Creek (16-F)	Y
PA0240001 (Sewage)	Clear Creek State Park Box 82 Main Park Road Sigel, PA 15860-9502	Jefferson County Heath Township	Clarion River (17-B)	Y
PA0221996 (sewerage)	North Brook Subdivision 103 McDonnell Lane Butler, PA 16001	Butler County Middlesex Township	Unnamed Tributary to Glade Run (20-C)	Y
PA0101923 (Sewage)	Saegertown Area STP Park Avenue Ext Saegertown, PA 16433	Crawford County Saegertown Borough	French Creek (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*

**PA0013021**, SIC Code 2819, **PQ Corporation**, 1201 W Front Street, Chester, PA 19013-3436. Facility Name: PQ Corporation Chester Plant. This existing facility is located in Chester City, **Delaware County**.

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

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

The proposed effluent limits for Outfall 001 are based on an average stormwater flow.

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

The proposed effluent limits for Outfall 004 are based on an average stormwater flow.

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



The proposed effluent limits for Outfall 005 are based on an average stormwater flow.

<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>
PCBs (Wet Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 007 are based on an average stormwater flow.

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

The proposed effluent limits for Monitoring Point 301 are based on a design flow of 0.075 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Dissolved Solids	XXX	XXX	XXX	1,000	1,750	2500
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
PCBs (Dry Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX

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

- A. Acquire Necessary Property Rights
- B. Proper Sludge Disposal
- C. WQM Permit Condition
- D. BAT/ELG Reopener
- E. Stormwater Condition
- F. PCB/PMP Condition

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.

**PA0050202**, Storm Water, SIC Code 4011, **National RR Passenger Corp**, 30th Street Station, Philadelphia, PA 19104. Facility Name: Amtrak—Race St/ Penn Coach Yard Facility. 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 Storm Water.

The receiving stream(s), 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 are based on a stormwater flow.

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

The proposed effluent limits for Outfall 101 are based on a stormwater flow.

<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 (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Oil and Grease	XXX	XXX	XXX	15	XXX	30
TRPH	XXX	XXX	XXX	XXX	XXX	Report
Dissolved Iron	XXX	XXX	XXX	XXX	XXX	7.0
Total Phenolics	XXX	XXX	XXX	5.9	11.8	14.8

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

- I.
  - A. Remedial Measures
  - B. BAT/ELG Reopener
  - C. Change of Ownership
  - D. Sludge disposal
  - E. TMDL/WLA Analysis
  - F. IMAX
  - G. Laboratory Certification
  - H. PCB Requirement
- II. Stormwater Requirements

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

The EPA Waiver is not in effect.

**PA0053929**, Sewage, SIC Code 4952, **Barryway Enterprises Inc.**, 1485 Route 309, Quakertown, PA 18951. Facility Name: Bubba's Potbelly Stove Restaurant STP. This existing facility is located in Springfield Township, **Bucks County**.

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

The receiving stream(s), Unnamed Tributary to Tohickon Creek, is located in State Water Plan watershed 2-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 0.0075 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (GPD)	Report	XXX	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	0.15	XXX	0.4
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
Total Nitrogen	XXX	XXX	XXX	Geo Mean Report	XXX	Report
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	2.0	XXX	4.0
Nov 1 - Apr 30	XXX	XXX	XXX	6.0	XXX	12.0
Total Phosphorus	0.031	XXX	XXX	0.5	XXX	1.0

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

- Designation of Responsible Operator
- Abandon STP when public sewers available.
- Remedial Measures
- No Storm water
- Necessary Property Rights
- Change in Ownership
- TRC Minimization

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.

**PA0058505**, SIC Code 4952, **Kilcar, House Inc.**, 199 Union Road, Quakertown, PA 18951. Facility Name: Casey's Tavern STP. This existing facility is located in Richland Township, **Bucks County**.

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

The receiving stream(s), Tohickon Creek, is located in State Water Plan watershed 2-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 0.0014 MGD.

Parameters	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Instant. Minimum	Average Monthly	Geo Mean	Instant. Maximum
Flow (GPD)	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0
Dissolved Oxygen	XXX	XXX	2.0	XXX	XXX
Total Residual Chlorine	XXX	XXX	0.5	XXX	1.2
CBOD <sub>5</sub>	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	20	XXX	40
Total Phosphorus	0.0058	XXX	0.5	XXX	1.0

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

- Remedial Measures
- Abandon STP when municipal sewers available
- No Stormwater
- Change in ownership
- Sludge Disposal
- TRC Minimization

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

The EPA Waiver is in effect.

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

**PA0060135 A-2**, Sewage, SIC Code 4952, **Shickshinny Borough Sewer Authority Luzerne County**, PO Box 62, Shickshinny, PA 18655-0062. Facility Name: Shickshinny Sanitary Authority TP Dp Cs. This existing facility is located in Shickshinny Borough, **Luzerne County**.

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

The proposed amendment is solely for the purpose of revising the compliance schedule in Part C of the permit to reflect that the permittee has elected to purchase nutrient credits instead of constructing biological nutrient upgrades.

The receiving stream(s), Susquehanna River, is located in State Water Plan watershed 5-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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.

**PA0012963**, SIC Code 2631, **Rock-Tenn Converting Company**, PO Box 770, 1 Paper Mill Road, Delaware Water Gap, PA 18327. Facility Name: Rock-Tenn Converting Company Stroudsburg Mill. This existing facility is located in Smithfield Township, **Monroe 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, Brodhead Creek, is located in State Water Plan watershed 1-E and is classified for Cold 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 0.627 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>Geometric Mean</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Fecal Coliform (CFU/100 ml)						
(Interim)	XXX	XXX	XXX	Report	XXX	Report
May 1 - Sep 30 (Final)	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30 (Final)	XXX	XXX	XXX	2,000	XXX	10,000

The proposed effluent limits for stormwater Outfalls 003, 004, 006 and 007 are:

<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>	
CBOD <sub>5</sub>	XXX	XXX	XXX	XXX	Report	XXX
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

The proposed effluent limits for Outfall 101 are based on a design flow of 0.1415 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
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
CBOD <sub>5</sub>						
(Interim)	311	622	XXX	Report	Report	XXX
(Final)	220	440	XXX	Report	Report	XXX
Total Suspended Solids	220	440	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	5,000	XXX	10,000
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Nitrate as N	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX

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

- Chemical Additives
- Requirements Applicable to Stormwater Outfalls.

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

The EPA Waiver is not in effect.

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

**PA0261882**, SIC Code 4911, **Berks Hollow Energy Assoc, LLC**, 400 Chesterfield Center Suite 110, Chesterfield, MO 63017. Facility Name: Berks Hollow Energy Station. This proposed facility is located in Ontelaunee Township, **Berks County**.

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

The receiving stream(s), Schuylkill River (Option A) OR Maiden Creek (Option B) for industrial wastewater discharges (Outfall 001 below) is located in State Water Plan watershed 3-B and is classified for Warm Water Fishes, Migratory Fishes, aquatic life, water supply and recreation. Willow Creek for stormwater discharges (Outfall 002 below) is located in State Water Plan watershed 3-B and has an existing use of High Quality, Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation; and it is classified as a trout stream. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001, Option A to the Schuylkill River, are based on a design flow of 1.44 MGD:

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.2	XXX	0.5
Temperature (°F)	XXX	XXX	XXX	Report	110	XXX
Total Suspended Solids	Report	Report	XXX	30	60	75
Total Dissolved Solids	Report	Report	XXX	Report	Report	2000
Oil and Grease	XXX	XXX	XXX	15	20	30
Ammonia	XXX	XXX	XXX	Report	Report	XXX
Total Chromium	Report	Report	XXX	XXX	0.2	XXX
Total Zinc	Report	Report	XXX	0.9	1.0	XXX
Total Priority Pollutants other than Zinc & Chromium	XXX	XXX	XXX	XXX	Non-Detect	XXX
PCBs (Dry Weather) (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PCBs (Wet Weather) (ng/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 001, Option B to the Maiden Creek, are based on a design flow of 1.44 MGD:

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.2	XXX	0.5
Temperature (°F)*	XXX	XXX	XXX	Report*	110*	XXX
Total Suspended Solids	Report	Report	XXX	30	60	75
Total Dissolved Solids **	Report	Report	XXX	1000**	2000**	2500**
Oil and Grease	XXX	XXX	XXX	15	20	30
Ammonia	XXX	XXX	XXX	Report	Report	XXX
Total Chromium	Report	Report	XXX	XXX	0.2	XXX
Total Zinc	Report	Report	XXX	0.3	0.5	XXX
Total Priority Pollutants other than Zinc & Chromium	XXX	XXX	XXX	XXX	Non-Detect	XXX

\* If Option B applies, monitoring upstream and downstream for Temperature is also required to ascertain that the temperature in the receiving water is not altered by 2°F or more in a one-hour period during a discharge of cooling tower blowdown.

\*\* Or as allowed by the Delaware River Basin Commission in their TDS Determination for a Variance Request.

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

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	30
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Total Copper	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Nickel	XXX	XXX	XXX	XXX	Report	XXX
Total Zinc	XXX	XXX	XXX	XXX	Report	XXX

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

- Chlorine or other approved biocides may not be discharged at outfall 001 from any single generating unit for more than two hours per day nor from more than one unit in any plant unless the utility can demonstrate the need for such.
- Except within an assigned heat dissipation area, the discharge at outfall 001 shall not increase the ambient temperature of the receiving water by more than 5°F, nor shall such discharge result in the stream temperature exceeding 87°F, nor shall such discharge cause a change in stream temperature of more than 2°F during any one-hour period.
- Chemical additives used at the facility must be approved by the Department.
- Discharges to the Schuylkill River are subject to the Schuylkill River Polychlorinated Biphenyl (PCB) Total Maximum Daily Load (TMDL) established in 2007 by the U.S. EPA.
- There shall be no discharge of PCB compounds such as those commonly used for transformer fluid at any time.

- A Preparedness, Prevention and Contingency (PPC) Plan and Best Management Practices (BMPs) are required for the stormwater outfall 002.

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

The EPA Waiver is not in effect.

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

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

**WQM Permit No. WQM 5993403-T3**, Sewerage, **ESK LLC**, 4755 Route 6, Wellsboro, PA.

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

Description of Proposed Action/Activity: Transfer of Water Quality Management permit for the Coach Stop Inn.

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

**WQM Permit No. WQG02421301**, Sewerage, **Foster Township**, 1185 East Main Street, Bradford, PA 16701.

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

Description of Proposed Action/Activity: Sewer extension to Harrisburg Run Road.

**WQM Permit No. 1013401**, Sewerage, **Larry Chambers**, 2320 William Flynn Highway, Butler, PA 16001.

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

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

**WQM Permit No. 2513401**, Sewerage, **Lawrence D. Scanlon**, 110 Shadow Land, Coraopolis, PA 15108.

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

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

**WQM Permit No. 1002401**, Sewerage, **Amendment No. 1, Breakneck Creek Regional Authority**, P. O. Box 1180, Mars, PA 16046-1180.

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

Description of Proposed Action/Activity: Rehabilitation of miscellaneous concrete areas, valve replacement, construction of a new flow splitter box and associated piping, replacement of existing raw sewage pumps and controls, replacement of existing doors and incidental and miscellaneous work.

### 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>
PAI011513001	Gilbert P. Thompson 450 S. Whitehorse Road Phoenixville, PA 19460	Chester	Charlestown and Schuylkill Townships	Pickering Creek HQ-TSF-MF

*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>
PAI023907026R	Coca-Cola Refreshments Timothy Fischbach 7551 Schantz Rd. Allentown, PA 18106	Lehigh	Upper Macungie Twp.	Unnamed Tributary to the Iron Run, HQ-CWF, 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>
PAI024807004R	Riverbend Bethlehem Holdings I, LLC Michael Gamzon 204 West Newberry Rd. Bloomfield, CT 06002	Northampton	Lower Nazareth Twp. and Bethlehem Twp.	Monocacy Creek, HQ-CWF, MF
PAI024812020	Mark Danial 4901 Kesslersville Rd. Easton, PA 18040  Sam Leh 2082 Thompson Rd. Coopersburg, PA 18036	Northampton	Forks Twp.	Unnamed Tributary to Bushkill Creek, HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024506028R	DEPG Stroud Associates, L.P. 521 Plymouth Rd. Suite 118 Plymouth Meeting, PA 19462	Monroe	Stroud Twp.	Pocono Creek, HQ-CWF, MF

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

PAG-12      CAFOs

### CAFO Notices of Intent Received

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

**PAG123667**, CAFO, **Gary Miller Farm** 2146 Powells Valley Road, Halifax, PA 17032.

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

Description of Size and Scope of Proposed Operation/Activity: Seeking permit approval for a 566 AEU poultry-layer operation.

The receiving stream, Powells Creek, is in watershed 6C and classified for: TSF.

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

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

**PAG124831**, CAFO [SIC 0213], **Pete Drost, Montour Farms, Inc.**, Beamsville, ON LOR 1B7.

This existing facility is located at 30 Greenleaf Drive, Bloomsburg, PA 17815 in Derry Township, **Montour County**.

Description of Size and Scope of Proposed Operation/Activity: The facility is comprised of approximately 369 AEUs of poultry and 1 horse.

The receiving stream, Mud Creek, is in watershed 10D and classified for: Warm Water Fishes and Migratory Fishes.

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

**PAG124806**, CAFO (SIC 0213), **Jerrel Brubaker dba Buffalo Valley Farms**, 269 Meeting House Lane, Lewisburg, PA 17837.

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

Description of Size and Scope of Proposed Operation/Activity: This is a 4,100 head swine finishing operation. The total acres of cropland are 242.8. This operation utilizes two under barn manure storage. Each storage structure maintains at least 6" of freeboard and has a capacity of 505,600 gallons. There is a total of 1,000,000 gallons of manure generated yearly by 546 AEUs.

The receiving stream, an unnamed tributary to Buffalo Creek, is in watershed 10C and classified for CWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where

applicable, compliance with 40 CFR federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

## STATE CONSERVATION COMMISSION

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

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

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

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

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

#### NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Esbenshade, Inc. 220 Eby Chiques Road Mount Joy, PA 17552	Lancaster	411.3	10,412.63	Layers	None	R
Scott Brinton 323 Riverview Road Peach Bottom, PA 17563	Lancaster	428.8	468.25	Swine/Beef	HQ	N

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

#### **Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environ- mental 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:

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

**Herbert Hewlett Property**, Bloomsburg, **Columbia County**. Pennsylvania Tectonics, Inc., 723 Main Street, Archbald, PA 18403 on behalf of Herbert Hewlett, 921 Ext. East 8th Street, Bloomsburg, Pa 17815 has submitted a Notice of Intent to Remediate soil contaminated with #2 fuel oil (heating oil). The applicant proposes to remediate the site to meet the Statewide Health Standard.

**SJ Holdings, LLC.**, Montoursville Borough **Lycoming County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, Pa 19341 on behalf of SJ Holdings, LLC., 300 Streibeigh Lane, Montoursville, Pa 17754 has submitted a Notice of Intent to Remediate soils contaminated with PCB-1260 and bis(2-ethylhexyl)phthalate. The applicant proposes to remediate the site to meet the Statewide Health Standard.

**The Retreat at State College**, State College Borough, **Centre County**. Converse Consultants, 2738 West College Avenue, State College, Pa 16801 on behalf of The Retreat at State College, 455 EPPs Bridge PKWY, Suite 201, Athens, GA 30606 has submitted a Notice of Intent to remediate soil contaminated with diesel fuel. The applicant proposes to remediate the site to meet the Statewide Health Standard.

**Williams Oil Company, Inc.**, Release Site, Liberty Township, **Tioga County**. Pennsylvania Tectonics, Inc., 723 Main Street, Archbald, PA 18403 on behalf of PennDot, 6 Bowart Street, Wellsboro, PA 16901 has submitted a Notice of Intent to Remediate soil contaminated with diesel fuel. The applicant proposes to remediate the site to meet the Statewide Health Standard.

#### DETERMINATION FOR APPLICABILITY FOR INFECTIOUS AND CHEMOTHERAPEUTIC WASTE GENERAL PERMITS

**Application for Determination of Applicability for General Permit 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 Infectious and Chemotherapeutic Waste Regulations for a General Permit to Operate Infectious and Chemotherapeutic Waste Processing Facilities.**

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

**General Permit Application No. WMGI005D. Merck Sharp & Dohme Corp.**, 140 Wissahickon Avenue, 502 and 503 Louise Lane, North Wales PA 19454. This application is for permittee's name change from Merck & Co., Inc., to Merck Sharp & Dohme Corp.,

regarding the existing determination of applicability general permit WMGI0005D for Merck Sharp & Dohme Corp.—North Wales Facility located in Upper Gwynedd Township, **Montgomery County**. The application for determination of applicability was accepted by the Southeast Regional Office on August 6, 2012.

#### DETERMINATION FOR APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

**Application(s) deemed administratively complete for Determination of Applicability under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.**

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

**General Permit No. WMGR081D029. Evolution E-Cycling, LLC**, 704 Parkway View Drive, Pittsburgh, PA 15205-1414. Site address: Evolution E-Cycling, LLC, 2235 Mary Street, Pittsburgh, PA 15203-2222. A residual waste general permit for the processing and beneficial use of source separated computer, telecommunication, radio, television, and electro-acoustic equipment and associated peripherals to include the salvaging of clean and uncontaminated metals, plastics, glass and paper for use as raw materials for an industrial process; salvaging of precious metals via separation and shipment to a precious metals recycler; salvaging of uncontaminated electronic or mechanical components for re-use in their original function; and the salvaging of any potentially leachable materials/components (including the Cathode Ray Tubes (CRTs)) that are sent to specialty recycling facilities for additional recycling or other beneficial use per separate Department approval. This facility will be located in the City of Pittsburgh, **Allegheny County**. The application was deemed administratively complete in the Regional Office on January 18, 2013.

Persons interested in reviewing the general permit or the application may contact the Department of Environmental Protection, Regional Files, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

#### AIR QUALITY

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

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

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

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

before the applications. Persons interested in reviewing the application files should contact the appropriate regional office to schedule appointments.

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

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

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

#### PLAN APPROVALS

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

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

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

**59-00008C: Tennessee Gas Pipeline Co., LLC** (1001 Louisiana Street, Houston, TX 77002) for the proposal to construct and operate a Solar Mars turbine compressor at the company's Station 315 facility in Charleston Township, **Tioga County**.

**08-00001A: Tennessee Gas Pipeline Company, LLC** (1001 Louisiana Street, Houston, TX 77002) for the proposal to construct and operate a Solar Mars turbine compressor and emergency engine generator at the company's Station 315 facility in Charleston Township, **Tioga County**. The project also includes decommissioning of the existing turbines and emergency engine.

**14-00003F: The Pennsylvania State University** (Office of Physical Plant Building, Room 101P, University Park, PA 16802) for the proposal to construct and operate two new natural gas-fired boilers at the West Campus Steam Plant (WCSP) on the University Park campus in College Township, **Centre County**. The project will also include demolition of three (3) existing boilers at the WCSP as well as modifying the remaining two of existing boilers to fire only natural gas.

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

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

**25-1038A: Lord Corp.** (2455 Robinson Road, Erie, PA 16509) for the proposed relocate and combination of its Erie operations in Summit Township, **Erie County**. Operations from the West 12th Street manufacturing plant and the Grandview Avenue corporate offices will relocate to the new facility. This is a State Only facility.

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

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

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

**06-05069T: East Penn Manufacturing Co., Inc.** (P. O. Box 147, Lyon Station, PA 19536) for exhausting the air pickup from a COS machine to atmosphere after the air is filtered by a baghouse and a HEPA filter. This source is located at their Lyon Station Plant in Richmond Township, **Berks County**.

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

Control C416A presently vents inside. Plan Approval 06-05069T is for venting Control C416A to atmosphere. For the COS machine, the company shall be subject to and comply with 40 CFR 60 Subpart KK and BAT. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The potential air emissions from the proposed project are 4.5 tons per year of PM and 0.45 ton per year of lead.

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.

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

### OPERATING PERMITS

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

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

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

**48-00027: IESI Bethlehem Landfill** (2335 Applebutter Road, Bethlehem, PA 18015-6004) for operation of a Landfill in Lower Saucon Township, **Northampton County**. This is a renewal of the Title V Operating Permit. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G.

The main sources and control devices at this facility are the landfill operations, leachate storage, landfill gas collection flare, portable crushing operations, and water sprays. The proposed Title V Operating Permit shall include emission restrictions, work practice standards and testing, monitoring, recordkeeping, and reporting requirements to ensure compliance with all applicable Federal and State air quality regulations.

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

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

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

**23-00110: Bryn Hill Industries** (407 Industrial Park Drive, Lincoln Yeadon, PA 19050) for a non-Title V, State-Only, Synthetic Minor Operating Permit in Yeadon Borough, **Delaware County**. This action is a renewal of the State Only Operating Permit. The permit was issued on 5-22-2008 and will expire on 6-30-2013. The facility consists of a Foam Product Line, consisting of three (3) Process Ovens, a mold release spray process and three (3) oven heaters to cure the foam as the primary emission sources. The permit will include monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**46-00181: Technetics Group Hatfield** (1600 Industry Rd, Hatfield, PA 19440) for a PTFE etching facility in Hatfield Township, **Montgomery County**. The permit is for a non-Title V (State only) facility. No changes in sources or applicable regulations have taken place since the permit was last issued in February 2008. The facility

underwent a change of ownership that was effective January 1, 2012. The permit will include monitoring, recordkeeping and reporting requirements 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*

**39-00097: ASGCO Manufacturing, Inc.** (301 Gordan Street, Allentown, PA 18102) for operation of a conveyor and conveying equipment manufacturer in the City of Allentown, **Lehigh County**. The source consists of a plasma cutting table and a cartridge dust collector. This is an initial State-Only operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**35-00027: Quadrant EPP** (900 North South Road, Scranton, PA 18504) for operation of an unsupported film and sheet plastic manufacturing facility in the City of Scranton, **Lackawanna County**. The primary sources at the facility include 3 presses and 3 natural gas fired boilers. This is a renewal 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: 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.*

**06-03141: UGI LNG, Inc.** (1 Meridian Boulevard, Suite 2C01, Wyomissing, PA 19610) for operation of a natural gas liquefaction facility in Ontelaunee Township, **Berks County**.

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

The vaporizer is subject to the New Source Performance Standards prescribed in 40 CFR Part 60, Subpart Dc. Overall potential NO<sub>x</sub> and CO emissions from the operation are 10.03 and 2.53 tons per 12-month rolling total. Emissions of all other criteria pollutants are considered minor.

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

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



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

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

**38-03025: TE Connectivity** (3155 State Route 72, Jonestown, PA 17038) for their electrical connector manufacturing facility in Union Township, **Lebanon County**.

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

The subject facility has potential emissions of 7.7 tpy of CO, 9.2 tpy of NO<sub>x</sub>, 9.9 tpy of VOC and 0.2 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63, Subpart WWW—National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations and 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

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

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

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

**36-03172: Trinity Alloys, Inc.** (950 Square Street, Mount Joy, PA 17552) for the scrap aluminum melting facility in Mount Joy Borough, **Lancaster County**.

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

The subject facility has potential emissions of 1.3 tpy of PM, 2.2 tpy of NO<sub>x</sub> and 1.8 tpy of CO. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items,

the conditions include provisions derived from 40 CFR 63, Subpart RRR—National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production.

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

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

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

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

**28-05041: JLG Industries, Inc.** (15276 Molly Pitcher Highway, Greencastle, PA 17255) for operation of coating booths in Antrim Township, **Franklin County**. This is a renewal of their State-Only Operating Permit issued in 2007.

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.

VOC emissions from the facility are limited to less than 50 tpy, with actual VOC emissions of less than 5 tpy, and less than 1 tpy combined HAPs emissions. The Operating Permit will include emission limits and work practice standards, along with monitoring and recordkeeping requirements to ensure the facility complies with the applicable air quality regulations.

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

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

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

William 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*

**08-00028: Wyalusing Area School District** (115 Main Street, Wyalusing, PA 18853) for a State Only Operating Permit for their school located in Wyalusing Township, **Bradford County**. The facility's main sources include one (1) 12 MMBTU/hr. biomass fired boiler; and one (1) back-up 12 MMBTU/hr #2 fuel oil fired boiler to provide steam for the school buildings. The potential emissions from all sources at the facility are 5.04 tons per year of carbon monoxide, 8.27 tons per year of nitrogen oxides, 2.12 tons per year of sulfur oxides, 6.53 tons per year of particulate matter with an aerodynamic diameter of less than 10 microns, 0.36 ton per year of volatile organic compounds, 0.10 ton per year of total hazardous air pollutants (HAPs), and 7,226 tons per year of carbon dioxide equivalents (greenhouse gases). All applicable requirements from the existing plan approval (PA# 08-00028A) for the boilers including all applicable monitoring, recordkeeping and reporting requirements were included in the proposed permit. The plan approval expired on May 15, 2012. Based on the stack test results of the biomass boiler, the Department is in agreement with the company that the NO<sub>x</sub> emission rate 0.182 specified in the expired plan approval will be increased to establish 0.25 lb/MMBTU emission limit. The permittee has also requested to reduce the hours of operation of the biomass boiler to 4,728 hours in any 12 consecutive month period so as not to increase the annual NO<sub>x</sub> emissions. The NO<sub>x</sub> emission limit of 0.25 lb/MMBTU and hours of operation limitation satisfies BAT requirements.

The Department is requiring total particulate matter, carbon monoxide and nitrogen oxide source testing for the biomass boiler within three years of issuance of the operating permit to verify emissions from the boiler. The emission restrictions, testing, monitoring, recordkeeping, reporting and work practice conditions of the operating permit have been derived from the applicable requirements of 40 CFR Parts 60 and 63, and 25 Pa. Code Chapters 121—145. The proposed State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State air quality regulations. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3693.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Permit No. 08-00028) and concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the information

received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport PA 17701, 570-327-3648.

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

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

**20-00281: Channellock, Inc.** (1306 South Main Street, Meadville, PA 16335-3035) for a renewal of the natural minor operating permit to operate a hand tool products manufacturing facility in the City of Meadville, **Crawford County**. The facility's major emission sources include miscellaneous natural gas usage, metal polishing, miscellaneous natural gas process use and two non-emergency generators. The natural gas engines (4 stroke lean burn) for the generators are subject to 40 CFR Part 63 Subpart ZZZZ. The emissions of pollutants from the facility are less than Title V threshold limits. Thus, the facility is considered a natural minor. The emissions from the facility are less than the following: NO<sub>x</sub>: 17.2 Tons per year (TPY), CO: 0.4 TPY and PM-10: 1 TPY.

**25-00197: Erie Bronze & Aluminum** (6300 Ridge Road, Erie, PA 16506) to issue the renewal of the State Only Operating Permit for the foundry facility operating to aluminum and bronze castings; in Fairview Township, **Erie County**. The primary sources at the facility include 8 induction furnaces, 2 crucible Aluminum furnaces, 2 ovens, sand handling, foundry operations, saws and grinders, and a parts washer. Particulate matter emissions from the sand handling are controlled by a venturi scrubber. Particulate matter emissions from the induction furnaces, the saws and grinders, and the foundry operations are controlled by dust collectors. The facility is a Natural Minor. Potential emissions are as follows: PM 35.7 tpy; NO<sub>x</sub> less than 1 tpy; SO<sub>x</sub> less than 1 tpy; CO 3.5 tpy; VOC less than 1 tpy. The facility is subject to 40 CFR Part 63 Subpart ZZZZZZ, National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries. The applicable requirements are added to this renewal. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**42-00323: Advanced Fiberglass Services, Incorporated** (80 Canal Street, Sharpsville, PA 16150-2201) to issue a renewal of the State Only Operating Permit for the custom fiberglass fabrication facility. The facility is a Natural Minor. The facility is located in Sharpsville Borough, **Mercer County**. The primary sources are custom fabrication operations using a manual layup process and Binks spray booth for a non-atomized chopper gun and a gel coat gun. The facility is restricted to less than 9.9 TPY of styrene emissions based on a 12-month rolling sum. The permit was also administratively amended to incorporate the name change from Chautauqua Fiberglass to Advanced Fiberglass. The renewal permit contains emission restrictions, recordkeep-



ing, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

### 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*

**63831302 and NPDES No. PA0213608. Eighty Four Mining Company**, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323). To renew the permit for Mine No. 84 in Somerset, South Strabane, Amwell, North Bethlehem, and West Bethlehem Townships, **Washington County** and related NPDES permit. No additional dis-

charges. The application was considered administratively complete on January 15, 2013. Application received: April 5, 2012.

**56841612 and NPDES No. PA0588491. Wilson Creek Energy, LLC**, (609 Georgian Place, Somerset, PA 15501). To revise the permit for the Wilson Creek Coal Preparation Plant in Black Township, **Somerset County** and related NPDES permit to expand plant operations and modify the water handling plan. A revision to the Air Quality General Permit BAQ-GPA/GP12 will be included. Surface Acres Proposed 26.7. Receiving stream: Coxes Creek, classified for the following use: WWF. The application was considered administratively complete on January 16, 2013. Application received: June 28, 2012.

**03861301 and NPDES No. PA0215449. McVile Mining Company**, (301 Market Street, Kittanning, PA 16201). To renew the permit for the McVile Coal Preparation Plant in South Buffalo Township, **Armstrong County** and related NPDES permit. No additional discharges. The application was considered administratively complete on January 16, 2013. Application received: September 10, 2012.

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

**56950106 and NPDES No. PA0213161. PBS Coals, Inc.**, P. O. Box 260, 1576 Stoystown Road, Friedens, PA 15541, revision of an existing bituminous surface mine to delete permit area and corresponding bond reduction in Stonycreek Township, **Somerset County**, affecting 138.0 acres. Receiving stream(s): unnamed tributaries to/and Schrock Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 9, 2013.

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

**26070105 and NPDES Permit No. PA0251232. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Renewal application for reclamation only to an existing bituminous surface mine, located in Saltlick Township, **Fayette County**, affecting 71.64 acres. Receiving streams: unnamed tributaries to Little Champion Creek, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: January 7, 2013.

**26080102 and NPDES Permit No. PA0251321. Patterson Coal Company** (20 Elizabeth Drive, Smithfield, PA 15478). Renewal application for reclamation only to an existing bituminous surface mine, located in German Township, **Fayette County**, affecting 50.3 acres. Receiving streams: unnamed tributaries to N. Branch Browns Run, classified for the following use: WWF. The potable water supply intake within 10 miles downstream from the point of discharge: Carmichaels Municipal Authority. Renewal application received: January 7, 2013.

**03020112 and NPDES Permit No. PA0250325. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). Renewal application for reclamation only to an existing bituminous surface mine, located in South Bend Township, **Armstrong County**, affecting 49.5 acres. Receiving streams: Craig Run and Crooked Creek, classified for the following use: WWF. There is no potable water

supply intake within 10 miles downstream from the point of discharge. Renewal application received: January 9, 2013.

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

**17050104 and NPDES No. PA0256200. RES Coal LLC** (8912 Clearfield-Curwensville Highway, Clearfield, PA 16830). Transfer of an existing bituminous surface and auger mine from Hepburnia Coal Company (P. O. Box 1, Grampian, PA 16838) located in Chest Township, **Clearfield County** affecting 295.9 acres. Receiving streams: Unnamed Tributaries to North Camp Run and North Camp Run classified for Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 4, 2013.

**17080101 and NPDES No. PA 0256692. RES Coal LLC** (8912 Clearfield-Curwensville Highway, Clearfield, PA 16830). Transfer of an existing bituminous surface mine from Hepburnia Coal Company (P. O. Box 1, Grampian, PA 16838) located in Beccaria Township, **Clearfield County** affecting 217.1 acres. Receiving streams: Unnamed Tributary to Dewitt Run, Dewitt Run classified for Cold Water Fishes and Unnamed Tributaries to Clearfield Creek and Clearfield Creek classified as Warm Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 4, 2013.

**17900104 and NPDES No. PA0116939. RES Coal LLC** (8912 Clearfield-Curwensville Highway, Clearfield, PA 16830). Transfer of an existing bituminous surface mine from Hepburnia Coal Company (P. O. Box 1, Grampian, PA 16838) located in Brady and Bell Townships, **Clearfield County** affecting 537.6 acres. Receiving streams: Buck Run and Beech Run and Unnamed Tributaries to Beech Run classified for High Quality Waters—Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 4, 2013.

**17070112 and NPDES No. PA0256617. RES Coal LLC** (8912 Clearfield-Curwensville Highway, Clearfield, PA 16830). Transfer of an existing bituminous surface mine from Hepburnia Coal Company (P. O. Box 1, Grampian, PA 16838) located in Bell and Gaskill Townships, **Clearfield and Jefferson Counties** affecting 295.0 acres. Receiving streams: Unnamed Tributaries to Bear Run and Whiskey Run classified for Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 4, 2013.

**17970112 and NPDES No. PA0220680. Hilltop Coal Company** (12 Dutchtown Road, Houtzdale, PA 16651), permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Bigler Township, **Clearfield County**, affecting 212.4 acres. Receiving stream: Unnamed Tributary to Muddy Run, clas-

sified for the following use: Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 14, 2013.

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

**54060102C2 and NPDES Permit No. PA0224529. Kuperavage Enterprises, Inc.**, (P. O. Box 99, Middleport, PA 17953), correction to an existing anthracite surface mine operation for two stream variances in Blythe Township, **Schuylkill County** affecting 66.0 acres, receiving stream: Schuylkill River, classified for the following use: cold water fishes. Application received: December 14, 2012.

**54930101R4. J & M Coal Co., LLC**, (1026 Pine Street, Pottsville, PA 17901), renewal of an existing anthracite surface mine operation in Branch Township, **Schuylkill County** affecting 102.8 acres, receiving stream: Schaefer Creek, classified for the following use: cold water fishes. Application received: December 18, 2012.

*Noncoal Applications Received*

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

**5276SM5C11 and NPDES Permit No. PA0595217. Eureka Stone Quarry, Inc.**, (P. O. Box 249, Chalfont, PA 18914), renewal of an existing quarry operation in Dingman Township, **Pike County** affecting 202.3 acres, receiving stream: unnamed tributary to Sawkill Creek, classified for the following use: EV-migratory fishes. Application received: December 19, 2012.

**MINING ACTIVITY NPDES DRAFT PERMITS**

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

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

*Effluent Limits for Coal Mining Activities*

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

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

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

\*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. PA0215180 (Mining Permit No. 32981301), RoxCOAL, Inc.**, (PO Box 149 Friedens, PA 15541). A renewal to the NPDES and mining activity permit for North Branch Mine in Green and Grant Townships, **Indiana County**. Surface Acres Affected 56.0, Underground Acres Affected 2,670.0. Receiving stream: Unnamed Tributary of North Branch to Two Lick Creek, classified for the following use(s): CWF. Kiskiminetas—Conemaugh River Watersheds TMDL. The application was considered administratively complete on March 5, 2009. Application received January 13, 2009.

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 of North Branch to Two Lick Creek

The proposed effluent limits for *Outfall 001* (Lat: 40° 43' 15" Long: 78° 57' 58") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.43	-
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
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	REPORT
Osmotic Pressure (mOs/kg)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

*Outfall 002* discharges to: Unnamed Tributary of North Branch to Two Lick Creek

The proposed effluent limits for *Outfall 002* (Lat: 40° 43' 23" Long: 78° 58' 04") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.43	-
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
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	REPORT
Osmotic Pressure (mOs/kg)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

*Outfall 003* discharges to: Unnamed Tributary of North Branch to Two Lick Creek

The proposed effluent limits for *Outfall 003* (Lat: 40° 43' 30" Long: 78° 58' 04") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.43	-
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
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	REPORT
Osmotic Pressure (mOs/kg)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

*Outfall 004* discharges to: Unnamed Tributary of North Branch to Two Lick Creek

The proposed effluent limits for *Outfall 004* (Lat: 40° 43' 34" Long: 78° 58' 04") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	2.0	-
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
Osmotic Pressure (mOs/kg)		50	100	125
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

*Outfall 005* discharges to: Unnamed Tributary of North Branch to Two Lick Creek

The proposed effluent limits for *Outfall 005* (Lat: 40° 43' 20" Long: 78° 57' 49") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.25	-
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
Osmotic Pressure (mOs/kg)		50	100	125
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

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

**NPDES No. PA0269069 (Mining permit no. 56120110), Berwind Coal Sales Company, 509 15th Street, Windber, PA 15963, new NPDES permit for a bituminous surface mine in Shade Township, Somerset County, affecting 229 acres. Receiving stream(s): Unnamed Tributary to Millers Run, classified for the following use(s): cold water fishery. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: May 21, 2012.**

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

The treated wastewater outfall(s) listed below discharge to Unnamed Tributary to Millers Run.

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

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

<i>Outfalls: 001, 002, 003, 004, 005</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.9
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The stormwater outfall(s) listed below discharge to Unnamed Tributary to Millers Run.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
006	Y
007	Y
008	Y
009	Y
010	Y
011	Y

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

<i>Outfalls: 006, 007, 008, 009, 010, 011</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.9
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

## 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.*

**E54-355. Pennsylvania Department of Transportation, Engineering District 5-0**, 1002 Hamilton Street, Allentown, PA 18103-1013, in West Brunswick Township, Schuylkill County, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a stormwater outfall structure in the floodway of the Little Schuylkill River (CWF, MF) consisting of an 18-inch diameter pipe. The project is located along SR 61 at Segment 0040, Offset 2658 (Auburn, PA Quadrangle, Latitude: 40°36'5"; Longitude: 76°1'44").

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

**E02-584-A18 Hanson Aggregates PMA, Inc.**, 2200 Springfield Pike, Connellsville, Pa. 15425, in Hopewell Township, The City of Aliquippa, and Ambridge Borough, Beaver County, Pittsburgh ACOE District.

Applicant proposes to amend Permit E02-584, which authorizes commercial sand and gravel dredging in select areas of the Allegheny River (WWF) and Ohio River (WWF), subject to review of fish surveys, mussel surveys, and prescribed setbacks in Allegheny, Armstrong, Beaver and Westmoreland Counties to include Ohio River Mile Points 15.9 to 16.4 (Upstream beginning point: Ambridge, PA Quadrangle N: 14.3 inches, W: 15 inches; Latitude: 40°34'47", Longitude: 80°13'59". Downstream end point: Ambridge, PA Quadrangle N: 16.5 inches, W: 15.7 inches; Latitude: 40°35'28", Longitude: 80°14'11".), left and right descending banks in Hopewell Township, The City of Aliquippa, and Ambridge Borough, Beaver County.

**E02-1684 Pennsylvania Department of Transportation—District 11-0**, 45 Thoms Run Road, Bridgeville, PA 15017, Harmar Township and Oakmont Borough, Allegheny County; ACOE: Pittsburgh

Applicant proposes to remove the existing SR 2082, two lane, 28.3 ft total width, five span, steel through truss bridge with a 70 degree skew and having a total length of 1,544 ft, and having a navigational channel normal pool elevation clearance of approximately 50 ft; and to construct and maintain adjacent to and upstream and to the north of the existing bridge a five span, steel girder, four lane, 69 ft width replacement bridge with a 80 degree

skew and having a total length of 1,633 ft, and having a navigational channel normal pool elevation clearance of approximately 47 ft over the Allegheny River (WWF) with a drainage area of 11,682 square miles. In addition the project includes temporary encroachments for construction and demolition, and encroachments associated with modification or replacement of stormwater facilities from the road alignment adjustment and new bridge. The PennDOT improvement and relocation project extends between Oakmont Borough to the east and Harmar Township to the west (New Kensington West Quadrangle, Latitude 40° 31' 37" and Longitude -79° 50' 46") in Allegheny County.

**E02-919-A18 Tri-State River Products, Inc.**, Box 218, 334 Insurance Street, Beaver PA 15009, in Hopewell Township, The City of Aliquippa, and Ambridge Borough, Beaver County, Pittsburgh ACOE District.

Applicant proposes to amend Permit E02-919, which authorizes commercial sand and gravel dredging in select areas of the Allegheny River (WWF) and Ohio River (WWF), subject to review of fish surveys, mussel surveys, and prescribed setbacks in Allegheny, Armstrong, Beaver and Westmoreland Counties to include Ohio River Mile Points 15.9 to 16.4 (Upstream beginning point: Ambridge, PA Quadrangle N: 14.3 inches, W: 15 inches; Latitude: 40°34'47", Longitude: 80°13'59". Downstream end point: Ambridge, PA Quadrangle N: 16.5 inches, W: 15.7 inches; Latitude: 40°35'28", Longitude: 80°14'11".), left and right descending banks in Hopewell Township, The City of Aliquippa, and Ambridge Borough, Beaver County.

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

**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

## NOTICES

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
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
5	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 51 linear feet (Slippery Rock, PA Quadrangle)	41°06'14.08"N -80°02'02.45"W
6	a temporary road crossing using a 20 foot long, 30 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 130 linear feet (Slippery Rock, PA Quadrangle)	41°06'23.35"N -80°02'16.55"W
7	a temporary road crossing using a 20 foot long, 30 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 68 linear feet (Slippery Rock, PA Quadrangle)	41°06'22.67"N -80°02'16.90"W
8	three (3) temporary road crossings using wood mat bridges, 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 exceptional value palustrine emergent/palustrine scrub-shrub/palustrine forested (EV-PEM/PSS/PFO) wetland impacting 17,301 square feet (Slippery Rock, PA Quadrangle)	41°05'58.38"N -80°02'34.82"W
9	a temporary road crossing using a wood mat bridge, 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 a palustrine emergent/palustrine forested (PEM/PFO) wetland impacting 4,708 square feet (Slippery Rock, PA Quadrangle)	41°05'57.18"N -80°02'04.78"W
10	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 a palustrine forested (PFO) wetland impacting 348 square feet (Slippery Rock, PA Quadrangle)	41°06'00.88"N -80°01'57.24"W
11	a temporary road crossing using a wood mat bridge, 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 a palustrine forested (PFO) wetland impacting 339 square feet (Slippery Rock, PA Quadrangle)	41°06'03.10"N -80°01'57.20"W

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
12	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 a palustrine emergent (PEM) wetland impacting 371 square feet (Slippery Rock, PA Quadrangle)	41°06'03.53"N -80°01'49.71"W
13	a temporary road crossing using a wood mat bridge, 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 a palustrine emergent (PEM) wetland impacting 969 square feet (Slippery Rock, PA Quadrangle)	41°05'19.88"N -80°01'51.15"W
14	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 a palustrine emergent (PEM) wetland impacting 61 square feet (Slippery Rock, PA Quadrangle)	41°05'20.33"N -80°01'52.37"W
15	a temporary road crossing using a wood mat bridge, 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 a palustrine emergent/palustrine forested (PEM/PFO) wetland impacting 2,408 square feet (Slippery Rock, PA Quadrangle)	41°05'20.55"N -80°01'58.80"W
16	a temporary road crossing using a wood mat bridge, 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 a palustrine forested (PFO) wetland impacting 1,351 square feet (Slippery Rock, PA Quadrangle)	41°05'22.48"N -80°02'04.26"W
17	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 a palustrine forested (PFO) wetland impacting 250 square feet (Slippery Rock, PA Quadrangle)	41°05'22.69"N -80°02'04.39"W
18	two (2) temporary road crossings using wood mat bridges, 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 a palustrine emergent/palustrine forested (PEM/PFO) wetland impacting 8,103 square feet (Slippery Rock, PA Quadrangle)	41°05'23.03"N -80°02'32.18"W
19	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 a palustrine emergent (PEM) wetland impacting 5 square feet (Slippery Rock, PA Quadrangle)	41°05'24.65"N -80°02'33.29"W
20	two (2) temporary road crossings using wood mat bridges, 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 a palustrine emergent (PEM) wetland impacting 2,874 square feet (Slippery Rock, PA Quadrangle)	41°05'22.55"N -80°02'36.30"W
21	two (2) temporary road crossings using wood mat bridges, 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 a palustrine forested (PFO) wetland impacting 3,992 square feet (Slippery Rock, PA Quadrangle)	41°06'07.51"N -80°02'00.97"W
22	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 a palustrine forested (PFO) wetland impacting 338 square feet (Slippery Rock, PA Quadrangle)	41°06'10.98"N -80°02'03.25"W
23	two (2) temporary road crossings using wood mat bridges, 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 a palustrine emergent/palustrine scrub-shrub/palustrine forested (PEM/PSS/PFO) wetland impacting 34,244 square feet (Slippery Rock, PA Quadrangle)	41°06'24.07"N -80°02'04.21"W



<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
24	a temporary road crossing using a wood mat bridge crossing a palustrine emergent/ palustrine scrub-shrub (PEM/PSS) wetland impacting 672 square feet (Slippery Rock, PA Quadrangle)	41°06'21.16"N -80°02'15.06"W
25	two (2) temporary road crossings using wood mat bridges, 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 a palustrine emergent/palustrine scrub-shrub/palustrine forested (PEM/PSS/PFO) wetland impacting 6,041 square feet (Slippery Rock, PA Quadrangle)	41°06'24.45"N -80°02'17.48"W
26	a temporary road crossing using a wood mat bridge crossing a palustrine emergent (PEM) wetland impacting 5,104 square feet (Slippery Rock, PA Quadrangle)	41°06'31.85"N -80°02'53.60"W

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

**E5729-052: Appalachia Midstream Services, LLC**, 100 IST Center, Horseheads, NY, 14845, Forks Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate and maintain the Burkhart Well Line, which consists of one 6-inch diameter natural gas pipeline, with the following impacts:

1. 2,888 square feet of Exceptional Value (EV) Palustrine Forested (PFO) Wetlands via open cut trenching and a temporary timber mat access road crossing (Overton, PA Quadrangle, Latitude: N41°32'12.76", Longitude: W76°30'47.47");

2. 122.0 linear feet of a UNT to Yellow Run (EV) and 107 square feet of Exceptional Value (EV) Palustrine Forested (PFO) Wetlands via open cut trenching and a temporary timber mat access road crossing (Overton, PA Quadrangle, Latitude: N41°32'11.08", Longitude: W76°30'45.61"); and

3. 193.0 linear feet of a UNT to Yellow Run (EV) and 1,992 square feet of Exceptional Value (EV) Palustrine Forested (PFO) Wetlands via open cut trenching and a temporary timber mat access road crossing (Overton, PA Quadrangle, Latitude: N41°32'09.15", Longitude: W76°30'45.08").

The project will result in 315.0 linear feet of temporary EV stream impacts and 4,987 square feet (0.11 acre) of permanent EV PFO wetland impacts, all for the purpose of installing a natural gas pipeline and associated access roadways for Marcellus shale development.

**E4129-066: EXCO Resources (PA), LLC**, 3000 Ericsson Drive, Suite 200, Warrendale, PA 15086, Cogan House Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

(1) one 24-inch culvert impacting 20 linear feet of an unnamed tributary to Roaring Run (EV, MF) (Salladasburg Quadrangle 41°22'18"N 77°09'54"W);

(2) one 24-inch culvert impacting 45 linear feet of an unnamed tributary to Roaring Run (EV, MF) (Salladasburg Quadrangle 41°22'19"N 77°10'00"W);

(3) one 71-inch x 47-inch arch culvert, two 12-inch water lines, and a timber mat bridge impacting 125 linear feet of an unnamed tributary to Roaring Run (EV, MF) (Salladasburg Quadrangle 41°22'18"N 77°10'25"W);

(4) one 123.5-inch x 89.25-inch arch culvert, two 12-inch water lines, and a timber mat bridge impacting 105 linear feet of Roaring Run (EV, MF) (Salladasburg Quadrangle 41°22'18"N 77°10'30"W);

(5) one 71-inch x 47-inch arch culvert, two 12-inch water lines, and a timber mat bridge impacting 130 linear feet of an unnamed tributary to Roaring Run (EV, MF) (Salladasburg Quadrangle 41°22'17"N 77°10'38"W).

The project will result in 425 linear feet of stream impacts all for the purpose of installing a permanent access road to natural gas well pads, water line, and temporary access roadways for Marcellus well development.

**E4129-034: Anadarko Marcellus Midstream, L.L.C.**, 33 West Third Street, Suite 200, Williamsport, PA 17701, Cascade Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a temporary road crossing using a timber mat bridge, two 6-inch flex steel gas lines, two 6-inch flex steel waterlines, one 12-inch steel gas line, one 12-inch HDPE waterline, one 24-inch steel gas line, and one electric/fiber optic line impacting 11,516 square feet of a palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°27'15"N 76°54'43"W);

2) a temporary road crossing using a timber mat bridge, two 6-inch flex steel gas lines, two 6-inch flex steel waterlines, one 12-inch steel gas line, one 12-inch HDPE waterline, one 24-inch steel gas line, and one electric/fiber optic line impacting 66 linear feet of an unnamed tributary (UNT) to Slacks Run (HQ-CWF, MF) and 21,199 square feet of adjacent palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°27'16"N 76°54'30"W);

3) a temporary road crossing using a timber mat bridge, two 6-inch flex steel gas lines, two 6-inch flex steel waterlines, one 12-inch steel gas line, one 12-inch HDPE waterline, one 24-inch steel gas line, and one electric/fiber optic line impacting 280 linear feet of an unnamed tributary (UNT) to Slacks Run (HQ-CWF, MF) and 2,814 square feet of adjacent palustrine scrub-shrub (PSS) wetland (Bodines, PA Quadrangle 41°27'17"N 76°54'25"W);

4) two 6-inch flex steel gas lines, two 6-inch flex steel waterlines, one 12-inch steel gas line, one 12-inch HDPE waterline, one 24-inch steel gas line, and one electric/fiber optic line bored beneath 4,408 square feet of a palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°27'18"N 76°53'59"W);

5) two 6-inch flex steel gas lines, two 6-inch flex steel waterlines, one 12-inch steel gas line, one 12-inch HDPE waterline, one 24-inch steel gas line, and one electric/fiber optic line bored beneath 7,316 square feet of a palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°27'18"N 76°53'56"W);

6) two 6-inch flex steel gas lines, two 6-inch flex steel waterlines, one 12-inch steel gas line, one 12-inch HDPE waterline, one 24-inch steel gas line, and one electric/fiber optic line bored beneath 100 linear feet of an unnamed tributary (UNT) to Salt Run (EV, MF) (Bodines, PA Quadrangle 41°27'18"N 76°53'51"W);

7) two 6-inch flex steel gas lines, two 6-inch flex steel waterlines, one 12-inch steel gas line, one 12-inch HDPE waterline, one 24-inch steel gas line, and one electric/fiber optic line bored beneath 4,846 square feet of a palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°27'19"N 76°53'42"W);

8) two 6-inch flex steel gas lines, two 6-inch flex steel waterlines, one 12-inch steel gas line, one 12-inch HDPE waterline, one 24-inch steel gas line, and one electric/fiber optic line bored beneath 254 linear feet of an unnamed tributary (UNT) to Salt Run (EV, MF) (Bodines, PA Quadrangle 41°27'19"N 76°53'41"W);

9) two 6-inch flex steel gas lines, two 6-inch flex steel waterlines, one 12-inch steel gas line, one 12-inch HDPE waterline, one 24-inch steel gas line, and one electric/fiber optic line bored beneath 289 linear feet of an unnamed tributary (UNT) to Salt Run (EV, MF) (Bodines, PA Quadrangle 41°27'19"N 76°53'38"W);

10) two 6-inch flex steel gas lines, two 6-inch flex steel waterlines, one 12-inch steel gas line, one 12-inch HDPE waterline, one 24-inch steel gas line, and one electric/fiber optic line bored beneath 94 linear feet of an unnamed tributary (UNT) to Salt Run (EV, MF) and 26,025 square feet of adjacent palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°27'19"N 76°53'19"W);

11) a timber mat bridge impacting 35 linear feet of an unnamed tributary to Salt Run (EV, MF) and 1,254 square feet of adjacent palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°27'14"N 76°53'16"W);

12) a temporary road crossing using a timber mat bridge, two 6-inch flex steel gas lines, two 6-inch flex steel waterlines, one 12-inch steel gas line, one 12-inch HDPE waterline, one 24-inch steel gas line, and one electric/fiber optic line impacting 130 linear feet of an unnamed tributary (UNT) to Salt Run (EV, MF) and 42,826 square feet of adjacent palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°27'16"N 76°53'07"W);

13) a temporary road crossing using a timber mat bridge, two 6-inch flex steel gas lines, two 6-inch flex

steel waterlines, one 12-inch steel gas line, one 12-inch HDPE waterline, one 24-inch steel gas line, and one electric/fiber optic line impacting 239 linear feet of an unnamed tributary (UNT) to Salt Run (EV, MF) and 14,326 square feet of adjacent palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°27'12"N 76°52'59"W);

14) a temporary road crossing using a timber mat bridge, two 6-inch flex steel gas lines, two 6-inch flex steel waterlines, one 12-inch steel gas line, one 12-inch HDPE waterline, one 24-inch steel gas line, and one electric/fiber optic line impacting 13,198 square feet of a palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°27'06"N 76°52'35"W);

15) a temporary road crossing using a timber mat bridge, two 6-inch flex steel gas lines, two 6-inch flex steel waterlines, one 12-inch steel gas line, one 12-inch HDPE waterline, one 24-inch steel gas line, and one electric/fiber optic line impacting 1,835 square feet of a palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°27'06"N 76°52'29"W);

16) a temporary road crossing using a timber mat bridge, two 6-inch flex steel gas lines, two 6-inch flex steel waterlines, one 12-inch steel gas line, one 12-inch HDPE waterline, one 24-inch steel gas line, and one electric/fiber optic line impacting 48 linear feet of an unnamed tributary (UNT) to West Branch Wallis Run (EV, MF) and 3,351 square feet of adjacent palustrine forested (PFO) wetland (Barbours, PA Quadrangle 41°27'06"N 76°52'26"W);

17) a temporary road crossing using a timber mat bridge, two 6-inch flex steel gas lines, two 6-inch flex steel waterlines, one 12-inch steel gas line, one 12-inch HDPE waterline, one 24-inch steel gas line, and one electric/fiber optic line impacting 42 linear feet of West Branch Wallis Run (EV, MF) (Barbours, PA Quadrangle 41°27'06"N 76°52'24"W).

The project will result in 1,577 linear feet of temporary stream impacts and 3.56 acres of temporary wetland impacts all for the purpose of installing natural gas and freshwater pipelines with associated roadways for Marcellus well development.

#### 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*

**D52-209. Gold Key Country Club** (111 Gold Key Road, Milford, PA 18337). To operate, and maintain Gold Key Lake Dam across Dwarfs Kill Creek (HQ-CWF, MF), for the purpose of complying with the Commonwealth's regulations (Edgemere, PA Quadrangle LAT: 41.3105°; LONG: -74.9519°) in Milford Township, **Pike 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.

SSIP Application No.	Applicant Name & Address	County	Municipality	Tank Type	Tank Capacity
13001	Keystone Fence Supplies P. O. Box 249 Schaefferstown, PA 17088 Attn: Leroy Zimmerman	Lebanon	Heidelberg Township	3 ASTs storing Chromated Copper Arsenate	41,300 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).

Location	Permit Authority	Application Type or Category
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.

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0061182 (Sewage)	Big Boulder Ski Area Big Boulder Blakeslee, PA 18610-0707	Carbon County Kidder Township	Unnamed Tributary to Tunkhannock Creek (2-A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0114561 (Sewage)	Herrick Township Wastewater Treatment Plant 979 Lent Road Wyalusing, PA 18853-8791	Bradford County Herrick Township	Cold Creek (4-D)	Y
PA0112488 (Sewage)	Bear Gap STP Fredricks Road Bear Gap, PA 17842	Northumberland County Ralpho Township	Millers Run (6-B)	Y
PA0229202 (CAFO)	Kucharski Farms 9351 SR 414 Liberty, PA 16930	Tioga County Liberty Borough	Unnamed Tributary to Blockhouse Creek (9-A)	N
PAS144813 (Storm Water)	Centre Concrete State College Plant 2280 E College Avenue State College, PA 16801	Centre County College Township	Spring Creek (9-C) Y	
PA0031453 (Sewage)	School District STP 800 Southern Drive Catawissa, PA 17820	Columbia County Locust Township	Roaring Creek (5-E)	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>
PA0046230 Sewage	Carmichaels Resources, LP 855 Kirby Road Waynesburg, PA 15370	Greene County Center Township	Maple Run	Y
PAS206111 Industrial Waste	United Industrial 163 Cramer Pike Johnstown, PA 15906-1157	Cambria County West Taylor Township	Laurel Run	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0024856 (Sewage)	Taylor Township STP Route 168 Sewer Plant Road West Pittsburg, PA 16160-0489	Lawrence County Taylor Township	Beaver River (20-B)	Y
PA0239348 (Sewage)	Calfin's Place 7495 Route 6N Edinboro, PA 16412	Erie County Elk Creek Township	Unnamed Tributary to Cussewago Creek	Y
PA0102555 (Sewage)	Rocco A. Defranco SFTF, 1 1593 Silver Creek Road Johnsonburg, PA 15845	Elk County Jones Township	Silver Creek (17-A)	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>
Lower Makefield Township Bucks County	PA0027634	Pennsylvania American Water Company 800 West Hershey Park Drive Hershey, PA 17033	Brock Creek—2-E	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Philadelphia City Philadelphia County	PA0056766	Philadelphia City Division Of Aviation Terminal E International Airport Philadelphia, PA 19153	Delaware River, Unnamed Tributary to Delaware River and Unnamed Tributary to Mingo Creek—3-F and 3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Concord Township Delaware County	PA0050431	Cott Beverages Inc. 20 Aldan Avenue Concordville, PA 19331	West Branch Chester Creek—3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Philadelphia City Philadelphia County	PA0036447	Naval Surface Warfare Center 5001 South Broad Street Philadelphia, PA 19112-1403	Delaware River and Unnamed Tributary to Schuylkill River—3-F and 3-J	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970

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

**NPDES Permit No. PA0261912**, Sewage, **David Bard**, Scooters Mountainside Tavern, 4587 Chambersburg Road, Biglerville, PA 17307.

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

Description of Proposed Action/Activity: Authorization to discharge to a dry swale to Marsh Creek in Watershed 13-D.

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

**NPDES Permit No. PAS314803**, Storm Water, SIC Code 1389, **Baker Hughes Oilfield Operations Inc.**, 17021 Aldine Westfield Road, Houston, TX 77073-5011.

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

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Storm Water.

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

**NPDES Permit No. PA0264008**, Sewage, SIC Code, **Land Acquisition, LLC**, P. O. Box 1530, Youngstown, OH 44501.

This proposed facility is located in West Salem Township, **Mercer County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated kitchen waste and domestic sewage.

Effluent limitations for total nitrogen were removed in the final permit and replaced with monitoring and reporting. This is due to a change in the treatment process.

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

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

**WQM Permit No. WQG02091208**, Sewage, **Warrington Township**, 852 Easton Road, Warrington, PA 18976-2090.

This proposed facility is located in Warrington Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a raw sewage pumping station and 6' diameter force main.

**WQM Permit No. 2396405**, Sewage, **Regal Cinemas, Inc.**, 7132 Regal Lane, Knoxville, TN 37918.

This proposed facility is located in Edgmont Township, **Delaware County**.

Description of Action/Activity: Construction and operation of a wastewater treatment plant with on-lot disposal.

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

**WQM Permit No. 4012404**, Sewage, SIC Code 4952, **Greater Hazleton Joint Sewer Authority Luzerne County**, PO Box 651, Hazleton, PA 18201.

This proposed facility is located in West Hazleton Borough, **Luzerne County**.

Description of Proposed Action/Activity: re-rating the maximum monthly hydraulic design capacity and the organic design capacity of the Authority's wastewater treatment facility.

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

**WQM Permit No. 0112402**, Sewerage, **David Bard**, Scooters Mountainside Tavern, 4587 Chambersburg Road, Biglerville, PA 17307.

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

Description of Proposed Action/Activity: Permit approval for the construction of sewage facilities consisting of a 1,000 gallon grease trap and an Orenco Advnatex small flow treatment facility with UV disinfection.

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

**WQM Permit No. 0212201**, Industrial Waste, SIC Code 4911, **Genon Power Midwest, LP**, 121 Champion Way, Canonsburg, PA 15317.

This proposed facility is located in the City of Pittsburgh, **Allegheny County**.

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

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

**WQM Permit No. 2095404 T1**, Sewage, **Utica Partners of NW PA LLC**, 23378 Freyermuth Road, Meadville, PA.

Transfer of ownership on a single residence sewage treatment plant located in Beaver Township, **Crawford County**.

**WQM Permit No. 4295201**, Industrial Waste, **Transfer No. 1, American Refinery Group, Inc.**, 77 North Kendall Avenue, Bradford, PA 16701-1726.

This existing facility is located in Bradford City, **McKean County**.

This transfer/amendment approves the transfer and modification of industrial wastewater facilities consisting of: Surge tank and 2—250 gpm continuous upflow sand filters. ALAR vacuum filtration system will be decommissioned.

**WQM Permit No. WQG018857**, Sewage, **Land Acquisition, LLC**, P. O. Box 1530, Youngstown, OH 44501.

This proposed facility is located in West Salem Township, **Mercer County**.

Repair of a malfunctioning onlot system for a bar/restaurant with installation of a SFTF.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 091203	Liberty Commercial Development Corporation 347 New Street, Suite 200 Quakertown, PA 18951	Bucks	Milford Township	Unami Creek—Perkiomen Creek (HQ-TSF)
PAI01 1505030-R	Longview Culbertson LP 1055 Westlakes Drive, Suite 170 Berwyn, PA 19312	Chester	West Brandywine Township	HQ, TSF, 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>
PAI032105012R	Scott Burkholder Trindle Springs, Inc. 1737 West Main Street Ephrata, PA 17522	Cumberland	Hampden Township	Trindle Spring Run (HQ-CWF, MF)
PAI032811001	Farhad Memarsadeghi The Greens at Greencastle, LP 5703 Industry Lane, Suite 101 Frederick, MD 21704	Franklin	Antrim Township	Muddy Run (HQ-CWF)
PAI035012001	Donald G. Samala PPL Electric Utilities Two North Ninth St. (GENN3) Allentown, PA 18101	Perry	Oliver Township	UNT to Buffalo Creek (HQ-CWF, MF)

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

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 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>
New Britain Township Bucks County	PAG0200 0906148-R	Gilmore Minor Subdivision 9 Morgan Hill Drive Doylestown, PA 18901	UNT to Lake Galena	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Middletown Township	PAG0200 0912077	George School Athletics & Fitness Center 1690 Newtown-Langhorne Road Newtown, PA 18940	Neshaminy Creek	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
London Grove Township Chester County	PAG0200 1503054-R	Keystone Custom Homes Holdings, Inc. 227 Granite Run Drive, Suite 100 Lancaster, PA 17601	UNT to Media Branch of White Clay Creek TSF- MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
London Grove Township Chester County	PAG0200 1505086A-1R	SPE—Lisacal Construction Co, LLP 2109 Bellemead Avenue Havertown, PA 19083	UNT E Branch White Clay Creek CWF Indian Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
London Grove Township Chester County	PAG0200 1513003-R	Keystone Custom Homes Holdings, Inc. 227 Granite Run Drive Suite 100 Lancaster, PA 17601	Middle Branch White Clay Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Aston Township Delaware County	PAG0200 2307022R	Bodlay Road LLP PO Box 474 Newtown Square, PA 19013	Chester Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

## NOTICES

715

<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>
Concord Township Delaware	PAG0200 2308054R	Spring Lake Shoppes 234 N. James Street Newport, DE 19804	West Branch Chester Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Chadds Ford Township Delaware County	PAG0200 2310006R	Ridge Road Investments, LP 234 N. James Street Newport, DE 19804	Beaver Creek -CWF-MF Harvey Run-WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Newtown Township Delaware County	PAG0200 2311018	BPG Properties, Ltd 3815 West Chester Pike Newtown Square, PA 19073	Darby Creek MF-CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Middletown Township Delaware County	PAG0200 2312011	John Laskas 523 New Darlington Road Media, PA 19063	Chester Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Plymouth Township Montgomery County	PAG0200 4612071	1800 Plymouth Road—Brierdale Builders 8107 Ridge Avenue Philadelphia, PA 19128	Plymouth Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Providence Township Montgomery County	PAG0200 4608107	Proposed Assisted Living Facility 525 Fellowship Road, Suite 360 Mount Laurel, NJ 08054	Perkiomen Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Walker Twp., Schuylkill County	PAG02005412006	Larry N. Bensinger, Jr. 602 Pine St. Tamaqua, PA 18252	Beaver Creek, CWF, MF	Schuylkill Co. Cons. Dist. 570-622-3742
Salem Twp., Luzerne County	PAG02004012020	Marr Rentals, LLC Nancy Marr 812-D Central Rd. Bloomsburg, PA 17815	Susquehanna River, WWF, MF	Luzerne Co. Cons. Dist. 570-674-7991
Plains Twp., Luzerne County	PAG02004010014R	Mericle 800 Baltimore, LLC Robert Mericle 100 Baltimore Dr. Wilkes-Barre, Pa 18702	UNT to Deep Creek, CWF, MF and UNT to Laurel Run, CWF, MF	Luzerne Co. Cons. Dist. 570-674-7991
Kline Twp., Schuylkill County	PAG02005410010R	Hazleton Area School District Anthony Ryba 1515 West 23rd St. Hazleton, Pa 18202	Honeybrook Reservoir, Catawissa Creek, CWF, MF	Schuylkill Co. Cons. Dist. 570-622-3742

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

*Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lower Paxton Township Dauphin County	PAG02002212037	Fishing Creek Valley Associates 4712 Smith Street Harrisburg, PA 17109	Beaver Creek/WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Harrisburg City Dauphin County	PAG02002212048	Harrisburg Housing Authority 351 Chestnut Street Harrisburg, PA 17101	Paxton Creek/WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Susquehanna Township Dauphin County	PAG02002208017R	Marc De Souza Crooked Hill, Ltd. 225 North Presidential Boulevard Bala Cynwyd, PA 19004	Paxton Creek/WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Derry Township Dauphin County	PAG02002212044	Steve Balliet The Hershey Company 100 Crystal A Drive Hershey, PA 17033	Spring Creek East/WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Susquehanna Township Dauphin County	PAG02002210041(1)R	Scott Rhoads PSECU One Credit Union Place Harrisburg, PA 17110	Paxton Creek/WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Brecknock Township Lancaster County	PAG02003607031R	Talon Holdings, LLC 1737 West Main Street Ephrata, PA 17522	UNT Muddy Creek/WWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Manheim Township Lancaster County	PAG02003608073R	JPM Keller, LLC PO Box 291 Lititz, PA 17543	Little Conestoga Creek/TSF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Manheim Township Lancaster County	PAG02003611024R	Lancaster Airport 500 Airport Road, Suite G Lititz, PA 17543	Bachman Run/Lititz Run/WWF; TSF	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>
Warwick Township Lancaster County	PAG02003612084	Daniel Cicala PO Box 386 Lititz, PA 17543	Bachman Run/TSF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
East Lampeter Township Lancaster County	PAG02003612085	McNeil Consumer Pharmaceutical 7050 Camp Hill Road Fort Washington, PA 19034	Stauffer's Run/Conestoga River/WWF, MF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
West Hempfield Township Lancaster County	PAG02003612096	Michael E. Sahn 2730 Burma Road Columbia, PA 17512	Shawnee Run/WWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Carroll Township York County	PAG02006712045	Dillsburg Area Authority 98 W. Church Street, PO Box 370 Dillsburg, PA 17019	UNT to Yellow Breeches Creek/CWF	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*

<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>
Mifflin Township Columbia County	PAG02001912009	PA Dept of Transportation District 3-0 PO Box 218 Montoursville PA 17754	Trib to Nescopeck Creek CWF, MF	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg PA 17815 (570) 784-1310

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
South Union Township Fayette County	PAG02002611001R	George Family, LP PO Box 458 Chalk Hill, PA 15421	Redstone Creek (WWF)	Fayette County CD 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
North Union Township Fayette County	PAG02002612022	Lemont Furnace DPP VII, LLC. 9010 Overlook Blvd Brentwood, TN 37027	Cove Run (WWF)	Fayette County CD 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497



<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Fallowfield Township Washington County	PAG02006306030R	Middle Monongahela Industrial Development Association, Inc. PO Box 145 Charleroi, PA 15022	Pigeon Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098

*General Permit Type—PAG-03*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
New Garden Township Chester County	PAR140025 A-1	International Paper 1270 Old Baltimore Pike Toughkenamon, PA 19374	Unnamed Tributary of West Branch Red Clay Creek—3I	Southeast Region Clean Water Program 484.250.5970
Philadelphia City Philadelphia County	PAR120025 A-1	Mondelez Global LLC 12000 E Roosevelt Boulevard Philadelphia, PA 19116	Unnamed Tributary to Byberry Creek and Unnamed Tributary to Walton Run—3-J	Southeast Region Clean Water Program 484.250.5970
Lawrence Township Tioga County	PAR314844	Blue Dot Energy Service LLC PO Box 784 Route 76 East Bridgeport, WV 26330-0784	Tioga River—4-A	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530
Mahoning Township Montour County	PAR804864	Leighow Oil Co. Inc. 118 Eyer Road Danville, PA 17821	UNT to Mahoning Creek—5-E	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530
Old Lycoming Township Lycoming County	PAR124812	Pepsi Beverages Co. 1450 Dewey Avenue Williamsport, PA 17701-1503	Unnamed Tributary to Lycoming Creek—10-A	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530

<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>
Rostraver Township Westmoreland County	PAR506110	Tervita, LLC 10613 West Sam Houston Parkway North Suite 300 Houston, TX 77064	UNT of Speers Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Bradford Township McKean County	PAR328303	Werzalit of America Mfg. 40 Holley Avenue Bradford, PA 16701	Tunungwant Creek 16-C	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Paint Township Clarion County	PAR508306	Veolia ES Solid Waste of PA, Inc 6330 Route 219 Brockway, PA 15824	An Unnamed Tributary to the Clarion River 17-B	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Oil Creek Township Crawford County	PAR608346	Salvage Direct P. O. Box 306 Titusville, PA 16354	An Unnamed Tributary to Oil Creek 16-E	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-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>
City of Washington Washington County	PAG056146	United Refining Company of PA 814 Lexington Avenue Warren, PA 16365-3224	Catfish Creek	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>
Bullskin Township Fayette County	PAG056141	Graft Oil Company PO Box 899 Connellsville, PA 15425	Irish Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
White Township Indiana County	PAG056225	United Refining Company of PA 814 Lexington Avenue Warren, PA 16365-3224	Tom's Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
City of Jeannette Westmoreland County	PAG056162	Maloy's Amoco 331 Kemerer Drive Greensburg, PA 15601	Brush Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Snyder Township Jefferson County	PAG058304	Lukes Auto Service Center 3312 Route 219 Brockway, PA 15824	Unnamed tributary to Little Toby Creek	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Summit Township Erie County	PAG058306	MKP Enterprises, Inc. (Holiday Shell) P. O. Box 8326, Erie, PA 16505	An Unnamed Tributary of the Walnut Creek	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-07**Facility Location:  
Municipality &  
County**Permit No.**Applicant's Name &  
Address**Contact Office &  
Phone No.*

Valley Forge Sewer Authority  
Wastewater Treatment Plant  
Schuylkill Township  
Chester County

PAG070005

Valley Forge Sewer Authority  
333 Pawling Road  
Phoenixville, PA 19460

Southeast Region  
Clean Water Program  
484.250.5970

*General Permit Type—PAG-8 (SSN)**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Site Name &  
Location**Contact Office &  
Phone No.*

Lower Mount Bethel  
Township, and  
Washington  
Township,  
Northampton  
County

PAG08-2203  
PAG07-0003  
PAG08-0008  
PAG08-3501  
PAG08-0002  
PAG08-3535  
PAG08-3551  
PAG08-3517  
PAG08-9903  
PAG08-3596  
PAG08-3510  
PAG08-2211  
PAG08-3506  
PAG08-3522  
PAG08-3515  
PAG08-3502  
PAG08-9904  
PAG08-3547  
PAG08-0006  
PAG08-3540  
PABIG-9903  
PAG08-3600  
PAG08-3565  
PAG07-3508  
PAG07-0005  
PAG08-0003  
PAG08-3825  
PAG08-0004  
PAG08-3518  
PAG08-9905  
PAG08-3556  
PAG08-0018  
PAG08-3573  
PAG08-3597  
WMGR-099  
PAG08-0011  
PAG08-3567  
PAG08-2219  
PAG08-3573  
PAG08-0021  
PAG08-3605  
PAG08-0005

Synagro  
1605 Dooley Rd.  
P. O. Box B  
Whiteford, MD 21160

Mcewan Farm  
Delaware Drive and  
Otts Drive,  
Lower Mount  
Bethel Township  
and  
Jackson Road,  
Washington  
Township

PA DEP  
NERO  
2 Public Square  
Wilkes-Barre, PA  
18701-1915  
570-826-2511



*Facility Location:  
Municipality &  
County*

Lower Mount Bethel  
Township,  
Northampton  
County

*Permit No.*

PAG08-2203  
PAG07-0003  
PAG08-0008  
PAG08-3501  
PAG08-0002  
PAG08-3535  
PAG08-3551  
PAG08-3517  
PAG08-9903  
PAG08-3596  
PAG08-3510  
PAG08-2211  
PAG08-3506  
PAG08-3522  
PAG08-3515  
PAG08-3502  
PAG08-9904  
PAG08-3547  
PAG08-0006  
PAG08-3540  
PABIG-9903  
PAG08-3600  
PAG08-3565  
PAG07-3508  
PAG07-0005  
PAG08-0003  
PAG08-3825  
PAG08-0004  
PAG08-3518  
PAG08-9905  
PAG08-3556  
PAG08-0018  
PAG08-3573  
PAG08-3597  
WMGR-099  
PAG08-0011  
PAG08-3567  
PAG08-2219  
PAG08-3573  
PAG08-0021  
PAG08-3605  
PAG08-0005

*Applicant Name &  
Address*

Synagro  
1605 Dooley Rd.  
P. O. Box B  
Whiteford, MD 21160

*Site Name &  
Location*

Keifer Farm III  
Gravel Hill Road  
and Mill Creek  
Road

*Contact Office &  
Phone No.*

PA DEP  
NERO  
2 Public Square  
Wilkes-Barre, PA  
18701-1915  
570-826-2511

*General Permit Type—PAG-10*

*Facility Location:  
Municipality &  
County*

Washington  
Township  
Wyoming County

*Permit No.*

PAG102271

*Applicant Name &  
Address*

UGI Energy Services, Inc.  
1 Meridian Boulevard,  
Suite 2C01  
Wyomissing, PA 19610

*Receiving Water /  
Use*

Unnamed Tributary  
to Susquehanna  
River (CWF, MF)

*Contact Office &  
Phone No.*

DEP Northeast  
Regional Office  
Clean Water  
Program  
2 Public Square,  
Wilkes-Barre, PA  
18701-1915  
570.826.2511

*General Permit Type—PAG-13*

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

*NPDES  
Permit No.*

PAG138320

*Applicant Name &  
Address*

Pennsylvania State University  
Penn State Shenango  
147 Shenango Avenue  
Sharon, PA 16146

*County*

Mercer

*Municipality*

City of Sharon

*Receiving  
Water/Use*

Shenango River

*DEP Protocol  
(Y/N)*

Y

**PUBLIC WATER SUPPLY PERMITS**

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

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

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

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

**SAFE DRINKING WATER**

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

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

**Permit No. 5012510**, Public Water Supply.

Applicant	<b>United Water Pennsylvania</b>
Municipality	Penn Township
County	<b>Perry</b>
Responsible Official	Authur C. Saunders, Operations Engineer 4211 East Park Circle Harrisburg, PA 17111
Type of Facility	Business Campus One— Installation of an arsenic treatment system.
Consulting Engineer	Philip Depoe, P.E. Buchart Horn, Inc. 445 West Philadelphia Street York, PA 17405-7040
Permit to Construct Issued:	1/17/2013

**Permit No. 3612550 MA, Minor Amendment**, Public Water Supply.

Applicant	<b>Columbia Water Company</b>
Municipality	Columbia Borough

County	<b>Lancaster</b>
Responsible Official	David T Lewis, General Manager 220 Locust Street Columbia, PA 17512
Type of Facility	Temporary sodium hypochlorite injection system for use during Walnut Street Plant upgrades
Consulting Engineer	David T Lewis, P.E. Columbia Water Company 220 Locust Street Columbia, PA 17512
Permit to Construct Issued:	1/11/2013

**Operations Permit** issued to: **Stonebridge Health & Rehab Center**, 7500035, Penn Township, **Perry County** on 1/11/2013 for the operation of facilities submitted under Application No. 5012506 MA.

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

**Permit No. 2089503-MA1** Public Water Supply

Applicant	<b>Gregory A. Kasemer d/b/a Fountain House Mobile Home Park</b>
Township or Borough	Woodcock Township
County	<b>Crawford</b>
Type of Facility	Public Water Supply
Consulting Engineer	Chad W. Yuriscic, P.E. Deiss & Halmi Engineering, Inc. 105 Meadville Street Edinboro, PA 16412
Permit to Construct Issued	January 18, 2013

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Union Township and Unionville Borough	Township: 125 Sycamore Lane, Julian, PA 16844 Borough: P. O. Box 81, Fleming, PA 16835	Centre

*Plan Description:* The approved plan provides for the Mid-Centre County Authority to extended public sewage service to five homes on the southern side of Bald Eagle Creek in Unionville Borough, the upgrading of pumps within Pump Station 3, in-situ repairs of main lines within Union Township and Unionville Borough, and the implementation of flow monitoring and inflow and infiltration identification and removal programs for those areas whose flows are tributary to Pump Station 3. The total project cost is estimated to be \$547,868. 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.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Bradford Township	Bradford Township Supervisors c/o Charles Read, Chairman 2289 Barrett Road, Suite B Woodland, PA 16881	Clearfield

*Plan Description:* The approved plan provides for construction of a gravity sewer extension, two pump stations, a grinder pump station and forcemain to serve the Route 970 corridor from the end of the existing sewage collection system which is approximately 1000 feet south of Owens Road, northward to the I-80 interchange. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

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

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

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

The Department has received the following plans and reports:

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

**Drugas Property**, 324 Beech Ridge Drive, Tobyhanna Township, **Monroe County**, Richard Trimpi, Trimpi Associates, Inc., has submitted a Final Report (on behalf of his client, Ms. Jennifer Lewis, daughter to Ruth Drugas, owner, 187 19th Avenue, Brick, NJ 08724), concerning the remediation of soil and groundwater due to a release of kerosene as a result of vandalism to an aboveground storage tank. The report was submitted to document attainment of the Residential Statewide Health Standard for soil and groundwater. A public notice regarding the submission of the Final Report will be published in the surrounding area in the near future.

**Horwith Trucking Backlot**, 6 Horwith Drive, Northampton Borough, **Northampton County**, Elizabeth Schamberger, Moonstone Environmental, LLC, has submitted a Combined Remedial Investigation Report/Final Report on behalf of her client Regina Grim, MRS Land LLC., Route 329, Northampton, PA 18067, concerning the remediation of soil and groundwater from bunker oil due to an historical release. The applicant proposes to remediate the site to meet the Non-Residential Statewide Health Standards for soils and Site Specific Standards for groundwater. The intended future use of the property is commercial/industrial. A summary of the Combined Remedial Investigation Report/Final Report was published in *The Morning Call*, on December 20, 2012.

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

**Tobias Machining and Welding, Inc.**, Piatt Township, **Lycoming County**. Northridge Group, Inc., on behalf of Tobias Machining and Welding Inc. 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, and Methyl Tertiary Butyl Ether. The site is located in the PennDot right-of-way along Route 220 Northbound. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**C. A. Shipton, Inc.**, Borough of Mifflinburg, **Union County**. BlackRock Environmental, LLC, PO Box 288 Nazareth, PA 18064 on behalf of C.A. Shipton, Inc., 39 East Chestnut Street, Mifflinburg, PA 17844 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with #2 heating oil. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Pennsylvania College of Technology** Rose Street & West 3rd Street Act 2 Site, City of Williamsport, **Lycoming County**. TCI Environmental Services, Inc., 100 North Wilkes-Barre Boulevard, Wilkes-Barre, Pa 18702 on behalf of PA College of Technology, One College Avenue, Williamsport, Pa 17701-5799 has submitted a Final Report concerning remediation of site soils contaminated with Arsenic (Parcels 1 and 2), Lead (Parcels 1 and 2), Benzo(a)pyrene (Parcel 2), PCB 1248 (Parcel 2), Dieldrin (Parcel 2). The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Spencer Trucking, Inc.**, Point Township, **Northumberland County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857 on behalf of Spencer Trucking, State Route 147N, near Lahr's Road, Northumberland, Pa 17857 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.

**Tri-State Trucking**, Valley Township, **Montour County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of Tristate trucking Company, 16064 State Route 6, Mansfield, Pa 16933 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

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

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

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information

concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Keblish Residence**, 2205 Lehigh Parkway, Salisbury Township, **Lehigh County**, Jeremy Bolyn, Environmental Maintenance, has submitted a Final Report (on behalf of this client, Ruth Keblish, 2205 Lehigh Parkway, Allentown, PA 18103), concerning the remediation of soil found to have been impacted by heating oil as a result of an overfill to an underground storage tank. The report documented attainment of the Residential Statewide Health Standard for soil and was approved on January 9, 2013. The report was originally submitted within 90 days of the release.

**A&M Hibbard 2H/4H Tank Farm (Comtech)**, State Route 29, Dimock Township, **Susquehanna County**, Dawn Washo, Resource Environmental, 36 Taylor Lane, Montrose, PA 18801 has submitted a Final Report, (on behalf of her client, Cabot Oil & Gas Corporation, 5 Penn Center West, Suite 401, Pittsburgh, PA 15276), concerning the remediation of soil found to have been impacted by an estimated 20,000 gallons of produced water and flow back (collectively brine) released to the well pad surface. The report documented attainment of the Residential Statewide Health Standards for soil and Background Standard for soil and was approved on January 9, 2013. 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.*

**Former Nauman's Garage**, 404 South Market Street, Elizabethtown, PA 17022, Elizabethtown Borough, **Lancaster County**. RETTEW Associates, Inc., 3020 Columbia Avenue, Lancaster, PA 17603 on behalf of Elizabethtown Borough, 600 South Hanover Street, Elizabethtown, PA 17022, submitted a Final Report concerning the remediation of site soils and groundwater contaminated with gasoline, waste oil and hydraulic oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on January 11, 2013.

**Rollin Hoskins Residence**, 3A School Lane, Douglassville, PA 19518, Union Township, **Berks County**. Liberty Environmental, Inc., 50 North Fifth Street, 5th Floor, Reading, PA 19601, on behalf of Rollin Hoskins, 3A School Lane, Douglassville, PA 19518, submitted a Final Report concerning site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health standard, and was approved by the Department on January 14, 2013.

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

**Tobias Machining and Welding, Inc.**, Piatt Township, **Lycoming County**. Northridge Group, Inc., on behalf of Tobias Machining and Welding Inc. 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, and Methyl Tertiary Butyl Ether. The site is located in the PennDot right-of-way along Route 220 Northbound. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 8, 2013.

**Pennsylvania College of Technology** Rose Street & West 3rd Street Act 2 Site, City of Williamsport, **Lycoming County**. TCI Environmental Services, Inc., 100 North Wilkes-Barre PA 18702 on behalf of PA College of Technology, One College Avenue, Williamsport, Pa 17701-5799 has submitted a Final Report concerning the remediation of site soils contaminated with Arsenic (Parcels 1 and 2), Lead (Parcels 1 and 2), Benzo(a)pyrene (Parcel 2), PCB 1248 (Parcel 2), Dieldrin (Parcel 2). The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on December 28, 2012.

**C.A. Shipton, Inc.**, Borough of Mifflinburg, **Union County**. BlackRock Environmental, LLC, PO Box 288, Nazareth, PA 18064 on behalf of C.A. Shipton, Inc., 39 East Chestnut Street, Mifflinburg, PA 17844 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with #2 heating oil. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on July 31, 2012.

**Tri-State Trucking**, Valley Township, **Montour County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857 on behalf of Tri-State Company, 16064 State Route 6, Mansfield, Pa 16933 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.

#### RESIDUAL WASTE GENERAL PERMITS

**Permits Revoked under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (35 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit To Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.**

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

**General Permit No. WMGR028D002C. York Materials Group LLC**, 950 Smile Way, York, PA 17404

The general permit WMGR028D002C initially issued to Bituminous Paving Materials of York, Inc. that authorizes the beneficial use of baghouse fines and scrubber pond precipitates for use as an aggregate in roadway construction, a soil additive, a soil conditioner, or a component or ingredient in the manufacturing of construction products has been revoked. This general permit is for the site located at the York Plant, 1300 Zinn's Quarry Road, West Manchester Township, York, PA, 17404. The plant has been bought by York Materials Group LLC and they have requested the general permit be revoked as they will no longer be operating at this facility. The general permit was revoked by the South Central Regional Office on January 16, 2013.

**Registration 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).**

*Southcentral Regional Office: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17011.*

**General Permit Application No. WMGR028D002A and WMGR028D002B. York Materials Group LLC**, 950 Smile Way, York, PA 17404

These general permits were originally issued to Bituminous Paving Materials of York, Inc. for the beneficial use of baghouse fines and scrubber pond precipitates for use as an aggregate in roadway construction, a soil additive, a soil conditioner, or a component or ingredient in the manufacturing of construction products, generated at the Hanover Plant, 100 Green Springs Road, Hanover, PA in Berwick Township, **Adams County** and at the Baker Plant, 321 North Baker Road, York, PA in West Manchester Township, **York County**.

On October 31, 2012, Bituminous Paving Materials of York, Inc. notified the Department of their intent to sell their assets to York Materials Group LLC, York Materials Group subsequently notified the Department of the sale on November 30, 2012, Based on the information provided in these notifications, the beneficial use activity performed by these facilities is now under the ownership and management of York Materials Group LLC.

Notice is hereby given of the re-issuance of the General Permits Numbered WMGR028D002A and WMGR028D002B granting York Materials Group LLC the beneficial use of baghouse fines and scrubber pond precipitates, generated at the Hanover Plant, 100 Green Springs Road, Hanover, PA in Berwick Township, Adams County and at the Baker Plant, 321 North Baker Road, York, PA in West Manchester Township, York County, as specified in the general permit. The Southcentral Regional Office approved the re-issuance of this general permit on January 16, 2013.

Persons interested in reviewing the general permit may contact John Oren, Facilities Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17011, (717) 705-4905. 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.**

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

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

**46-0275: Titan International, Inc.** (1533 West High Street, Pottstown, PA 19466) on January 14, 2013, to install two (2) batch reactor tanks and related metal recovery equipment, including a fume scrubber, at a new facility in West Pottsgrove Township, **Montgomery County**. The hydrochloric fume scrubber reduces Hazard-

ous Air Pollutant (HAP) emissions from the reactor tanks to less than 0.075 ton per year. Facility-wide potential to emit for all criteria pollutants is below major facility thresholds for the Philadelphia Consolidated Metropolitan Statistical Area. The plant is therefore a Natural Minor Facility. The plan approval will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**46-0277: Lite-Tech, Inc.** (975 Madison Avenue, Norristown, PA 19403) on January 18, 2013, for their manufacturing facility for lightweight x-ray protection aprons in Lower Providence Township, **Montgomery County**. The facility comprises weighing and blending, plastics compounding and sheet extrusion equipment and associated dust collectors. This is a minor facility. Emissions from the facility are estimated as 0.11 ton/year particulate matter (PM/PM<sub>10</sub>/PM<sub>2.5</sub>), 0.0012 ton/year lead and 0.025 ton/year hazardous air pollutants (HAP). The dust collectors will achieve less than 0.02 grain/dry stand cubic foot particulate (PM/PM<sub>10</sub>/PM<sub>2.5</sub>). This will be considered to meet Best Available Technology (BAT). The permittee shall monitor and keep records and meet work practice standards to minimize emissions and keep the facility operating within all applicable emission standards.

*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.*

**GP3-36-03191B: Kinsley Construction, Inc.** (PO Box 2886, York, PA 17405) on January 15, 2013, for portable nonmetallic mineral processing equipment under GP3 at their Lanchester Landfill in Caernarvon Township, **Lancaster County**.

**GP9-36-03191B: Kinsley Construction, Inc.** (PO Box 2886, York, PA 17405) on January 15, 2013, for seven (7) diesel-fired internal combustion engines under GP9, to power portable nonmetallic mineral processing equipment, at the Lanchester Landfill located in Caernarvon Township, **Lancaster County**.

**GP3-06-03069F: Highway Materials, Inc.** (1750 Walton Road, Blue Bell, PA 19422) on January 15, 2013, for portable nonmetallic mineral processing equipment under GP3 at their Temple Quarry in Alsace Township, **Berks County**.

**GP9-06-03069F: Highway Materials, Inc.** (1750 Walton Road, Blue Bell, PA 19422) on January 15, 2013, for two (2) diesel fuel-fired internal combustion engines under GP9 to power portable nonmetallic mineral processing equipment at the Temple Quarry in Alsace Township, **Berks County**.

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

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

**GP14-17-397: Clearfield County SPCA** (275 Twenty-First Street, Clearfield, PA 16830) on January 17, 2013, to construct and operate an Industrial Engineering Power-Pak Jr. 43-PPS animal crematory incinerator under the General Plan Approval and/or General Operating Permit for Human or Animal Crematories (BAQ-GPA/GP-14) at their site in Lawrence Township, **Clearfield County**.

**GP5-41-651A: PVR Marcellus Gas Gathering, LLC** (100 Penn Tower, 25 West Third Street, Williamsport, PA

17701) on January 17, 2013, to construct and operate three (3) additional 1,380 bhp Caterpillar model G3516B four-stroke ultra-lean-burn natural gas-fired compressor engines, one 65 MMscf/day Triethylene Glycol dehydration unit equipped with a 1.5 MMBtu/hr reboiler, and two (2) 10,000 gallon above-ground produced water tanks at their Bobst Mountain Compressor Station in Cogan House Township, **Lycoming County**.

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

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

**GP5-27-037B: Seneca Resources Corp.—Muzette B Station** (SR 2007, Vonwinckel, PA 16260) on January 4, 2013, to operate one (1) rich burn, 4 stroke natural gas engine, Caterpillar Model G3306TALCR rated 195 bhp at 1,800 rpm, equipped with a DCL International NSCR (3-way) oxidation catalyst, model DC47-X and with an associated air fuel ratio controller in Kingsley Township, **Forest County**.

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

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*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.*

**67-05004P: P. H. Glatfelter Co.** (228 South Main Street, Spring Grove, PA 17362-1000) on January 15, 2013, for the retrospective review and approval of the No. 6 Turbine Generator project at the pulp and paper manufacturing facility in Spring Grove Borough, **York County**.

**38-05003H: Carmeuse Lime, Inc.** (3 Clear Spring Road, Annville, PA 17003) on January 14, 2013, for authorization to combust Engineered Fuel in the facility's No. 5 Kiln in North Londonderry Township, **Lebanon County**.

**07-03061A: Altoona GTL LLC** (10 Gilberton Road, Gilberton, PA 17934-0009) on January 16, 2013, to construct a facility that will utilize the Haldor Topsoe TIGAS (Topsoe Integrated Gasoline Synthesis) process to convert shale gas into gasoline and liquid propane gas (LPG) at their site in Allegheny and Blair Townships, **Blair County**. The NO<sub>x</sub> emissions generated from the operation of the convection reformers will be controlled through the use of Selective Catalytic Reduction (SCR). VOC emissions from the gasoline loading rack activities will be controlled by a vapor recovery system. Also, several flares will be used at the site to control VOC emissions generated from emergency venting and catalyst regeneration.

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

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

**18-00031A: Mountain Gathering, LLC** (810 Houston Street, Fort Worth, TX 76102-6203) on December 12, 2012, to construct four (4) 1,775 horsepower, natural gas-fired compressor engines equipped with oxidation catalysts and a 1.50 million Btu per hour, natural



gas-fired line heater at their Dry Run Compressor Station located in Chapman Township, **Clinton County**.

**19-00033A: Mountain Gathering, LLC** (810 Houston Street, Fort Worth, TX 76102-6203) on January 11, 2013, to construct four (4) 1,775 horsepower, natural gas-fired compressor engines equipped with oxidation catalysts and a 1.50 million Btu per hour, natural gas-fired line heater at their Levan Compressor Station in Pine Township, **Columbia County**.

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

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

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

**34-05001D: AC Products, Inc.** (12393 William Penn Highway, Thompsettown, PA 17094) on January 16, 2013, to modify their wood cabinet surface coating operation in Delaware Township, **Juniata County**. The plan approval underwent a minor modification to reflect a change of ownership.

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

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

**08-00030B: Angelina Gathering Co.** (2350 North Sam Houston Parkway East, Houston, TX 77009) on January 18, 2013, to extend the authorization for to construct one natural-gas-fired compressor engine equipped with an oxidation catalyst at their Greenzweig Compressor Station in Herrick Township, **Bradford County** to July 22, 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*

**30-00055A: Shannopin Materials, LLC** (308 Dents Run Road, Morgantown, WV 26501) on January 17, 2013, for a plan approval extension application to extend the plan approval until construction of the final component of the facility is complete in Monongahela Township, **Greene County**. Extension of the plan approval has been approved until July 29, 2013. The plan approval has been extended.

**04-00227B: IPSCO Koppel Tubulars LLC** (PO Box 410, Ambridge, PA 15003) on January 17, 2013, to extend period of temporary operation of the Rotary Hearth Furnace at the Ambridge Plant in Harmony Township, **Beaver County** and modify the contact person. The new expiration date is July 24, 2013.

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

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

**25-979A: National Fuel Gas Supply Corp.—Carter Hill Station** (1100 State Street, Erie, PA 16512) on January 15, 2013, effective February 28, 2013, to install a non-selective catalytic reduction (NSCR) catalyst on an existing natural gas compressor engine at their Carter

Hill Compressor Station facility in Wayne Township, **Erie County**. The plan approval has been extended.

**42-004F: American Refining Group** (77 North Kendall Avenue, Bradford, PA 16701) on January 31, 2013, for a plan approval to replace the refinery flare tip system associated with the Refinery Flare (FL #301) at their Bradford facility in Bradford City, **McKean County**. The plan approval has been extended. This is a Title V facility, Permit #42-0004.

**62-176A: Allegheny Pellet Corp.** (1055 Matthews Run Road, Youngsville, PA 16371) on January 31, 2013, to install a 22 MMBtu/hr wood-fired pellet drying operation at their facility in Brokenstraw Township, **Warren County**. The plan approval has been extended.

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

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

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

**23-00084: FPL Energy MH50, L.P.** (100 Green Street, Marcus Hook, PA 19061-0426) on January 14, 2013, to renew the Title V Operating Permit in the Borough of Marcus Hook, **Delaware County**. The facility is primarily used for providing steam to processes at the Sunoco Refinery and electrical energy to the grid. As a result of potential emissions of nitrogen oxides, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Renewal does not adopt any new regulations and does not reflect any change in air emissions from the facility. The facility is not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

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

**ARP-01-05029: GenOn Wholesale Generation, LP** (121 Champion Way, Suite 200, Canonsburg, PA 15317-5817) on January 15, 2013, to operate Hunterstown electric generating station in Straban Township, **Adams County**. The facility is subject to Title IV (Acid Rain). This action is a renewal of the facility's Acid Rain Permit.

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

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

**24-00123: Advanced Disposal Services Greentree LDFL LLC—Kersey** (635 Toby Road, Kersey, PA 15846-1033) on January 10, 2013, issued an administrative amendment to their Title V Operating Permit to incorporate the change in ownership and the change of Responsible Official for the facility in Fox Township, **Elk County**.

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

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

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

**46-00134: The Hill School** (717 East High St, Pottstown, PA 19464) on January 14, 2013, for a renewal Non-Title V Facility, State-Only, Synthetic Minor Permit in Pottstown Township, **Montgomery County**. The Hill School has several combustion sources for heat, hot water and food preparation. The school has taken fuel throughput restrictions and a 24.9 tpy NO<sub>x</sub> and VOC emission limit, calculated on a 12-month rolling sum. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

**09-00047: Warminster Fiberglass Co.** (725 County Line Road, Southampton, PA 18966) on January 18, 2013, for renewal of a State Only Operation Permit for a fiberglass products plant in Upper Southampton Township, **Bucks County**. This Synthetic Minor Operating Permit (SMOP) has emission limits for hazardous air pollutants (HAP). There have been no new sources constructed and no modifications of existing sources since the last issuance of this SMOP. This SMOP renewal includes emission restrictions, monitoring, and recordkeeping requirements designed to ensure this facility complies with all applicable air quality regulations.

**46-00094: Highway Materials, Inc.** (5100 Joshua Road, Plymouth Meeting, PA 19462) on January 18, 2013, for renewal of a State Only, Synthetic Minor Operating Permit in Whitmarsh Township, **Montgomery County**. The facility operates a Hot Mix Asphalt Plant at this site. The proposed renewal of the Operating Permit does not authorize any increase in air emissions, of regulated pollutants, above previously approved levels. The facility maintains a synthetic minor operating status by maintaining total NO<sub>x</sub> emissions to less than 24 tons per year. The renewed permit includes testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable local, state, and federal 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*

**45-00012: Royal Chemical Company** (1755 Enterprise Parkway, Twinsburg, OH 44087) on January 22, 2013, for the operation of a soap and detergent manufacturing facility located in East Stroudsburg Borough, **Monroe County**. The source is considered a minor emission source of volatile organic compound emissions. This is a State-Only operating permit. The State-Only operating permit includes conditions designed to keep the facility operating within all applicable air quality requirements.

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

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

**06-03059: Charles Evans Cemetery Co.** (1119 Centre Avenue, Reading, PA 19601-1409) on January 9, 2013, for the two human crematory units at the facility in Reading City, **Berks County**. The State-only permit was renewed.

**06-03151: Luicana Industries, Inc.** (230 E. Philadelphia Avenue, Boyertown, PA 19512-1187) on January 9, 2013, for the cast polymer manufacturing facility in Bally Borough, **Berks County**.

**67-03025: Bickel's Snack Foods, Inc.** (1000 W. College Avenue, York, PA 17404-3537) on January 16, 2013, for their snack food manufacturing facility in West Manchester Township, **York County**. The State-only permit was renewed.

**06-03150: Craig Manufacturing Corp.** (700 Henry Circle, Sinking Spring, PA 19608) on January 16, 2013, for the reinforced fiberglass plastics manufacturing facility in Spring Township, **Berks County**.

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

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

**17-00053: Nydree Flooring, LLC** (4608 Quehanna Highway, Karthaus, PA 16845) on November 27, 2012, to issue a State Only Operating Permit for their plant in Karthaus Township, **Clearfield County**. The facility's main sources include two (2) combustion units, three (3) finish lines, a surface coating operation, a hot glue operation and a woodworking operation. The State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**17-00044: Metaltech, Inc.** (3547 Watson Highway, DuBois, PA 15801) on January 3, 2013, to issue a State Only operating permit for their plant in Sandy Township, **Clearfield County**. The facility's main sources include three (3) sintering furnaces, two (2) endothermic generators, a sizing operation, a rust inhibitor dip operation and a two tank impregnator. The State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

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

**15-00071: Gourmet Delight Mushroom Co.** (704 Garden Station Road, Avondale, PA 19311) on January 14, 2013, for a Non-Title V Facility, State-Only, Synthetic Minor Permit in London Grove Township, **Chester County**. Gourmet Delights is a mushroom growing and manufacturing facility. The amendment clarified a conflict between two (2) conditions in Section D of the permit (Condition # 004(c) and # 005(a) on pages 23 and 28) in order to comply with the requirements of 40 C.F.R. 63 Subpart ZZZZ.

**46-00037: Cabot Supermetals** (P. O. Box 1608, County Line Road, Boyertown, PA 19512) on January 18, 2013, has been amended to incorporate raffinate solidification process and requirements from Plan Approval No. 46-0037Y into the Title V Operating Permit for a plant in Douglass Township and **Montgomery County**. The amended Title V Operating Permit contains all of the applicable regulatory requirements including monitoring, recordkeeping, reporting and emission limits.

*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.*



**34-05001: AC Products, Inc.** (12393 William Penn Highway, Thompsettown, PA 17094-8649) on January 16, 2013, for their wood cabinet manufacturing facility in Delaware Township, **Juniata County**. The Title V permit was administratively amended to reflect a change of ownership.

**07-05008: Team Ten LLC** (1600 Pennsylvania Avenue, PO Box 99, Tyrone, PA 16686) on January 16, 2013, for the Tyrone Paper Mill located in Tyrone Borough, **Blair County**. The Title V permit underwent a minor modification to do the following: revise a baghouse differential pressure CAM indicator range, update the annual compliance certification date and address the applicability of 40 CFR Part 63, Subpart DDDDD.

**21-03055 Fry Communications, Inc.** (101 Fry Drive, Mechanicsburg, PA 17050-2654) on January 15, 2013, for Building 4 lithographic printing facility in Silver Spring Township, **Cumberland County**. The State-only permit was administratively amended to incorporate the provisions of Plan Approval No. 67-03055B.

**01-05026: York Materials, LLC** (950 Smile Way, York, PA 17404) on January 15, 2013, for the batch asphalt

manufacturing facility in Berwick Township, **Adams County**. The State-only permit was administratively amended to reflect a change of ownership.

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

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

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

**42-00004: American Refining Group—Bradford Plant** (77 North Kendall Avenue, Bradford, PA 16701) for their facility in the City of Bradford, **Mercer County**. The de minimis emission increase is due to the installation of a groundwater remediation system. The remediation system will consist of a 500 gallon oil recovery tank, three (3) groundwater/stormwater equalization tanks, a lamella clarifier and an activated carbon absorption system. The Department has started a list of de minimis increases as prescribed in 25 PA Code 127.449(i).

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Since the October 5, 2013 TV Permit issuance date, American Refining Group has notified the Department of the following de minimis emission increases at the Bradford Facility:

Date	Source	PM <sub>10</sub> (tons)	SO <sub>x</sub> (tons)	NO <sub>x</sub> (tons)	VOC (tons)	CO (tons)
3-18-12	Installation of Tank #99, replacement of Tank #262				0.0005	
12-14-12	Installation of gw remediation equipment.				0.770	
Total Reported Increases					0.7705	
Allowable		0.6 ton/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

### Coal Permits Actions

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

**56060105 and NPDES No. PA024997. AMFIRE Mining Company, LLC**, One Energy Place, Suite 2800, Latrobe, PA 15650, revision of an existing bituminous surface and auger mine to change the land use from unmanaged natural habitat to industrial/commercial use in Jenner Township, **Somerset County**, affecting 120.1 acres. Receiving stream(s): unnamed tributaries to/and Quemahoning Creek to the Stoney Creek River to the Conemaugh River classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria-Somerset Authority. Application received: October 25, 2012. Permit issued: January 14, 2013.

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

**65-12-01 and NPDES Permit No. PA0252247. David L. Patterson, Jr.** (12 Short Cut Road, Smithfield, PA 15478). Government Financed Construction Contract issued for an abandoned mine reclamation project, located in Loyalhanna Township, **Westmoreland County**, affecting 15.9 acres. Receiving streams: Getty Run and unnamed tributaries to Getty Run. Application received: September 6, 2012. Permit issued: January 17, 2013.

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

**16120101 and NPDES Permit No. PA0259233. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) Commencement, operation and restoration of a bituminous surface and clay removal mine in Limestone Township, **Clarion County** affecting 130.5 acres. Receiving streams: Unnamed tributaries to Sloan Run and Sloan Run, unnamed tributary to Piney Creek. Application received: February 27, 2012. Permit Issued: January 14, 2013.

**33860107 and NPDES Permit No. PA0107123. Terry Coal Sales, Inc.** (P. O. Box 58, Distant, PA 16223) Renewal of an existing bituminous surface mine in Perry & Oliver Townships, **Jefferson County** affecting 67.0 acres. Receiving streams: Big Run. This renewal is for reclamation only. Application received: October 26, 2012. Permit Issued: January 17, 2013.

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

**17110108 and NPDES No. PA0257796. RES Coal LLC** (8912 Clearfield-Curwensville Highway, Clearfield, PA 16830). Commencement, operation and restoration of a bituminous surface mine located in Gulich Township, **Clearfield County** affecting 141.0 acres. Receiving streams: Muddy Run classified for Cold Water Fishes and Little Muddy Run classified for High Quality Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 15, 2011. Permit issued: January 9, 2013

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

**54030103C4 and NPDES Permit No. PA0224367. Jett Contracting Company**, (P. O. Box 243, Brockton, PA 17925), correction to an existing anthracite surface mine operation for a stream variance for unnamed tributary to Morgan's Run in Blythe Township, **Schuylkill County** affecting 116.0 acres. Application received: April 6, 2012. Correction issued: January 15, 2013.

**49970202R3. Susquehanna Coal Company**, (P. O. Box 27, Nanticoke, PA 18634), renewal of an existing anthracite coal refuse reprocessing operation in Mt. Carmel Township, **Northumberland County** affecting 808.1 acres, receiving stream: North Branch Shamokin Creek. Application received: May 31, 2012. Renewal issued: January 15, 2013.

**49970202GP104. Susquehanna Coal Company**, (P. O. Box 27, Nanticoke, PA 18634), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 49970202 in Mt. Carmel Township, **Northumberland County**, receiving stream: North Branch Shamokin Creek. Application received: May 31, 2012. Permit issued: January 15, 2013.

**54860110R5. Reading Anthracite Company**, (P. O. Box 1200, Pottsville, PA 17901), renewal of an existing anthracite surface mine operation in Cass and Foster Townships, **Schuylkill County** affecting 99.0 acres, receiving stream: West Branch Schuylkill River. Application received: September 24, 2012. Renewal issued: January 16, 2013.

**54860110GP104. Reading Anthracite Company**, (P. O. Box 1200, Pottsville, PA 17901), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54860110 in Cass & Foster Townships, **Schuylkill County**, receiving stream: West Branch Schuylkill River. Application received: November 21, 2012. Permit issued: January 16, 2013.

**54900205C16. Wheelabrator Culm Services, Inc.**, (4 Liberty Lane West, Hampton, NH 03842), correction to an existing anthracite coal refuse reprocessing operation to increase the permitted acreage from 580.0 to 670.7 acres, in Mahanoy Township, **Schuylkill County**, receiving stream: Mill Creek Watershed. Application received: October 15, 2010. Correction issued: January 16, 2013.

**54900205R4. Wheelabrator Culm Services, Inc.**, (4 Liberty Lane West, Hampton, NH 03842), renewal of an existing anthracite coal refuse reprocessing operation in Mahanoy Township, **Schuylkill County** affecting 670.7 acres, receiving stream: Mill Creek Watershed. Application received: April 15, 2011. Renewal issued: January 16, 2013.

**54900205GP104. Wheelabrator Culm Services, Inc.**, (4 Liberty Lane West, Hampton, NH 03842), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54900205 in Mahanoy Township, **Schuylkill County**, receiving stream: Mill Creek Watershed. Application received: April 23, 2012. Permit issued: January 16, 2013.

**40840206GP104. Jeddo-Highland Coal Company**, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40840206 in Plains Township, **Luzerne County**, receiving stream: Mill Creek Watershed. Application received: November 21, 2012. Permit issued: January 17, 2013.

#### *Noncoal Permits Actions*

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

**5074SM4 and NPDES Permit No. PA0595888, New Enterprise Stone & Lime Company, Inc.**, P. O. Box 77, New Enterprise, PA 16664, renewal of NPDES permit, in Fannett Township, **Franklin County**. Receiving stream(s): unnamed tributary to Dry Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: November 8, 2012. Permit issued: January 14, 2013.

**28900301 and NPDES Permit No. PA0595861. David H. Martin Excavating, Inc.**, 4961 Cumberland Highway, Chambersburg, PA 17201, renewal of NPDES Permit, Green Township, **Franklin County**. Receiving stream(s): unnamed tributary to Rock Spring Branch of Back Creek classified for the following use(s): trout stocked fishery. There are no potable water supply intakes within 10 miles downstream. Application received: November 13, 2012. Permit issued: January 14, 2013.

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

**65112801 and NPDES Permit No. PA0252115. Mon River Energy Corp.** (P. O. Box 466, Brier Hill, PA 15415). Permit issued for commencement, operation and reclamation of a small noncoal surface mine, located in Mt. Pleasant Township, **Westmoreland County**, affecting 3.93 acres. Receiving streams: Sewickley Creek. Application received: January 20, 2011. Permit issued: January 14, 2013.

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

**24589-43070303-E-2. Three Rivers Aggregates, LLC** (225 North Shore Drive, Pittsburgh, PA 15212) Application for a stream encroachment to conduct mining activi-

ties within 100 feet of unnamed tributary No. 2 to Indian Run in Springfield & Wilmington Townships, **Mercer County**. Receiving streams: Unnamed tributaries to Indian Run and Indian Run. Application received: August 14, 2012. Permit Issued: January 9, 2013.

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

**41022802. Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823). Final bond release for a small industrial minerals surface mine, located in Fairfield Township, **Lycoming County**. Restoration of 1.53 acres completed. Receiving stream: Bennetts Run. Application received on December 4, 2012. Final bond release approved: January 15, 2013.

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

**58120803. Springville, LP**, (8 Miller's Crossing, Tenafly, NJ 07670), commencement, operation and restoration of a quarry operation in Springville Township, **Susquehanna County** affecting 3.0 acres, receiving stream: White Creek. Application received: January 23, 2012. Permit issued: January 15, 2013.

**58120803GP104. Springville, LP**, (8 Miller's Crossing, Tenafly, NJ 07670), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58120803 in Springville Township, **Susquehanna County**, receiving stream: White Creek. Application received: January 23, 2012. Permit issued: January 15, 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*

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

**08134101. Doug Wathen, LLC** (16208 State Highway 13, Suite 100, Branson West, MO 65616). Blasting for gas pad and construction located in Franklin Township, **Bradford County**. Permit issued: January 14, 2013. Permit expires: January 19, 2014.

**08134102. Maurer & Scott** (122 Thomas Street, Coopersburg PA 18036-2100). Blasting for gas well pad and construction located in Wilmot Township, **Bradford County**. Permit issued: January 16, 2013. Permit expires: June 30, 2013.

**57134101. Meshoppen Stone, Inc.** (P. O. Box 127, Meshoppen, PA 18630). Blasting for well site and access road located in Davidson Township, **Sullivan County**. Permit issued: January 9, 2013. Permit expires: March 31, 2013.

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

**58124023. Brainard Explosives LLC**, (3978 SR 2073, Kingsley, PA 18226), construction blasting for Range Unit 64 in Jackson Township, **Susquehanna County** with an expiration date of April 30, 2013. Permit issued: January 15, 2013.

**58124024. Brainard Explosives LLC**, (3978 SR 2073, Kingsley, PA 18226), construction blasting for the Gary Kilmer Lot Improvement in Lenox Township, **Susquehanna County** with an expiration date of February 28, 2013. Permit issued: January 15, 2013.

**58134001. Brainard Explosives LLC**, (3978 SR 2073, Kingsley, PA 18226), construction blasting for Range Unit 54 in New Milford Township, **Susquehanna County** with an expiration date of June 30, 2013. Permit issued: January 15, 2013.

**58134101. MD Drilling & Blasting, Inc.**, (88 Goldledge Avenue, Suite 2, Auburn, NH 03032), construction blasting for Orphan Pipeline Project in Harford Township, **Susquehanna County** with an expiration date of January 14, 2014. Permit issued: January 15, 2013.

**35134103. Explosive Services, Inc.**, (7 Pine Street, Bethany, PA 18431), construction blasting for Summit Woods in Elmhurst and Roaring Brook Townships, **Lackawanna County** with an expiration date of January 15, 2014. Permit issued: January 16, 2013.

**38134101. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for utilities on Fairlane Park Avenue in Jackson Township, **Lebanon County** with an expiration date of March 31, 2013. Permit issued: January 16, 2013.

**66134101. Meshoppen Blasting, Inc.**, (P. O. Box 127, Meshoppen, PA 18630), construction blasting for Kupetsky well site and access road in Nicholson Township, **Wyoming County** with an expiration date of July 31, 2013. Permit issued: January 16, 2013.

**66134102. Meshoppen Blasting, Inc.**, (P. O. Box 127, Meshoppen, PA 18630), construction blasting for Nicholson Pad and access road in Nicholson Township, **Wyoming County** with an expiration date of July 30, 2013. Permit issued: January 16, 2013.

**38134103. Abel Construction Co., Inc.**, (P. O. Box 476, Mountville, PA 17554), construction blasting for Stone Knoll in South Londonderry Township, **Lebanon County** with an expiration date of January 31, 2014. Permit issued: January 17, 2013.

**39134101. Silver Valley Drilling & Blasting, Inc.**, (RR 4 Box 4196, Saylorburg, PA 18353), construction blasting for Weyhill Woods in Upper Saucon Township, **Lehigh County** with an expiration date of January 15, 2014. Permit issued: January 17, 2013.

**46134101. Schlouch, Inc.**, (P. O. Box 69, Blandon, PA 19510), construction blasting for Hill School in Pottstown Borough, **Montgomery County** with an expiration date of January 14, 2014. Permit issued: January 17, 2013.

#### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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



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

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

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

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

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E46-1089. Wissahickon Valley Watershed Association**, 12 Morris Road, Ambler, PA 19002-5407, Lower Gwynedd and Whitmarsh Townships, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain two concrete stepping stone pedestrian crossings across Wissahickon Creek (Perennial TSF-MF) associated with Green Ribbon Trail project. Each stepping stones are 1.5 feet apart, 16-inches wide, 16-inches long, and about 8-inches above normal water level.

The first site is located at Plymouth Road at Penllyn Station (Lansdale, PA USGS Quadrangle N: 10.5 inches W: 0.75 inch) in Lower Gwynedd Township, and the second site is located at Joshua Road (Ambler, PA USGS Quadrangle N: 1.0 inch W: 13.5 inches).

**E15-836. Rachel Wachs**, 215 W. Church Road, King of Prussia, PA 19406, West Brandywine Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain an outfall structure along an unnamed tributary to West Branch of the Brandywine Creek (HQ) associated with effluent discharge from the proposed dwellings. The site is located approximately 0.5 mile from the intersection of S.R. 0082 and S.R. 0030 (Wagontown, PA USGS Quadrangle N: 1.25 inches; W: 10.80 inches).

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

**E05-366: Frederick and Cheryl Veith**, PO Box 101, Buffalo Mills, Pennsylvania 15534, in Londonderry Township, **Bedford County**, ACOE Baltimore District

To: 1) construct and maintain a 24.0-foot long × 12.0-foot wide single span bridge with an underclearance of 2.0 feet across Mill Run Creek (HQ-CWF, MF); 2) place and maintain R-6 wing walls with average dimensions of 10.0 feet wide × 20.0 feet long × by 1.5 feet high along the banks of and in the floodway of Mill Run Creek (HQ-CWF, MF); and 3) place and maintain fill on both left and right floodways of Mill Run Creek (HQ-CWF, MF) with average dimensions of 20.0 feet wide × 25.0 feet long × by 1.5 feet high, directly affecting a total of 500.0 square feet of floodway for the purpose of providing access for emergency vehicles to the property. The project is located west of Midway Road (Hyndman, PA Quadrangle; Latitude: 39°52'7.5", Longitude: -78°40'59.8") in Londonderry Township, Bedford County.

**E36-910: County of Lancaster**, 150 North Queen Street, Suite 612, Lancaster, Pennsylvania 17603, in Manheim and Upper Leacock Townships, **Lancaster County**, ACOE Baltimore District

To remove, rehabilitate, and reset the existing historical wooden covered bridge over the Conestoga Creek (River). The abutments and approaches will be raised two feet at the existing location to place bridge above the 100-year flood elevation. The purpose of the project is to repair damage caused by flooding in 2011. The project is located on Bridge Road, near the intersection of Pinetown Road (Leola, PA Quadrangle; Latitude: 40°06'20.2"N, Longitude: -76°14'53.5"W) in Manheim and Upper Leacock Townships, Lancaster County.

**E67-902: Mark Platts**, Susquehanna Gateway Heritage Area, 1706 Long Level Road, Wrightsville, Pennsylvania 17368, in Lower Windsor Township, **York County**, ACOE Baltimore District

To construct and maintain: 1) 1,779.0 ft<sup>2</sup> of boardwalk/decking in PEM wetlands associated with and in the floodway of the Susquehanna River (WWF, MF); 2) a 38.0-foot long, stone retaining wall in the floodway of the Susquehanna River (WWF, MF); 3) a 192.0-ft<sup>2</sup> floating dock in the Susquehanna River (WWF, MF); 4) a 19.0-foot × 16.0-foot boat ramp in the Susquehanna River (WWF, MF); 5) a 73.0-foot long streambank restoration/stabilization wall along the Susquehanna River (WWF, MF); 6) a 12.0-inch pipe outfall with a riprap apron along and in wetlands associated with the Susquehanna River (WWF, MF); 7) a 614.0-ft<sup>2</sup> raised and cantilevered pavilion in PEM wetlands and along the Susquehanna River (WWF, MF); and 8) to place and maintain fill in the floodway of the Susquehanna River (WWF, MF), all for the purpose of expanding an existing historical/educational facility. The project is located on the east side of 1706 Long Level Road, approximately 4.0 miles south of PA Route 462 in Wrightsville (Safe Harbor, PA Quadrangle; Latitude: 39°58'38.8", Longitude: -76°29'47.1"), in Lower Windsor Township, York County. Wetland impacts are considered de minimus and wetland replacement is not required.

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

**E41-638. Keystone Clearwater Solutions, LLC**, PO Box 797, Hersey, PA 17033-0797. Lycoming Creek -2



Intake Modifications, in Lewis Township, **Lycoming County**, ACOE Baltimore District (Bodines, PA Quadrangle N: 41°26'14.4"; W: -76°59'41").

To place and maintain a second mobile water withdrawal station consisting of a 13.5-inch diameter by 36-inch intake strainer, 6-inch diameter pump suction line, pump station on a trailer and digital flow meter on the right side of Lycoming Creek in order to increase the existing surface water withdrawal rate and not increase the withdrawal velocity any higher than 0.5 feet per second at the site located 3,636 feet southwest of the intersection of SR 14 and Brannaka Drive. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E5729-040: Chesapeake Appalachia, LLC**, 101 North Main Street, Athens, PA 18810, Cherry Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) two 16 inch diameter fresh waterlines and a temporary access road using timber matting impacting 323 square feet of an exceptional value palustrine emergent/scrub shrub (EV-PEM/PSS) wetland and 21 linear feet of an unnamed tributary to Little Loyalsock Creek (EV) (Dushore, PA Quadrangle 41°31'55"N, 76°25'53"W);

2) two 16 inch diameter fresh waterlines and a temporary access road using timber matting impacting 26 linear feet of an unnamed tributary to Little Loyalsock Creek (EV) (Dushore, PA Quadrangle 41°31'23"N, 76°26'25"W);

3) two 16 inch diameter fresh waterlines and a temporary access road using timber matting impacting 53 linear feet of an unnamed tributary to Lick Creek (EV) (Dushore, PA Quadrangle 41°31'57"N, 76°26'20"W);

4) two 16 inch diameter fresh waterlines and a temporary access road using timber matting impacting 39 linear feet of an unnamed tributary to Lick Creek (EV) (Dushore, PA Quadrangle 41°31'56"N, 76°26'34"W);

5) two 16 inch diameter fresh waterlines impacting 3 linear feet of an unnamed tributary to Lick Creek (EV) (Dushore, PA Quadrangle 41°31'52"N, 76°26'48"W);

6) two 16 inch diameter fresh waterlines and a temporary access road using timber matting impacting 33 linear feet of Lick Creek (EV) (Dushore, PA Quadrangle 41°31'53"N, 76°26'50"W);

7) two 16 inch diameter fresh waterlines and a temporary access road using timber matting impacting 20 linear feet of an unnamed tributary to Lick Creek (EV) (Dushore, PA Quadrangle 41°31'52"N, 76°26'54"W);

8) two 16 inch diameter fresh waterlines and a temporary access road using timber matting impacting 22 linear feet of an unnamed tributary to Lick Creek (EV) (Dushore, PA Quadrangle 41°31'48"N, 76°26'57"W);

9) two 16 inch diameter fresh waterlines and a temporary access road using timber matting impacting 20 linear feet of Mill Creek (EV) (Dushore, PA Quadrangle 41°31'58"N, 76°27'54"W);

10) two 16 inch diameter fresh waterlines impacting 891 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Dushore, PA Quadrangle 41°32'05"N, 76°28'15"W)

The project will result in 1,214 square feet (0.03 acre) of temporary wetland impacts and 237 linear feet of temporary stream impacts, all for the purpose of installing fresh waterlines for Marcellus well development in Cherry Township, Sullivan County.

**E5929-035: SWEPI LP.**, 190 Thorn Hill Road, Warrendale, PA 15086, Union Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain a permanent road crossing using a 65 foot long, 15 inch diameter high density polyethylene culvert pipe impacting 45 linear feet of an unnamed tributary to French Lick Creek (EV) and 180 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Ralston, PA Quadrangle 41°34'47"N 76°58'31"W).

The project will result in 45 linear feet of temporary stream impacts and 180 square feet (0.01 acre) of temporary wetland impacts, all for the purpose of installing a well site access road in Union Township, Tioga County.

**E5729-044: Appalachia Midstream Services, LLC**, 100 IST Center, Horseheads, NY 14845, Cherry Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A temporary access road using timber mats and a 16 inch diameter gathering line impacting 1,756 square feet of an exceptional value palustrine forested (EV-PFO) wetland and 211 linear feet of an unnamed tributary to Black Creek (EV) (Dushore, PA Quadrangle 41°33'06"N, 76°28'38"W);

2) A temporary access road using timber mats and a 16 inch diameter gathering line impacting 1,139 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Dushore, PA Quadrangle 41°33'01"N, 76°28'15"W);

3) A temporary access road using a timber mat bridge and a 16 inch diameter gathering line impacting 198 linear feet of an unnamed tributary to Black Creek (EV) (Dushore, PA Quadrangle 41°32'54"N, 76°28'10"W);

4) A temporary access road using a timber mat bridge and a 16 inch diameter gathering line impacting 122 linear feet of an unnamed tributary to Mill Creek (EV) (Dushore, PA Quadrangle 41°32'15"N, 76°28'07"W);

5) A temporary access road using a timber mat bridge and a 16 inch diameter gathering line impacting 213 linear feet of Mill Creek (EV) (Dushore, PA Quadrangle 41°31'58"N, 76°27'54"W).

The project will result in 744 linear feet of temporary stream impacts, 1,139 square feet (0.03 acre) of temporary wetland impacts and 1,756 square feet (0.04 acre) of permanent wetland impacts, all for the purpose of installing a gathering line for Marcellus well development in Cherry Township, Sullivan County. The permittee will provide 0.27 acre of compensatory mitigation at impacts throughout the project and at the Wilmot Site (Colley, PA Quadrangle 41°36'44"N 76°17'27"W) in Wilmot Township, Bradford County.

**E4129-054: Range Resources-Appalachia, LLC**, 100 Throckmorton Street, Suite 1200, Fort Worth, TX 76102, Cogan House Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain one 48 inch culvert and two 12 inch temporary above ground waterlines impacting 105 linear feet of an unnamed tributary to Roaring Run (EV) (White Pine PA Quadrangle 41°22'46"N 77°10'51"W). The project will result in 105 linear feet of

stream impacts all for the purpose of installing an access road and temporary waterline to multiple Marcellus well sites.

**E4129-057: Anadarko Marcellus Midstream, L.L.C.**, 33 West Third Street, Suite 200, Williamsport, PA 17701, Cogan House Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) two 6-inch natural gas pipelines, two 6-inch waterlines, one 12-inch waterline, one electric/fiber optic line, and a timber mat bridge impacting 6921 square feet of palustrine forested (PFO) wetland (White Pine PA Quadrangle 41°24'18"N, 77°09'41"W).

The project will result in a total of 0.16 acre of wetland impacts all for the purpose of installing a natural gas gathering line, water pipeline, and associated access roadways for Marcellus well development.

**E4129-056: Anadarko Marcellus Midstream, L.L.C.**, 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 natural gas pipelines, two 6-inch waterlines, one 24-inch natural gas line, one 12-inch waterline, one electric/fiber optic line, and a timber mat bridge impacting 913 square feet of a palustrine forested (PFO) wetland (English Center PA Quadrangle 41°29'42"N, 77°16'44"W);

2) two 6-inch natural gas pipelines, two 6-inch waterlines, one 24-inch natural gas line, one 12-inch waterline, one electric/fiber optic line, and a timber mat bridge impacting 100 linear feet of Fourmile Run (EV, MF) and 30 linear feet of an unnamed tributary to Fourmile Run (EV, MF) (English Center PA Quadrangle 41°29'51"N, 77°16'44"W);

3) two 6-inch natural gas pipelines, two 6-inch waterlines, one 24-inch natural gas line, one 12-inch waterline, one electric/fiber optic line, and a timber mat bridge impacting 68 square feet of palustrine forested (PFO) wetland (English Center PA Quadrangle 41°29'52"N, 77°16'44"W);

4) two 6-inch natural gas pipelines, two 6-inch waterlines, one 24-inch natural gas line, one 12-inch waterline, one electric/fiber optic line, and a timber mat bridge impacting 2784 square feet of a palustrine forested (PFO) wetland (Morris PA Quadrangle 41°30'08"N, 77°16'41"W);

5) two 6-inch natural gas pipelines, two 6-inch waterlines, one 24-inch natural gas line, one 12-inch waterline, one electric/fiber optic line, and a timber mat bridge impacting 86 linear feet of Smith Run (EV, MF) (Morris PA Quadrangle 41°30'28"N, 77°16'28"W);

6) two 6-inch natural gas pipelines, two 6-inch waterlines, one 24-inch natural gas line, one 12-inch waterline, one electric/fiber optic line, and a timber mat bridge impacting 80 linear feet of an unnamed tributary to Smith Run (EV, MF) and 10190 square feet of adjacent palustrine emergent (PEM) wetland (Morris PA Quadrangle 41°30'46"N, 77°16'35"W);

7) two 6-inch natural gas pipelines, two 6-inch waterlines, one 24-inch natural gas line, one 12-inch waterline, one electric/fiber optic line, and a timber mat bridge impacting 87 linear feet of an unnamed tributary to Smith Run (EV, MF) (Morris PA Quadrangle 41°30'48"N, 77°16'35"W);

8) two 6-inch natural gas pipelines, two 6-inch waterlines, one 24-inch natural gas line, one 12-inch waterline, one electric/fiber optic line, and a timber mat bridge impacting 2238 square feet of palustrine forested (PFO) wetland (Morris PA Quadrangle 41°31'28"N, 77°16'27"W);

The project will result in 383 linear feet of stream impacts and a total of 0.37 acre of wetland impacts all for the purpose of installing a natural gas gathering line, water pipeline, and associated access roadways for Marcellus well development.

**E5729-042: Appalachia Midstream Services, LLC**, 100 IST Center, Horseheads, NY 14845, Cherry Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain a temporary access road using wood mats and a 16 inch diameter gathering line impacting 158 linear feet of an unnamed tributary to Little Loyalsock Creek (EV) and 5,244 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Colley, PA Quadrangle 41°31'34"N, 76°21'06"W).

The project will result in 158 linear feet of temporary stream impacts and 5,244 square feet of temporary wetland impacts for the purpose of installing a gathering line for Marcellus well development in Cherry Township, Sullivan County.

**E5729-043: Appalachia Midstream Services, LLC**, 100 IST Center, Horseheads, NY 14845, Elkland Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A temporary access road using timber mats and a 16 inch diameter gathering line impacting 4,927 square feet of a palustrine emergent/scrub shrub (PEM/PSS) wetland (Shunk, PA Quadrangle 41°32'22"N, 76°39'19"W);

2) A temporary access road using a timber mat bridge and a 16 inch diameter gathering line impacting 203 linear feet of an unnamed tributary to Elk Creek (EV) (Shunk, PA Quadrangle 41°32'27"N, 76°39'14"W).

The project will result in 203 linear feet of temporary stream impacts and 4,927 square feet of temporary wetland impacts for the purpose of installing a gathering line for Marcellus well development in Elkland Township, Sullivan County.

**E5829-033: Williams Field Services Company, LLC**, 1605 Coraopolis Heights Road, Moon Township, PA 15108, Gibson and Harford Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. a 16 inch diameter natural gas gathering pipeline and timber mat crossing impacting 76 lineal feet of an unnamed tributary to Butler Creek (CWF-MF) (Harford, PA Quadrangle; Lat. 41° 45' 01", Long. -75° 39' 28");

2. a 16 inch diameter natural gas gathering pipeline and timber mat crossing impacting 80 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Harford, PA Quadrangle; Lat. 41° 45' 09", Long. -75° 38' 31");

3. a 12 inch diameter natural gas gathering pipeline and timber mat crossing impacting 61 lineal feet of an unnamed tributary to Bell Creek (CWF-MF) (Harford, PA Quadrangle; Lat. 41° 45' 02", Long. -75° 37' 40");

4. a 12 inch diameter natural gas gathering pipeline and timber mat crossing impacting 78 lineal feet of an unnamed tributary to Bell Creek (CWF-MF) (Harford, PA Quadrangle; Lat. 41° 45' 03", Long. -75° 37' 34");

5. a 12 inch diameter natural gas gathering pipeline and timber mat crossing impacting 114 lineal feet of an unnamed tributary to Bell Creek (CWF-MF) (Harford, PA Quadrangle; Lat. 41° 44' 59", Long. -75° 37' 37");

6. a 12 inch diameter natural gas gathering pipeline and timber mat crossing impacting 2 lineal feet of an unnamed tributary to Bell Creek (CWF-MF) (Harford, PA Quadrangle; Lat. 41° 45' 01", Long. -75° 37' 31");

7. a 16 inch diameter natural gas gathering pipeline and timber mat crossing impacting 8,276 square feet (0.19 acre) of a PEM wetland (Lenoxville, PA Quadrangle; Lat. 41° 43' 41", Long. -75° 44' 30");

8. a timber mat crossing impacting 436 square feet (0.01 acre) of a PEM wetland (Harford, PA Quadrangle; Lat. 41° 45' 05", Long. -75° 39' 27");

9. a timber mat crossing impacting 436 square feet (0.01 acre) of a PEM wetland (Lenoxville, PA Quadrangle; Lat. 41° 44' 59", Long. -75° 39' 30");

10. a 16 inch diameter natural gas gathering pipeline and timber mat crossing impacting 8,712 square feet (0.20 acre) of a PEM wetland (Harford, PA Quadrangle; Lat. 41° 45' 10", Long. -75° 38' 37");

11. a 12 inch diameter natural gas gathering pipeline and timber mat crossing impacting 4,792 square feet (0.11 acre) of a PEM and 1,742 square feet (0.04 acre) of a PSS wetlands (Lenoxville, PA Quadrangle; Lat. 41° 43' 35", Long. -75° 44' 30");

12. a 12 inch diameter natural gas gathering pipeline crossing impacting 13,068 square feet (0.30 acre) of a PFO wetland (Lenoxville, PA Quadrangle; Lat. 41° 43' 40", Long. -75° 44' 09");

13. an 8 inch diameter natural gas gathering pipeline and timber mat crossing impacting 2,178 square feet (0.05 acre) of a PEM wetland (Lenoxville, PA Quadrangle; Lat. 41° 43' 35", Long. -75° 43' 51").

The Columbia gas gathering line project will convey natural gas to the Williams—MacDowall Pipeline located in Harford Township, Susquehanna County. The project will result in 411 linear feet (6,121 square feet) of temporary stream impacts, a total of 0.57 acre (24,829 square feet) of temporary wetland impacts, and 0.34 acre (14,810 square feet) of permanent wetland impacts all for the purpose of constructing, operating, and maintaining a natural gas gather

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

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

ESCGP-1 # ESX12-115-0219  
Applicant Name Williams Field Services, LLC  
Contact Person Sandra Lojek  
Address 1605 Coraopolis Heights Road  
City, State, Zip Moon Township, PA 15108  
County Susquehanna County  
Township(s) Brooklyn Township  
Receiving Stream(s) and Classification(s) Tributaries 29004 and 29005 and UNTs to Tribs 29004 and 29005 (All CWF/MF)

ESCGP-1 # ESX12-015-0220  
Applicant Name Angelina Gathering Company, LLC  
Contact Person Danny Spaulding  
Address 2350 N. Sam Houston Blvd., Suite 125  
City, State, Zip Houston, TX 77032  
County Bradford County  
Township(s) Orwell Township  
Receiving Stream(s) and Classification(s) UNT to South Creek (CWF/MF)

ESCGP-1 # ESX12-015-0178 (01)  
Applicant Name PVR NEPA Gas Gathering, LLC  
Contact Person Nicholas Bryan  
Address 101 W. Third Street  
City, State, Zip Williamsport, PA 17701  
County Bradford County  
Township(s) Franklin Township  
Receiving Stream(s) and Classification(s) UNT to Towanda Creek, Towanda Creek, Preacher Brook (All CWF/MF)

ESCGP-1 # ESX12-115-0214  
Applicant Name Southwestern Energy Production Company  
Contact Person David Sweeley  
Address 917 State Route 92 North  
City, State, Zip Tunkhannock, PA 18657  
County Susquehanna County  
Township(s) Jackson and Oakland Townships  
Receiving Stream(s) and Classification(s) Lewis Creek (HQ/MF), Salt Lick Creek (HQ-CWF/MF)

ESCGP-1 # ESX10-117-0051 (01)  
Applicant Name SWEPI LP  
Contact Person H. James Sewell  
Address 190 Thorn Hill Road  
City, State, Zip Warrendale, PA 15086  
County Tioga County  
Township(s) Sullivan Township  
Receiving Stream(s) and Classification(s) UNTs to Corey Creek (CWF/MF);  
Secondary: Upper Susquehanna River

ESCGP-1 # ESX12-015-0222  
Applicant Name Chief Oil & Gas, LLC  
Contact Person Jeffrey Deegan  
Address 6051 Wallace Road, Ext., Suite 300  
City, State, Zip Wexford, PA 15090



County Bradford County  
 Township(s) Troy Township  
 Receiving Stream(s) and Classification(s) Leonard Creek  
 & Sugar Creek (TSF/MF)

ESCGP-1 # ESX12-115-0196  
 Applicant Name Price Gregory International  
 Contact Person Allen Collier  
 Address 920 Memorial Way, Suite 600  
 City, State, Zip Houston, TX 77024  
 County Susquehanna County  
 Township(s) Great Bend Township  
 Receiving Stream(s) and Classification(s) UNT to Salt  
 Lick Creek (HQ);  
 Secondary: Susquehanna River

ESCGP-1 # ESX12-115-0218  
 Applicant Name Southwestern Energy Production  
 Company  
 Contact Person David Sweeley  
 Address 917 State Route 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Susquehanna County  
 Township(s) Franklin Township  
 Receiving Stream(s) and Classification(s) UNT to Beaver  
 Creek, UNT to Beaver Creek (Both HQ-CWF);  
 Secondary: Beaver Creek (HQ-CWF)

ESCGP-1 # ESX12-035-0024  
 Applicant Name XTO Energy Inc.  
 Contact Person Stacey Vehovic  
 Address 395 Airport Road  
 City, State, Zip Indiana, PA 15701  
 County Clinton County  
 Township(s) Beech Creek Township  
 Receiving Stream(s) and Classification(s) East Branch Big  
 Run (EV), Swamp Branch (EV);  
 Secondary: Big Run (CWF)

ESCGP-1 # ESX12-115-0221  
 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) Lenox Township  
 Receiving Stream(s) and Classification(s) Millard Creek,  
 Tower Branch Creek, UNT to Tower Branch Creek,  
 UNT to Millard Creek (All CWF/MF);  
 Secondary: Tunkhannock Creek

ESCGP-1 # ESX12-015-0223  
 Applicant Name EOG Resources, Inc.  
 Contact Person Jon Jorgenson  
 Address 2039 South Sixth Street  
 City, State, Zip Indiana, PA 15701  
 County Bradford County  
 Township(s) Springfield Township  
 Receiving Stream(s) and Classification(s) Leonard Creek  
 Watershed (TSF);  
 Secondary: Sugar Creek

ESCGP-1 # ESX12-015-0217  
 Applicant Name Angelina Gathering Company, LLC  
 Contact Person Danny Spaulding  
 Address 2350 N. Sam Houston Pkwy. E., Suite 125  
 City, State, Zip Houston, TX 77032  
 County Bradford County  
 Township(s) Stevens Township  
 Receiving Stream(s) and Classification(s) UNT to Cold  
 Creek (WWF/MF);  
 Secondary: Wyalusing Creek

ESCGP-1 # ESX12-081-0168  
 Applicant Name Seneca Resources Corporation  
 Contact Person Mike Clinger  
 Address 51 Zents Blvd  
 City, State, Zip Brookville, PA 15825  
 County Lycoming County  
 Township(s) McIntyre Township  
 Receiving Stream(s) and Classification(s) Splash Dam  
 Run (HQ-CWF);  
 Secondary: Grays Run (HQ-CWF)

ESCGP-1 # ESX13-015-0001  
 Applicant Name Southwestern Energy Production  
 Company  
 Contact Person Dave Sweeley  
 Address 917 State Route 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Bradford County  
 Township(s) Herrick Township  
 Receiving Stream(s) and Classification(s) UNT to  
 Rummerfield Creek (WWF/MF);  
 Secondary: Rummerfield Creek (WWF/MF)

*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>
63128003-1	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 to Racoon Run (WWF), UNT to Chamberlain Run (WWF), UNT to Cherry Run (WWF)

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

ESCGP-1 #Snyder Brothers Lots 4 & 11—  
 ESX11-083-0049  
 Applicant Snyder Brothers Inc.  
 Contact Thomas Defibaugh  
 Address P. O. Box 1022  
 City Kittanning State PA Zip Code 16201  
 County McKean Township(s) Hamilton and Corydon(s)

Receiving Stream(s) and Classification(s) Coon Run,  
 Hemlock Run, Morrison Run

ESCGP-1 #ESX12-019-0176—McKee EPS Central  
 Processing Facility  
 Applicant SWEPI LP  
 Contact H. James Sewell  
 Address 190 Thorn Hill Road  
 City Warrendale State PA Zip Code 15086  
 County Butler Township(s) Mercer(s)



Receiving Stream(s) and Classification(s) UNT to Wolf Creek—CWF, Wolf Creek—other

ESCGP-1 #ESX11-019-0105A—Stebbins Well Pad Major Modification

Applicant Rex Energy Operating Corporation

Contact Michael T. Endler

Address 310 Seven Fields Blvd

City Seven Fields State PA Zip Code 16046

County Butler Township(s) Penn and Forward(s)

Receiving Stream(s) and Classification(s) UNT Thorn Creek—CWF, UNT to Connoquenessing Creek—WWF, Connoquenessing Creek—WWF

#### OIL AND GAS MANAGEMENT

The following Well Permits have been issued with a waiver under 58 Pa.C.S. § 3215(b)(4) (relating to well location restrictions).

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

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

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

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

Well Permit #: 115-21109-00-00

Well Farm Name Bolles South 47 3H

Applicant Name: WPX Energy Appalachia, LLC.

Contact Person: Dean Tinsley

Address: 6000 Town Center Boulevard, Suite 300, Canonsburg, PA 15317

County: Susquehanna

Municipality Franklin Township:

Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Franklin Forks, Snake Creek Watershed

Well Permit #: 115-21110-00-00

Well Farm Name Bolles South 47 5H

Applicant Name: WPX Energy Appalachia, LLC.

Contact Person: Dean Tinsley

Address: 6000 Town Center Boulevard, Suite 300, Canonsburg, PA 15317

County: Susquehanna

Municipality Franklin Township:

Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Franklin Forks, Snake Creek Watershed.

Well Permit #: 115-21111-00-00

Well Farm Name Bolles South 92 6H

Applicant Name: WPX Energy Appalachia, LLC.

Contact Person: Dean Tinsley

Address: 6000 Town Center Boulevard, Suite 300, Canonsburg, PA 15317

County: Susquehanna

Municipality Franklin Township:

Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Franklin Forks, Snake Creek Watershed

Well Permit #: 115-21112-00-00

Well Farm Name Bolles South 92 7H

Applicant Name: WPX Energy Appalachia, LLC.

Contact Person: Dean Tinsley

Address: 6000 Town Center Boulevard, Suite 300, Canonsburg, PA 15317

County: Susquehanna

Municipality Franklin Township:

Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Franklin Forks, Snake Creek Watershed.

Well Permit #: 115-21100-00-00

Well Farm Name Mordovancey 17 11H

Applicant Name: WPX Energy Appalachia, LLC.

Contact Person: Dean Tinsley

Address: 6000 Town Center Boulevard, Suite 300, Canonsburg, PA 15317

County: Susquehanna

Municipality Choconut 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: Friendsville, Choconut Creek Watershed.

Well Permit #: 115-21101-00-00

Well Farm Name Mordovancey 17 13H

Applicant Name: WPX Energy Appalachia, LLC.

Contact Person: Dean Tinsley

Address: 6000 Town Center Boulevard, Suite 300, Canonsburg, PA 15317

County: Susquehanna

Municipality Choconut 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: Friendsville, Choconut Creek Watershed.

Well Permit #: 115-21102-00-00

Well Farm Name Mordovancey 18 7H

Applicant Name: WPX Energy Appalachia, LLC.

Contact Person: Dean Tinsley

Address: 6000 Town Center Boulevard, Suite 300, Canonsburg, PA 15317

County: Susquehanna

Municipality Choconut 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: Friendsville, Choconut Creek Watershed.

Well Permit #: 115-21103-00-00  
 Well Farm Name Mordovancey 18 9H  
 Applicant Name: WPX Energy Appalachia, LLC.  
 Contact Person: Dean Tinsley  
 Address: 6000 Town Center Boulevard, Suite 300, Canonsburg, PA 15317  
 County: Susquehanna  
 Municipality Choconut 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: Friendsville, Choconut Creek Watershed.

Well Permit #: 115-21104-00-00  
 Well Farm Name Mordovancey 19 10H  
 Applicant Name: WPX Energy Appalachia, LLC.  
 Contact Person: Dean Tinsley  
 Address: 6000 Town Center Boulevard, Suite 300, Canonsburg, PA 15317  
 County: Susquehanna  
 Municipality Choconut 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: Friendsville, Choconut Creek Watershed.

Well Permit #: 115-21105-00-00  
 Well Farm Name Mordovancey 19 12H  
 Applicant Name: WPX Energy Appalachia, LLC.  
 Contact Person: Dean Tinsley  
 Address: 6000 Town Center Boulevard, Suite 300, Canonsburg, PA 15317  
 County: Susquehanna  
 Municipality Choconut 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: Friendsville, Choconut Creek Watershed.

Well Permit #: 115-21106-00-00  
 Well Farm Name Mordovancey 19 14H  
 Applicant Name: WPX Energy Appalachia, LLC.  
 Contact Person: Dean Tinsley  
 Address: 6000 Town Center Blvd, Suite 300, Canonsburg, PA 15317  
 County: Susquehanna  
 Municipality Choconut 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: Friendsville, Choconut Creek Watershed.

Well Permit #: 115-21107-00-00  
 Well Farm Name Mordovancey 20 6H  
 Applicant Name: WPX Energy Appalachia, LLC.  
 Contact Person: Dean Tinsley  
 Address: 6000 Town Center Blvd, Suite 300, Canonsburg, PA 15317  
 County: Susquehanna  
 Municipality Choconut 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: Friendsville, Choconut Creek Watershed.

Well Permit #: 115-21108-00-00  
 Well Farm Name Mordovancey 20 8H  
 Applicant Name: WPX Energy Appalachia, LLC.  
 Contact Person: Dean Tinsley  
 Address: 6000 Town Center Blvd, Suite 300, Canonsburg, PA 15317  
 County: Susquehanna  
 Municipality Choconut 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: Friendsville, Choconut Creek Watershed.

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**STORAGE TANKS**

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**SITE-SPECTIFIC INSTALLATION PERMITS**

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**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.**

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<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>
13-62-006	United Refining Company 15 Bradley Street Warren, PA 16365-3299 Attn: Timothy Ruth	Warren	Glade Township	2 ASTs storing crude oil	14,215,084 gallons total

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## SPECIAL NOTICES

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### Request for Proposals; Joint Waste Disposal Capacity for Municipal Solid Waste

In accordance with Act 101 and Section 272 of the PA Solid Waste Rules and Regulations (as amended), Clarion and Forest County (Counties) are seeking joint waste disposal capacity for municipal solid waste (MSW) for a minimum of 5 years, with an option to extend said capacity for up to 5 additional years, for a total of 10 years. The Counties are hereby soliciting responses to qualify facilities to provide processing/disposal capacity for County-generated MSW, to begin on or after May 1, 2013.

Copies of the Counties' Facility Qualification Request (FQR) may be obtained from the County of Clarion Department of Planning and Development Administrative Building, 330 Main Street, Room 12, Clarion, PA, 16214 or by calling (814)-226-4000 x2800. All responses must be made on the Submittal Form and in accordance with the Instructions to Respondents provided in the FQR. The respondent must submit the original and three (3) copies to the address listed above, Attention Twila Rifemberrick by 3:00 p.m. EDT on February 18, 2013. Qualified facilities will be notified once all applications have been reviewed by the County of Clarion Department of Planning and Development.

The Counties reserve the right to reject any or all responses and to waive any informalities in the solicitation process.

### Notice of Planning Grant Awards under section 901 of the Municipal Waste Planning Recycling and Waste Reduction Act of 1988, Act 101

The Department of Environmental Protection (DEP) hereby announces the following grants to counties pursuant to the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101, P. L. 556, Section 901 and Section 208 of the Waste Tire Recycling Act/Small Business and Household Pollution Prevention Act (Act 190 of 1996).

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. All grant awards are predicated on the receipt of recycling fees required by Sections 701 and 702 of Act 101, and the availability of monies in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Mr. Mark Vottero, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, PO Box 8472, Harrisburg, PA 17105-8472.

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### Act 101, Section 901 Planning Grant

<i>Region</i>	<i>County</i>	<i>Applicant</i>	<i>Project Description</i>	<i>Grant Award</i>
Northcentral	Lycoming	Lycoming County	Plan Revision / Update	\$175,000.00
Northeast	Lackawanna	Lackawanna County	Plan Revision / Update	\$75,000.00

### Reclamation of Abandoned Strip Mine Projects

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

Under Act 181 of 1984, the Department of Environmental Protection solicits letters of interest from the landowners and licensed mine operators for the reclamation of abandoned strip mine projects identified as the Blair Project No. PBF 16850101.2, in Porter Township, Clarion County; the Truittsburg Project No. PBF 16820107.5, in Redbank Township, Clarion County; and the Merola Project No. PBF 61820102.5, in Irwin Township, Venango County. These projects require operation and maintenance of acid mine drainage treatment systems. Reclamation work may involve repair of existing passive treatment systems and access roads, monitoring and maintaining performance of passive treatment systems, water sampling, and other operation and maintenance functions as directed by the Knox District Mining Office. Letters of interest must be received by Joseph Ferrara, Compliance Manager, Department of Environmental Protection, P. O. Box 669, Knox, PA 16232, no later than 4:00 p.m. February 28, 2013, to be considered. Telephone inquiries shall be directed to Mr. Ferrara at 814-797-1191.

[Pa.B. Doc. No. 13-183. Filed for public inspection February 1, 2013, 9:00 a.m.]

### Availability of Final General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5)

The Department of Environmental Protection (Department) has finalized the revisions to General Plan Approval and/or Operating Permit (BAQ-GPA/GP-5 or General Permit) for Natural Gas Compression and/or Processing Facilities that establishes emission limitations and other applicable Federal and State requirements including Best Available Technology requirements.

The notice of availability of the proposed General Permit was published at 42 Pa.B. 1187 (March 3, 2012). A 60-day comment period was provided and written comments were received. On May 2, 2012, the Department extended the public comment period to May 23, 2012, to provide adequate time to fully consider the Federal New Source Performance Standards and National Emission Standards for Hazardous Air Pollutant regulations. A comment and response document has been prepared, which summarizes the Department's response to the comments.

BAQ-GPA/GP-5 applies to the construction, operation and modification of both new and existing natural gas compression and/or processing facilities that compress and/or process natural gas, coal bed methane or gob gas



through steps such as gas dehydration, compression, fractionation and storage. BAQ-GPA/GP-5 is now issued by the Department and available for use by qualifying applicants. The applicant may seek authorization to use GP-5 by using the General Permit Application and must receive written approval prior to constructing and/or operating under this General Permit.

A copy of the General Permit with related documents can be obtained by contacting Jeanette Van Skike, Bureau of Air Quality, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325. The documents have also been placed on the Department's web site [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keywords: "Air Permits").

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 13-184. Filed for public inspection February 1, 2013, 9:00 a.m.]

### Mine Map Grant Program; 2013 Application Announcement

Applications for the 2013 Mine Map Grant (MMG) program are now available from the Department of Environmental Protection (Department). The MMG is a new, competitive grant program to establish 3-year grants that will provide funding to learning institutions and incorporated nonprofit organizations located in this Commonwealth to restore, preserve, inventory, scan, georeference and digitize mine maps and data.

The MMG will be funded from two special State funds under the authority provided in section 18(j) of the Surface Mining Conservation and Reclamation Act (52 P. S. § 1396.18(j)), section 105(10) of the Bituminous Coal Mine Safety Act (52 P. S. § 690-105(10)) and the Mine Subsidence Fund regulations set forth at 25 Pa. Code § 401.51 (relating to loans and grants).

This announcement opens on February 2, 2013, and grant applications submitted to the Department must be postmarked by March 15, 2013. Grant applications will begin to be evaluated on March 18, 2013, and grant agreements will be made with selected grantees at the earliest date possible thereafter. Subject to the availability of funds, up to \$1.65 million in grants will be provided. The minimal grant award will be \$20,000. Individual grant amounts will be based upon: the work identified in a proposal; a proposal's rating, which is based on the evaluation criteria established in the grant application rating analysis; and the availability of funds. Within practical administrative limits, efforts will be made to provide some funding to all eligible proposals.

Applications may be obtained by contacting the Department of Environmental Protection, Bureau of Mining Programs, P. O. Box 8461, Harrisburg, PA 17105-8461. For additional information and to obtain the electronic copy of the MMG application, visit the Department's web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keyword: MMG) or [www.pamsi.org/MMG.html](http://www.pamsi.org/MMG.html).

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 13-185. Filed for public inspection February 1, 2013, 9:00 a.m.]

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

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

The information described in this notice relates to a submitted certification requests received in December of 2012.

#### Certification Requests

The following requests are being reviewed by the Department.

#### Applicant

Material Matters on behalf of Columbia Municipal Authority Wastewater Treatment Authority. (Lancaster County) (NPDES Permit No. PA-0026123)

Buchart Horn, Inc. on behalf of City of York Wastewater Treatment Plant. (York County) (NPDES Permit No. PA-0026263)

Sunbury City Municipal Authority. (Northumberland County) (NPDES Permit No. PA-0026557)

#### Pollutant Reduction Activity Description

This certification request is for nutrient reduction credits to be generated from Agriculture Best Management Practices on Jamie Lonenecker's Farm.

This certification request is for nutrient reduction credits to be generated from the pollutant reduction activity of York City's installed wastewater treatment process.

This certification request is for nutrient reduction credits to be generated from the pollutant reduction activity of Sunbury City Municipal Authority's installed wastewater treatment process.

#### Written Comments

Interested persons may submit written comments on this proposed pollutant reduction activity by February 28, 2013. The Department will accept comments submitted by e-mail, but comments submitted by facsimile will not be accepted. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Jay Braund, Bureau of Point and Non-Point Source Regulation, Department of Environmental Protection, P. O. Box 8774, Harrisburg, PA 17105-8774, (717) 772-5636, [jbraund@pa.gov](mailto:jbraund@pa.gov).

For further information about this certification request or the Trading Program contact Jay Braund, at the previously listed address or phone number or visit the Department's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keywords: "Nutrient Trading").

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 13-186. Filed for public inspection February 1, 2013, 9:00 a.m.]



**Oil and Gas Technical Advisory Board Special Meeting**

The Oil and Gas Technical Advisory Board will hold a special meeting on February 20, 2013, at 10 a.m. in Room 105, Rachel Carson State Office Building, Harrisburg, PA. The purpose of the meeting is to discuss regulatory revisions to 25 Pa. Code Chapter 78, Subchapter C (relating to environmental protection performance standards) regarding surface activities of oil and gas exploration and production and the Addressing Spills and Releases at Oil and Gas Well Sites technical guidance document.

Questions concerning this schedule or agenda items can be directed to Kurt Klapkowski, (717) 772-2199 or kklapkowski@pa.gov. This schedule and agenda for the meeting will be available through the Public Participation Center on Department of Environmental Protection's (Department) web site at www.dep.state.pa.us.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Darek Jagiela at (717) 783-9645 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. 13-187. Filed for public inspection February 1, 2013, 9:00 a.m.]

**Plan Approval and Operating Permit Exemptions**

Under 25 Pa. Code § 127.14 (relating to exemptions), the Department of Environmental Protection (Department) may determine sources or classes of sources which may be exempt from the plan approval and permitting requirements of 25 Pa. Code Chapter 127 (relating to construction, modification, reactivation and operation of sources). In accordance with 25 Pa. Code § 127.14(d), the listing of these determinations is being revised and a draft is now available. The Department is reproposing this technical guidance document for Category No. 33 pertaining to compressed natural gas fueling and Category No. 38 pertaining to oil and gas exploration, development, production facilities and associated equipment since changes have been made to the previously proposed document, on which the public did not have the opportunity to comment. The previously proposed technical guidance document was published at 41 Pa.B. 1066 (February 26, 2011).

The revised exemption Category Nos. 33 and 38 are as follows:

**I. Listing of Plan Approval Exemptions**

\* \* \* \* \*

*B. Section 127.14(a)(8) exemptions that do not require submission of a RFD form*

The following is a list of those sources and classes of sources determined, in accordance with § 127.14(a)(8), to be exempt from the Plan Approval requirements of §§ 127.11 and 127.12. The owner/operator of a facility does not need to submit a Request for Determination of Changes of Minor Significance and Exemption from Plan Approval/Operating Permit (RFD) form for the following sources and classes of sources. Commencements of construction of sources are exempted from the plan approval

requirements provided the exemption criteria are met. Unless labeled otherwise, emission rates are to be considered actual tons per year (tpy). Note that certain exceptions and qualifications regarding this list are contained in the discussion that follows the list.

\* \* \* \* \*

33. a) Retail gasoline dispensing facilities and similar vehicle-fueling operations at industrial plant sites.

b) Compressed natural gas dispensing facilities meeting the following requirements:

i. Combined NOx emissions from the stationary internal combustion engines at a facility less than 100 lbs/hr, 1000 lbs/day, 2.75 tons per ozone season (period beginning May 1 of each year and ending on September 30 of the same year) and 6.6 tons per year on a 12-month rolling basis. The emission criteria do not include emissions from sources which are approved by plan approvals or the general permit or emissions from sources approved under Category 33(a) at the facility.

ii. Combined VOC emissions from all the sources at the facility less than 2.7 tons on a 12-month rolling basis. If the VOCs include HAPs, the HAP exemption criteria in this paragraph must be met. Compliance with this criterion shall be determined using any generally accepted model or calculation methodology. Combined HAP emissions (not including Polychlorinated Biphenyls (PCBs), Chromium (Cr), Mercury (Hg), Lead (Pb), Polycyclic Organic Matter (POM), Dioxins and Furans) at the facility less than 1000 lbs. of a single HAP or one ton of a combination of HAPs in any consecutive 12-month period. The emission criteria do not include emissions from sources which are approved by the plan approvals or the general permits or emissions from sources approved under Category 33(a) at the facility.

iii. The owner or operator of the compressed natural gas fueling station shall use forward looking infrared ("FLIR") detection, a gas leak detector capable of reading methane concentrations in air of 0% to 5% with an accuracy of +/- 0.2% or any other leak detection monitoring device or process approved by the Department for the detection of leaks. If a gas leak detector is used, a leak shall be detected by placing the probe inlet at the surface of a component. After the initial evaluation, FLIR, a gas leak detector as previously defined or any other Department approved monitoring device or process shall be used on an annual basis to detect leaks. If a leak is detected, the owner or operator of the facility shall quantify and repair the leak to operate with less than a concentration of 2.5% methane as expeditiously as practicable, but no later than thirty (30) days after the leak is detected. Such leaks and the repairs must be recorded. The Department may grant an extension for leak detection deadlines or repairs upon receipt of a written request from the owner or operator of the facility documenting the justification for the requested extension.

\* \* \* \* \*

38. Oil and gas exploration, development, production facilities and associated equipment which meet the following requirements:

i. Wells, wellheads, and associated equipment subject to 40 CFR Part 60 Subpart OOOO provided the exemption criteria specified in Paragraphs iii, iv, v, vi and vii as applicable are met.

ii. Conventional wells, wellheads and associated equipment.

iii. The owner or operator of the well heads and storage vessels/storage tanks shall within 60 days after the completion of the well use forward looking infrared ("FLIR") detection, a gas leak detector capable of reading methane concentrations in air of 0% to 5% with an accuracy of +/- 0.2% or any other leak detection monitoring device or process approved by the Department for the detection of leaks. If a gas leak detector is used, a leak shall be detected by placing the probe inlet at the surface of a component. After the initial evaluation, FLIR, a gas leak detector as previously defined or any other Department approved monitoring device or process shall be used on an annual basis to detect leaks. If a leak is detected, the owner or operator of the facility shall quantify and repair the leak to operate with no detectable organic emissions consistent with 40 CFR Part 60 Subpart OOOO, or be less than a concentration of 2.5% methane as expeditiously as practicable, but no later than thirty (30) days after the leak is detected. Such leaks and the repairs must be recorded. The Department may grant an extension for leak detection deadlines or repairs upon receipt of a written request from the owner or operator of the facility documenting the justification for the requested extension.

iv. Storage vessels/storage tanks equipped with VOC emission controls achieving emission reduction of 95% or greater. Compliance shall be demonstrated in accordance with 40 CFR Part 60 Subpart OOOO.

v. Combined VOC emissions from all the sources at the facility less than 2.7 tons on a 12-month rolling basis. If the VOCs include HAPs, the HAP exemption criteria in this paragraph must be met. Compliance with this criterion shall be determined using any generally accepted model or calculation methodology. Combined HAP emissions (not including Polychlorinated Biphenyls (PCBs), Chromium (Cr), Mercury (Hg), Lead (Pb), Polycyclic Organic Matter (POM), Dioxins and Furans) at the facility less than 1000 lbs. of a single HAP or one ton of a combination of HAPs in any consecutive 12-month period. The emission criteria do not include emissions from sources which are approved by the plan approvals or the general permits at the facility and the emissions from well heads meeting the exemption criteria specified in Paragraphs iii, iv or vi.

vi. Flaring operations used at a wellhead subject to 40 CFR Part 60 Subpart OOOO requirements. Flaring used by exploration wells drilled to determine whether oil and/or gas exists in a geological formation or to appraise the physical extent, reserves and likely production rate of an oil or gas field. Enclosed flares used for other operations at a wellhead or facility. Unenclosed flares used for repair, rework or re-completion at a wellhead. Flare operations required for emergency or safety purposes provided the Department is notified of the emergency or safety issue within 24 hours.

vii. Combined NOx emissions from the stationary internal combustion engines at a facility less than 100 lbs. /hr., 1000 lbs. /day, 2.75 tons per ozone season (period beginning May 1 of each year and ending on September 30 of the same year) and 6.6 tons per year on a 12-month rolling basis. The emission criteria do not include emissions from sources which are approved by plan approvals or the general permit at the facility.

viii. Non-road engines as defined in 40 CFR, Part 89.

The owner or operator must comply with all applicable requirements including notification, recordkeeping, and reporting requirements as specified in 40 CFR Part 60

Subpart OOOO. The owner or operator must also demonstrate to the Department compliance with the exemption criteria using any generally accepted model or calculation methodology within 180 days of after the well completion or installation of a source.

The owners and operators of sources not meeting the requirements under (i)—(viii) of this category may submit a Request for Determination (RFD) form to the Department. If the RFD is not approved by the DEP, an application seeking authorization to use a general permit or a plan approval application should be submitted to the Department, as appropriate.

The Department invites written comments on this proposed exemption 38 of the plan approval and operating permit exemptions. Notice and opportunity for comment will also be provided to the United States Environmental Protection Agency and Delaware, Maryland, New Jersey, New York, Ohio, Virginia and West Virginia. Interested persons may submit written comments, suggestions or objections to Krishnan Ramamurthy, Environmental Program Manager, Division of Permits, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, kramamurth@pa.gov. Written public comments must be submitted to the Department no later than March 19, 2013. Comments received by facsimile will not be accepted.

Following the comment period, the listings will be revised, as appropriate, and published in final-form in the *Pennsylvania Bulletin*. Interested parties are encouraged to obtain and review a copy of this proposed plan approval and operating permit exemptions by contacting Jeanette Van Skike, Division of Permits, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325, jvanskike@state.pa.us. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service (800) 654-5984. Internet users can access a copy of this document at <http://www.dep.state.pa.us> (DEP Keyword: Air Quality Home).

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 13-188. Filed for public inspection February 1, 2013, 9:00 a.m.]

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**Submission Deadline for Application for Reimbursement for Certified Host Municipality Inspectors under Act 101 (Section 1102), the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 and Act 108 (Section 304), the Hazardous Sites Cleanup Act of 1988**

The Department of Environmental Protection (Department) announces the submission deadline for 2012 Host Municipality Inspector Program (program) reimbursement applications as April 1, 2013. Reimbursements are available to municipalities under the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1305). Municipalities include cities, boroughs, incorporated towns, townships and home-rule municipalities.

Reimbursements are allocated from the Recycling Fund authorized under the Municipal Waste Planning, Recycling and Waste Reduction Act for municipal waste

facilities or from the Hazardous Sites Cleanup Fund under the Hazardous Sites Cleanup Act for hazardous waste facilities. Reimbursements are available to any municipality that has a municipal waste landfill, resource recovery facility or commercial hazardous waste storage, treatment and disposal facility located within its geographic borders. Upon application from any host municipality, the Department shall award reimbursements for authorized costs incurred for the salary and expenses of up to two certified Host Municipality Inspectors. The reimbursement shall not exceed 50% of the approved costs of salaries and expenses. Reimbursement is available only for Host Municipality Inspectors trained and certified by the Department.

The application for reimbursement contains tables for specifying the itemized expenses for certified inspectors and for calculating the total reimbursement request. Complete instructions are included with the application, which is being distributed to all municipalities that have participated in the program. If the municipality does not receive but requires an application, or for persons who have any questions about this program, contact the Program Development Section, Department of Environmental Protection, Bureau of Waste Management, Rachel Carson State Office Building, P. O. Box 8471, Harrisburg, PA 17105-8471, (717) 787-9870 or visit the Department's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (PA Keyword: "Host Municipality Inspector").

The deadline for submitting applications is 4:30 p.m. on April 1, 2013. Applications post marked after the deadline will not be considered.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 13-189. Filed for public inspection February 1, 2013, 9:00 a.m.]

### Water Resources Advisory Committee Meeting Cancellation

The February 13, 2013, meeting of the Water Resources Advisory Committee (Committee) is cancelled.

Questions concerning the next scheduled meeting of the Committee can be directed to Duke Adams at (717) 783-4693, [ranadams@pa.gov](mailto:ranadams@pa.gov). The agenda and meeting materials for the May 8, 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> (Select "Public Participation," "Advisory Committees" and "Water Resources Advisory Committee").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-4693 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. 13-190. Filed for public inspection February 1, 2013, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Exemption from Requirements

A study to determine if the Department of Corrections' (Department) buildings located at State Correctional Institution—Dallas, PA should be exempted from the requirements of section 2420 of The Administrative Code of 1929 (71 P. S. § 650) will be performed within the next 90 days. The result from this study may result in the conversion of the Department's coal-fired heating system to a fuel other than coal.

For additional information, contact Gary R. Taylor, Director, Bureau of Engineering and Architecture, Department of General Services, 18th and Herr Streets, 201 Headquarters Building, Harrisburg, PA 17125, (717) 787-6200, fax (717) 772-2036, [gtaylor@pa.gov](mailto:gtaylor@pa.gov).

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 13-191. Filed for public inspection February 1, 2013, 9:00 a.m.]

### Exemption from Requirements

A study to determine if the Department of General Services' (Department) building known as the Lieutenant Governor's Residence, located at Two Governor's Way, Annville, PA should be exempted from the requirements of section 2420 of The Administrative Code of 1929 (71 P. S. § 650), will be performed within the next 90 days. The result from this study may result in the conversion of the Department's coal-fired heating system to a fuel other than coal.

For additional information, contact Gary R. Taylor, Director, Bureau of Engineering and Architecture, Department of General Services, 18th and Herr Streets, 201 Headquarters Building, Harrisburg, PA 17125, (717) 787-6200, fax (717) 772-2036, [gtaylor@pa.gov](mailto:gtaylor@pa.gov).

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 13-192. Filed for public inspection February 1, 2013, 9:00 a.m.]

## DEPARTMENT OF HEALTH

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

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Carbondale Nursing & Rehabilitation Center  
10 Hart Drive  
Carbondale, PA 18407  
FAC ID 030702

Forbes Center for Rehabilitation and Healthcare  
6655 Frankstown Avenue  
Pittsburgh, PA 15206



Manorcare Health Services—Williamsport South  
101 Leader Drive  
Williamsport, PA 17701  
FAC ID 641502

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

Thornwald Home  
442 Walnut Bottom Road  
Carlisle, PA 17013

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) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-193. Filed for public inspection February 1, 2013, 9:00 a.m.]

### Summary of Selected Morbidity and Mortality Weekly Report Articles on Pediatric/Adolescent Immunizations

In accordance with 31 Pa. Code §§ 89.806(a) and 89.807(b) (relating to coverage of child immunizations; and immunizing agents, doses and AWP), the Department of Health (Department), Bureau of Communicable Diseases, Division of Immunization is updating 31 Pa. Code Chapter 89, Appendices G and H (relating to ACIP recommendations prescribing child immunization practices; and immunizing agents and doses). The Department has primary responsibility for the interpretation and the implementation of 31 Pa. Code §§ 89.806 and 89.807. See 31 Pa. Code § 89.801(b) (relating to authority and purpose; implementation).

Health Insurance policies are required by the Childhood Immunization Insurance Act (act) (40 P.S. §§ 3501—3508) and regulations promulgated thereunder, 31 Pa. Code Chapter 89, Subchapter L (relating to childhood immunization insurance) to include coverage for certain childhood immunizations, unless the policies are exempted by the act and 31 Pa. Code § 89.809 (relating to exempt policies). The childhood immunizations covered are those that meet Advisory Committee on Immunization Practices (ACIP) standards in effect on May 21, 1992. See 31 Pa. Code § 89.806(a). A list of the Morbidity and Mortality Weekly Report (MMWR) publications contain-

ing ACIP recommendations issued under the ACIP standards in effect on May 21, 1992, appears in 31 Pa. Code Chapter 89, Appendix G.

The Department is required to update the list of these MMWR publications appearing in 31 Pa. Code Chapter 89, Appendix G. See 31 Pa. Code § 89.806(a). The additions to the list are as follows, the remainder of the list at 31 Pa. Code Chapter 89, Appendix G remains in full force and effect:

*August 17, 2012, Vol. 61/No. 32*

*Prevention and Control of Influenza with Vaccines: Recommendations of the Advisory Committee on Immunization Practices (ACIP)—United States, 2012-13 Influenza Season*

In 2010, the Advisory Committee on Immunization Practices (ACIP) first recommended annual influenza vaccination for all persons aged 6 months or older in the United States. Annual influenza vaccination of all persons aged 6 months or older continues to be recommended. This document: 1) describes influenza vaccine virus strains included in the United States seasonal influenza vaccine for 2012-2013; 2) provides guidance for the use of influenza vaccines during the 2012-2013 season, including an updated vaccination schedule for children aged 6 months through 8 years and a description of available vaccine products and indications; 3) discusses febrile seizures associated with administration of influenza and 13-valent pneumococcal conjugate (PCV-13) vaccines; 4) provides vaccination recommendations for persons with a history of egg allergy; and 5) discusses the development of quadrivalent influenza vaccines for use in future influenza seasons. Information regarding issues related to influenza vaccination that are not addressed in this update is available in CDC's Prevention and Control of Influenza with Vaccines: Recommendations of the Advisory Committee on Immunization Practices (ACIP), 2010 and associated updates.

*August 31, 2012, Vol. 61/No. 34*

*National and State Vaccination Coverage Among Adolescents Aged 13-17 Years—United States, 2011*

Since 2005, the Advisory Committee on Immunization Practices (ACIP) has expanded the routine adolescent vaccination schedule with administration of the following vaccines at ages 11 or 12 years: meningococcal conjugate (MenACWY), 2 doses; tetanus, diphtheria, acellular pertussis (Tdap), 1 dose; human papillomavirus (HPV), 3 doses; and influenza, 1 dose annually. To assess vaccination coverage among adolescents aged 13 through 17 years, CDC analyzed data from the National Immunization Survey-Teen (NIS-Teen). This report summarizes the results of that assessment, which indicated that, from 2010 to 2011, vaccination coverage increased for ≥1 dose Tdap on or after age 10 years (from 68.7% to 78.2%), ≥1 dose MenACWY (from 62.7% to 70.5%) and, among females, for ≥1 dose of HPV (from 48.7% to 53.0%) and ≥3 doses of HPV (from 32.0 to 34.8%). Vaccination coverage varied widely among States. Interventions that increase adolescent vaccination coverage include strong recommendations from health-care providers, urging consideration of every health visit as an opportunity for vaccination, reducing out-of-pocket costs and using reminder or recall systems. Despite increasing adolescent vaccination coverage, the percentage point increase in ≥1 dose HPV coverage among adolescent females was less than half that of the increase in ≥1 dose of Tdap or MenACWY. The causes of lower coverage with HPV vaccine are multifactorial; addressing missed opportuni-



ties for vaccination, as well as continued evaluation of vaccination-promoting initiatives, is needed to protect adolescents against HPV-related cancers.

NIS-Teen collects vaccination information for adolescents aged 13 through 17 years in the 50 States, the District of Columbia, selected areas, and the United States Virgin Islands, using a random-digit-dialed sample of landline and, starting in 2011, cellular telephone numbers. Parent/guardian respondents provide vaccination and sociodemographic information on adolescents in their care. After the parent/guardian grants permission to contact their child's vaccination provider, a questionnaire is mailed to that provider to obtain a vaccination history from the medical record. A total of 23,564 adolescents (12,328 males and 11,236 females) are included in the national estimates.

*August 24, 2012, Vol. 61/No. 33*

*Vaccination Coverage Among Children in Kindergarten—United States, 2011-12 School Year*

In 2011, CDC reported 17 outbreaks of measles and 222 measles cases, most of which were imported cases in unvaccinated persons. This was the highest number of measles cases in any year in the United States since 1996 and highlights the importance of monitoring measles vaccination coverage at the local level. To identify areas of undervaccination for measles and other vaccine-preventable diseases, State and local health departments monitor compliance with school immunization requirements using annual school vaccination assessment reports, supported as a CDC immunization funding objective for the 64 grantees, including the 50 States, the District of Columbia (DC), five cities and eight other reporting areas. CDC also monitors progress toward meeting Healthy People 2020 objectives for the vaccination of children entering kindergarten. This report summarizes vaccination coverage, exemption rates, and reporting methods from the 2011-2012 school year kindergarten vaccination assessments submitted by 56 grantees, including 49 States, DC, one city and five other reporting areas. Median coverage with 2 doses of measles, mumps and rubella (MMR) vaccine was 94.8% among 47 reporting states and DC. Total exemption rates, including medical, religious and philosophic exemptions, among 49 reporting States and DC, ranged from <0.1% to 7.0% (median: 1.5%). Although Statewide levels of vaccination coverage are at or very near target levels, locally low vaccination coverage for extremely transmissible diseases such as measles remains a threat to health. Monitoring MMR vaccination coverage at the local and state level will continue to be critical as long as the risk for measles importation and outbreaks exist.

*September 7, 2012, Vol. 61/No. 35*

*National, State, and Local Area Vaccination Coverage Among Children Aged 19-35 Months—United States, 2011*

High vaccination coverage in children by age 2 years has resulted in historically low levels of most vaccine-preventable diseases in the United States, but coverage must be maintained to reduce the burden of disease further and prevent a resurgence of these diseases, particularly in populations with lower vaccination coverage. This report describes national, state, and selected local area vaccination coverage by age 19 through 35 months for children born during January 2008 through May 2010, based on 2011 National Immunization Survey (NIS) results. Vaccination coverage remained above the national Healthy People 2020 target of 90% for  $\geq 1$  dose

measles, mumps, rubella vaccine (MMR) (91.6%),  $\geq 3$  doses of hepatitis B vaccine (HepB) (91.1%),  $\geq 3$  doses of poliovirus vaccine (93.9%), and  $\geq 1$  dose of varicella vaccine (90.8%). For the birth dose of HepB, coverage increased from 64.1% in 2010 to 68.6% in 2011; for the more recently recommended  $\geq 2$  doses of hepatitis A vaccine (HepA) and rotavirus vaccines, coverage increased from 49.7% to 52.2% and from 59.2% to 67.3%, respectively; and for the full series of *Haemophilus influenzae* type b vaccine (Hib), coverage increased from 66.8% to 80.4%, reflecting recovery from the Hib shortage that occurred during December 2007 through September 2009. The percentage of children who had not received any vaccinations remained at <1%. Children living below the poverty level had lower coverage than children living at or above poverty for  $\geq 4$  doses of diphtheria, tetanus toxoid and acellular pertussis vaccine (DTaP) and  $\geq 4$  doses of pneumococcal conjugate vaccine (PCV) (by 6 percentage points each); the full Hib series (by 8 percentage points); and for rotavirus vaccination (by 10 percentage points). Continued partnerships among national, state, local, private, and public entities are needed to sustain current coverage levels and ensure that coverage for the more recently recommended vaccines continues to increase for all children.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Department of Health, Wayne Fleming, Public Health Program Administrator, Division of Immunizations, Room 1026, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-5681 or for speech and/or hearing impaired persons at V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-194. Filed for public inspection February 1, 2013, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Uniform Construction Code Review and Advisory Council Meeting

The Uniform Construction Code Review and Advisory Council will hold a meeting on Thursday, February 28, 2013, at 10 a.m. at the Department of Labor and Industry, 651 Boas Street, Room E-100, Harrisburg, PA 17121.

Additional information concerning the meeting may be found on the Department of Labor and Industry web site at [www.dli.state.pa.us](http://www.dli.state.pa.us). Scroll down and click on the link for "Uniform Construction Code" and "UCC Review and Advisory Council."

Questions concerning this may be directed to Edward Leister at (717) 783-6304.

JULIA K. HEARTHWAY,  
*Secretary*

[Pa.B. Doc. No. 13-195. Filed for public inspection February 1, 2013, 9:00 a.m.]

# DEPARTMENT OF REVENUE

## Annual Inflation Adjustment; Pennsylvania Gaming Cash Flow Management

In accordance with 61 Pa. Code § 1001.8 (relating to State Gaming Fund transfers), the Secretary of Revenue announces that, for the year beginning January 1, 2013, the Annual Inflation Adjustment as proscribed in 4 Pa.C.S. § 1403(d) (relating to establishment of State Gaming Fund and net slot machine revenue distribution) is 1.8%.

Section 1403(c) of 4 Pa.C.S. requires the Department to utilize the most recent Consumer Price Index effective immediately prior to the date the adjustment is due to take effect. This adjustment was published by the United States Department of Labor, Bureau of Labor Statistics on January 17, 2013. Therefore, the Department is publishing notice of the Annual Inflation Adjustment.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 13-196. Filed for public inspection February 1, 2013, 9:00 a.m.]

## Pennsylvania Fat Wallet Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Fat Wallet.

2. *Price:* The price of a Pennsylvania Fat Wallet instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Fat Wallet instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Wallet (WALLET) symbol and a Money (MONEY) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$250, \$500, \$1,000, \$10,000 and \$100,000. A player can win up to 12 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for the Pennsylvania Fat Wallet instant lottery game.

### 7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10,000 (TEN THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money (MONEY) symbol, and a prize symbol of \$10,000 (TEN THO) appears in the “prize” area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money (MONEY) symbol, and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Wallet (WALLET) symbol and a prize symbol of \$250 (TWOHUNFTY) appears in two of the “prize” areas and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money (MONEY) symbol, and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Wallet (WALLET) symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in two of the “prize” areas and a prize symbol of \$40<sup>00</sup> (FORTY)

appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$250 (TWOHUNFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$250.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money (MONEY) symbol, and a prize symbol of \$250 (TWOHUNFTY) appears in the “prize” area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$250.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Wallet (WALLET) symbol and a prize symbol of \$25<sup>.00</sup> (TWY FIV) appears in two of the “prize” areas and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$250.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money (MONEY) symbol, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Wallet (WALLET) symbol and a prize symbol of \$25<sup>.00</sup> (TWY FIV) appears in two of the “prize” areas and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money (MONEY) symbol, and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in the “prize” area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$50.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40<sup>.00</sup> (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money (MONEY) symbol, and a prize symbol of \$40<sup>.00</sup> (FORTY) appears in the “prize” area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$40.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25<sup>.00</sup> (TWY FIV) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money (MONEY) symbol, and a prize symbol of \$25<sup>.00</sup> (TWY FIV) appears in the “prize” area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$25.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money (MONEY) symbol, and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in the “prize” area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$20.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money (MONEY) symbol, and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in the “prize” area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$10.

(z) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(aa) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money (MONEY) symbol, and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the “prize” area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$5.

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

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>		<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
\$5	\$5	8.57	1,260,000
\$10 w/ MONEY	\$10	20	540,000
\$10	\$10	60	180,000
\$5 × 4	\$20	200	54,000
\$20 w/ MONEY	\$20	150	72,000
\$20	\$20	200	54,000



When Any Of Your Numbers Match  
Any Winning Number, Win Prize  
Shown Under The Matching Number.  
Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 10,800,000 Tickets:
(\$10 × 2) + \$5	\$25	300	36,000
(\$5 w/ MONEY) × 5	\$25	300	36,000
\$25 w/ MONEY	\$25	300	36,000
\$25	\$25	300	36,000
\$5 × 8	\$40	600	18,000
(\$10 w/ MONEY) × 4	\$40	600	18,000
\$40 w/ MONEY	\$40	300	36,000
\$40	\$40	600	18,000
\$10 × 5	\$50	600	18,000
(\$25 w/ MONEY) × 2	\$50	600	18,000
\$50 w/ MONEY	\$50	600	18,000
\$50	\$50	600	18,000
WALLET w/ ((\$25 × 2) + (\$5 × 10))	\$100	521.74	20,700
\$25 × 4	\$100	1,412	7,650
\$50 × 2	\$100	1,412	7,650
(\$10 w/ MONEY) × 10	\$100	1,412	7,650
\$100 w/ MONEY	\$100	1,043	10,350
\$100	\$100	1,412	7,650
WALLET w/ ((\$25 × 2) + (\$20 × 10))	\$250	5,000	2,160
\$50 × 5	\$250	15,000	720
\$250 w/ MONEY	\$250	12,000	900
\$250	\$250	15,000	720
WALLET w/ ((\$50 × 2) + (\$40 × 10))	\$500	24,000	450
\$50 × 10	\$500	60,000	180
\$250 × 2	\$500	60,000	180
(\$100 w/ MONEY) × 5	\$500	60,000	180
\$500 w/ MONEY	\$500	40,000	270
\$500	\$500	60,000	180
WALLET w/ ((\$250 × 2) + (\$50 × 10))	\$1,000	40,000	270
\$500 × 2	\$1,000	60,000	180
\$1,000 w/ MONEY	\$1,000	60,000	180
\$1,000	\$1,000	120,000	90
\$10,000 w/ MONEY	\$10,000	1,080,000	10
\$10,000	\$10,000	1,080,000	10
\$100,000	\$100,000	1,080,000	10

Reveal a "MONEY" (MONEY) symbol, win prize shown under it automatically.  
Reveal a "WALLET" (WALLET) symbol, win all 12 prizes shown!

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Fat Wallet instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Fat Wallet, prize money from winning Pennsylvania Fat Wallet instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Fat Wallet instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Fat Wallet or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 13-197. Filed for public inspection February 1, 2013, 9:00 a.m.]

**Pennsylvania 5 Times Lucky Instant Lottery Game**

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

1. *Name:* The name of the game is Pennsylvania 5 Times Lucky.
2. *Price:* The price of a Pennsylvania 5 Times Lucky instant lottery game ticket is \$2.



3. *Play Symbols:* Each Pennsylvania 5 Times Lucky instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), LUCKY (LUCKY) symbol and a 5X (5TIMES) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "Prize" areas are: \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO) and \$25,000 (TWYFIVTHO).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$20, \$25, \$50, \$100, \$250, \$500, \$1,000 and \$25,000. The player can win up to 10 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 13,800,000 tickets will be printed for the Pennsylvania 5 Times Lucky instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$25,000 (TWYFIVTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 5X (5TIMES) symbol and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$250 (TWOHUNFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 5X (5TIMES) symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$250.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the

"WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Lucky (LUCKY) symbol and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that Lucky (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 5X (5TIMES) symbol and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Lucky (LUCKY) symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area under that Lucky (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 5X (5TIMES) symbol and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$50.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 5X (5TIMES) symbol and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$25.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Lucky (LUCKY) symbol and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "Prize" area under that Lucky (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$20.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 5X (5TIMES) symbol and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$20.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 5X (5TIMES)

symbol and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$10.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Lucky (LUCKY) symbol and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the "Prize" area under that Lucky (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$5.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol

of \$4.<sup>00</sup> (FOR DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Lucky (LUCKY) symbol and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in the "Prize" area under that Lucky (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$2.

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

*When Any Of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number. Win With:*

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 13,800,000 Tickets</i>
\$2	8.82	1,564,000
\$2 x 2	30	460,000
\$4	37.5	368,000
\$5	37.5	368,000
\$5 x 2	750	18,400
\$2 w/ 5X	250	55,200
(\$2 w/ LUCKY) x 5	250	55,200
\$10	750	18,400
\$2 x 10	1,500	9,200
\$5 x 4	1,500	9,200
\$4 w/ 5X	214.29	64,400
\$20	1,500	9,200
(\$5 x 3) + \$10	2,400	5,750
\$20 + \$5	2,400	5,750
\$5 w/ 5X	685.71	20,125
(\$5 w/ LUCKY) x 5	685.71	20,125
\$25	2,400	5,750
\$5 x 10	4,000	3,450
(\$5 x 5) + \$25	4,000	3,450
\$10 w/ 5X	1,091	12,650
\$50	4,000	3,450
\$10 x 10	6,000	2,300
\$20 w/ 5X	2,667	5,175
(\$20 w/ LUCKY) x 5	2,667	5,175
\$100	5,000	2,760
\$25 x 10	30,000	460
\$50 w/ 5X	10,909	1,265
(\$50 w/ LUCKY) x 5	10,909	1,265
\$250	30,000	460
\$50 x 10	120,000	115
\$100 w/ 5X	40,000	345
(\$100 w/ LUCKY) x 5	40,000	345
\$500	120,000	115
\$1,000	30,000	460
\$25,000	690,000	20

Reveal a "LUCKY" (LUCKY) symbol, win prize shown under it automatically.  
 Reveal a "5X" (5TIMES) symbol, win 5 times the prize shown under it.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell

Pennsylvania 5 Times Lucky instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from

the announced close of Pennsylvania 5 Times Lucky, prize money from winning Pennsylvania 5 Times Lucky instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania 5 Times Lucky instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law*: In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game*: The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania 5 Times Lucky or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 13-198. Filed for public inspection February 1, 2013, 9:00 a.m.]

### Pennsylvania Hot Million Instant Lottery Game

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

1. *Name*: The name of the game is Pennsylvania Hot Million.

2. *Price*: The price of a Pennsylvania Hot Million instant lottery game ticket is \$20.

3. *Play Symbols*: Each Pennsylvania Hot Million instant lottery game ticket will contain one play area and a separate “BONUS” area containing two prize symbols. The “BONUS” area is played separately. The play symbols and their captions, printed in black ink and located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THY TWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Stack of Cash (CASH) symbol and a MILLION (MILLION) symbol. The play symbols and their captions, printed in red ink and located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THY TWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37

(THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY) and a HOT (RDHOT) symbol.

4. *Prize Symbols*: The prize symbols and their captions located in the play area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$100,000 (ONEHUNTHO) and \$1MILL (ONE MIL). The prize play symbols and their captions located in the “BONUS” area are: \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN) and \$200 (TWO HUN).

5. *Prizes*: The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$30, \$40, \$50, \$100, \$200, \$250, \$500, \$1,000, \$10,000, \$100,000 and \$1,000,000. The prizes that can be won in the “BONUS” are: \$20, \$30, \$40, \$50, \$100 and \$200. A player can win up to 18 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game*: Approximately 6,600,000 tickets will be printed for the Pennsylvania Hot Million instant lottery game.

#### 7. Determination of Prize Winners:

(a) Holders of tickets with a Stack of Cash (CASH) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$1MILL (ONE MIL) in the “PRIZE” area to the right of that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$1,000,000. This prize shall be paid as a lump-sum cash payment.

(b) Holders of tickets with a MILLION (MILLION) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$1MILL (ONE MIL) in the “PRIZE” area to the right of that MILLION (MILLION) symbol, on a single ticket, shall be entitled to a prize of \$1,000,000. This prize shall be paid as a lump-sum cash payment.

(c) Holders of tickets with a Stack of Cash (CASH) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$100,000 (ONEHUNTHO) in the “PRIZE” area to the right of that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(d) Holders of tickets with a Stack of Cash (CASH) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$10,000 (TEN THO) in the “PRIZE” area to the right of that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets with a HOT (RDHOT) symbol in the play area, with the symbol and caption printed in red ink, and a prize symbol of \$1,000 (ONE THO) in two of the “PRIZE” areas and a prize symbol of \$500 (FIV HUN) in 16 of the “PRIZE” areas, on a single ticket, shall be entitled to a prize of \$10,000.

(f) Holders of tickets with a Stack of Cash (CASH) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$1,000 (ONE THO) in the “PRIZE” area to the right of that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets with a HOT (RDHOT) symbol in the play area, with the symbol and caption printed in red ink, and a prize symbol of \$100 (ONE HUN) in two of the “PRIZE” areas and a prize symbol of \$50<sup>00</sup> (FIFTY) in 16 of the “PRIZE” areas, on a single ticket, shall be entitled to a prize of \$1,000.



(h) Holders of tickets with a Stack of Cash (CASH) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$500 (FIV HUN) in the "PRIZE" area to the right of that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets with a HOT (RDHOT) symbol in the play area, with the symbol and caption printed in red ink, and a prize symbol of \$50<sup>00</sup> (FIFTY) in two of the "PRIZE" areas and a prize symbol of \$25<sup>00</sup> (TWY FIV) in 16 of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets with a Stack of Cash (CASH) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$250 (TWOHUNFTY) in the "PRIZE" area to the right of that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$250.

(k) Holders of tickets with a Stack of Cash (CASH) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$200 (TWO HUN) in the "PRIZE" area to the right of that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$200.

(l) Holders of tickets with a HOT (RDHOT) symbol in the play area, with the symbol and caption printed in red ink, and a prize symbol of \$20<sup>00</sup> (TWENTY) in two of the "PRIZE" areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) in 16 of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$200.

(m) Holders of tickets with two \$200 (TWO HUN) prize play symbols in the "BONUS" area, on a single ticket, shall be entitled to a prize of \$200.

(n) Holders of tickets with a Stack of Cash (CASH) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$100 (ONE HUN) in the "PRIZE" area to the right of that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets with two \$100 (ONE HUN) prize play symbols in the "BONUS" area, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets with a Stack of Cash (CASH) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$50<sup>00</sup> (FIFTY) in the "PRIZE" area to the right of that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$50.

(q) Holders of tickets with two \$50<sup>00</sup> (FIFTY) prize play symbols in the "BONUS" area, on a single ticket, shall be entitled to a prize of \$50.

(r) Holders of tickets with a Stack of Cash (CASH) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$40<sup>00</sup> (FORTY) in the "PRIZE" area to the right of that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$40.

(s) Holders of tickets with two \$40<sup>00</sup> (FORTY) prize play symbols in the "BONUS" area, on a single ticket, shall be entitled to a prize of \$40.

(t) Holders of tickets with a Stack of Cash (CASH) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$30<sup>00</sup> (THIRTY) in the "PRIZE" area to the right of that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$30.

(u) Holders of tickets with two \$30<sup>00</sup> (THIRTY) prize play symbols in the "BONUS" area, on a single ticket, shall be entitled to a prize of \$30.

(v) Holders of tickets with a Stack of Cash (CASH) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$25<sup>00</sup> (TWY FIV) in the "PRIZE" area to the right of that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$25.

(w) Holders of tickets with a Stack of Cash (CASH) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$20<sup>00</sup> (TWENTY) in the "PRIZE" area to the right of that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$20.

(x) Holders of tickets with two \$20<sup>00</sup> (TWENTY) prize play symbols in the "BONUS" area, on a single ticket, shall be entitled to a prize of \$20.

(y) Holders of tickets with a Stack of Cash (CASH) symbol in the play area, with the symbol and caption printed in black ink, and a prize symbol of \$10<sup>00</sup> (TEN DOL) in the "PRIZE" area to the right of that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$10.

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

<i>Reveal a "STACK OF CASH" (CASH) Symbol, Win Prize Shown To The Right Of It. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,600,000 Tickets:</i>
\$10 × 2	\$20	30	220,000
2-\$20s w/ BONUS GAME	\$20	10	660,000
\$20	\$20	30	220,000
\$20 + \$5	\$25	50	132,000
\$25	\$25	50	132,000
\$20 + \$10	\$30	100	66,000
2-\$30s w/ BONUS GAME	\$30	75	88,000
\$30	\$30	100	66,000
\$10 × 4	\$40	300	22,000
\$20 × 2	\$40	300	22,000
2-\$40s w/ BONUS GAME	\$40	150	44,000
\$40	\$40	300	22,000



Reveal a "STACK OF CASH" (CASH) Symbol, Win Prize Shown To The Right Of It. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 6,600,000 Tickets:
\$10 × 5	\$50	300	22,000
\$25 × 2	\$50	300	22,000
2-\$50s w/ BONUS GAME	\$50	150	44,000
\$50	\$50	300	22,000
\$20 × 5	\$100	300	22,000
\$25 × 4	\$100	300	22,000
\$50 × 2	\$100	300	22,000
\$100	\$100	300	22,000
HOT w/ ((\$20 × 2) + (\$10 × 16))	\$200	143.71	45,925
\$20 × 10	\$200	600	11,000
\$50 × 4	\$200	600	11,000
\$100 × 2	\$200	600	11,000
(2-\$50s w/ BONUS GAME) + (\$50 × 3)	\$200	600	11,000
\$200	\$200	600	11,000
HOT w/ ((\$50 × 2) + (\$25 × 16))	\$500	1,500	4,400
\$50 × 10	\$500	3,429	1,925
\$100 × 5	\$500	3,429	1,925
(\$50 × 5) + (\$25 × 10)	\$500	3,429	1,925
(\$100 × 2) + \$250 + \$50	\$500	3,429	1,925
(2-\$100s w/ BONUS GAME) + (\$100 × 4)	\$500	3,000	2,200
(2-\$100s w/ BONUS GAME) + (\$50 × 8)	\$500	1,600	4,125
(2-\$200s w/ BONUS GAME) + (\$50 × 6)	\$500	3,000	2,200
\$500	\$500	3,429	1,925
HOT w/ ((\$100 × 2) + (\$50 × 16))	\$1,000	6,000	1,100
\$250 × 4	\$1,000	15,000	440
\$500 × 2	\$1,000	12,000	550
(\$100 × 5) + (\$50 × 10)	\$1,000	15,000	440
(\$100 × 2) + \$500 + \$250 + \$50	\$1,000	15,000	440
(2-\$100s w/ BONUS GAME) + (\$100 × 9)	\$1,000	6,000	1,100
(2-\$200s w/ BONUS GAME) + (\$50 × 16)	\$1,000	6,000	1,100
\$1,000	\$1,000	12,000	550
HOT w/ ((\$1,000 × 2) + (\$500 × 16))	\$10,000	188,571	35
\$10,000	\$10,000	188,571	35
\$100,000	\$100,000	660,000	10
\$1,000,000 w/ MILLION	\$1,000,000	2,200,000	3
\$1,000,000	\$1,000,000	3,300,000	2

Reveal a "HOT" (RDHOT) symbol, win all 18 prizes shown.

Reveal a "MILLION" (MILLION) symbol, win \$1 million instantly!

BONUS GAME: Get two like amounts, win that amount! Bonus played separately.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Hot Million instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Hot Million, prize money from winning Pennsylvania Hot Million instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Hot Million instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Hot Million or through normal communications methods.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 13-199. Filed for public inspection February 1, 2013, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Bureau of Maintenance and Operations; Access Route Approval

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation approved on

December 14, 2012, the following access routes for use by the types of truck combinations as indicated:

1. (X) 96" wide twin trailers (28 1/2' maximum length of each trailer).
2. (X) 102" wide 53' long trailer.
3. (X) 102" wide 48' long trailer.
4. (X) 102" wide twin trailers (28 1/2' feet maximum length-each).
5. (X) 102" wide maxi-cube.

<i>Route Identification</i>	<i>Route Description</i>	<i>Length Miles</i>
SR 507	from SR 191 to SR 3001	.98

Questions should be directed to Matthew Hedge at (717) 772-5462.

BARRY J. SCHOCH, P.E.,  
*Secretary*

[Pa.B. Doc. No. 13-200. Filed for public inspection February 1, 2013, 9:00 a.m.]

# ENVIRONMENTAL QUALITY BOARD

## Meeting Cancellation

The February 19, 2013, meeting of the Environmental Quality Board (Board) is cancelled. The next regularly scheduled meeting of the Board will occur on Tuesday, March 19, 2013, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. An agenda and meeting materials for the March 19, 2013, meeting will be available on the Department of Environmental Protection's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (Select "Public Participation"; "Public Participation Center").

Questions concerning the Board's next scheduled meeting may be directed to Michele Tate at (717) 783-8727 or [mtate@pa.gov](mailto:mtate@pa.gov).

MICHAEL L. KRANCER,  
*Chairperson*

[Pa.B. Doc. No. 13-201. Filed for public inspection February 1, 2013, 9:00 a.m.]

# GOVERNOR'S OFFICE

## Regulatory Agenda

Executive Order 1996-1 requires all agencies under the jurisdiction of the Governor to submit for publication an agenda of regulations under development or consideration. Subsequent agendas will be published on the first Saturdays in February and July.

The agendas are compiled to provide members of the regulated community advanced notice of regulatory activity. It is the intention of the Administration that these agendas will serve to increase public participation in the regulatory process.

Agency contacts should be contacted for more information regarding the regulation and the procedure for submitting comments.

This Agenda represents the Administration's present intentions regarding future regulations. The nature and complexity of an individual regulation obviously will determine whether and when any particular regulation listed below (as well as any considered subsequent to publication of this Agenda) is published.

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>ADMINISTRATION</b>			
No regulations being developed or considered at this time.			
<b>AGING</b>			
No regulations being developed or considered at this time.			
<b>AGRICULTURE</b>			
Domestic Animal 7 Pa. Code Chapters 2, 3, 16, 18 and 20a	December 2013, as proposed.	The long-term project is intended to update the Department's Regulatory authority to make it more consistent with the provisions of the Domestic Animal Law (3 Pa.C.S. §§ 2301—2389).	Craig E. Shultz, DVM, Director (717) 772-2852
Biofuels 70 Pa. Code Chapter 11	June 2013, as proposed.	This will establish regulations required under the Biofuel Development and In-State Production Incentive Act.	Walt Remmert (717) 787-6772
Weights and Measures Regulations 70 Pa. Code Chapters 1 through 101	March 2013, as proposed.	This long-term project is intended to update the Department's regulations authorized by the Consolidated Weights and Measures Act.	John Dillabaugh (717) 787-6772

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Commercial Feed Rules and Regulations 7 Pa. Code Chapter 71	October 2013, as proposed.	This regulation will replace 7 Pa. Code Chapter 71 and implement provisions of 3 Pa.C.S. §§ 5101—5115 (Commercial Feed Act).	Erin Bubb (717) 772-5215
Pet Food Rules and Regulations 7 Pa. Code Chapter 72	October 2013, as proposed.	This regulation will replace 7 Pa. Code Chapter 72 and implement provisions of 3 Pa.C.S. §§ 5101—5115 (Commercial Feed Act).	Erin Bubb (717) 772-5215
Fertilizer Regulations 7 Pa. Code Chapter 73	September 2013, as proposed.	This regulation will replace 7 Pa. Code Chapter 73 and implement provisions of 3 Pa.C.S. §§ 6701—6725 (Fertilizer Act).	Erin Bubb (717) 772-5215
Soil and Plant Amendment Regulations 7 Pa. Code Chapter 130a	September 2013, as proposed.	This regulation will replace 7 Pa. Code Chapter 130a and implement provisions of 3 Pa.C.S. §§ 6901—6921 (Soil and Plant Amendment Act).	Erin Bubb (717) 772-5215
Clean and Green Regulations 7 Pa. Code Chapter 137b	March 2013, as final.	This regulation will address statutory changes made by Act 235 of 2004, Act 88 of 2010 and Act 109 of 2010 and will otherwise update the current regulations.	Douglas Wolfgang (717) 783-3167
Agriculture Conservation Easement Purchase Program Regulations 7 Pa. Code Chapter 138e	December 2013, as proposed.	This regulation will address statutory changes made by Act 61 of 2005 and Act 46 of 2006, and will otherwise update the current regulations.	Douglas Wolfgang (717) 783-3167
PA Food Code 7 Pa. Code Chapter 46	February 2013, as final.	This regulation will amend 7 Pa. Code Chapter 46 to make this Chapter consistent with the Retail Food Facility Safety Act and the Food Safety Act.	Lydia Johnson (717) 787-4315
Pennsylvania Preferred Program Regulations	February 2013, as proposed.	This regulation will establish standards required under the Pennsylvania Preferred Act (3 Pa.C.S. §§ 4601—4611).	Frank Jurbala (717) 783-8462
<b><i>BANKING &amp; SECURITIES</i></b>			
Annual Assessment Regulation	Late 2013	Required pursuant to 17 Pa.C.S. § 503(a) and 71 P. S. § 733-204.A.	Carter D. Frantz Chief Counsel (717) 787-1471
Regulation governing continuing education under the Debt Management Services Act.	Late 2013	Required pursuant to 63 P. S. § 2409(c).	Carter D. Frantz Chief Counsel (717) 787-1471
Merger-related amendatory regulations under the Pennsylvania Securities Act of 1972	Late 2013	Required pursuant to 70 P. S. § 1-609	Carter D. Frantz Chief Counsel (717) 787-1471
<b><i>BOARD OF PARDONS</i></b>			
No regulations being developed or considered at this date.			

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>COMMUNITY &amp; ECONOMIC DEVELOPMENT</b>			
Title 12 of the Pennsylvania Code, Chapter 149	June, 2013	The Manufactured Housing Improvement Act as amended on May 8, 2012 requires the Department to promulgate regulations to establish an installation and construction (habitability) standard for manufactured homes previously installed and are now being relocated to a site in the Commonwealth (relocated/used manufactured homes). Currently there are no clear standards for the manufactured housing industry or local code officials to follow for proper handling of these relocated manufactured homes. This regulation will enable the department to develop and publish these standards or guides.	Mark Conte (717) 720-7416
<b>COMMISSION ON CRIME AND DELINQUENCY</b>			
37 Pa. Code Chapter 431 Constables' Education and Training Board	March 2012	The purpose of this regulation is to eliminate any waivers of the firearms portion of the basic training course, preclude any constable under the age of 21 from participating in the firearms portion of the basic training course and to require a constable who fails a first and second examination in the basic training course bear the financial responsibility for a second or third basic training. The proposed rulemaking also eliminates the 10mm caliber firearm from the firearms training course. Recent statutory changes have necessitated updates to the regulations.	John Pfau (717) 265-8546
<b>CONSERVATION &amp; NATURAL RESOURCES</b>			
State Forests (Chapter 21)	Publish proposed rulemaking July 2013	A number of provisions in this chapter need to be clarified and updated. The State Forest Picnic Area chapter (23) will be incorporated into this chapter to eliminate duplication and for ease of reference. Legal basis: Sections 302, 313, 502 of the Conservation and Natural Resources Act (71 P. S. §§ 1340.302, 1340.313 and 1340.502)	Matt Beaver (717) 783-0379 Wendy Carson, Esq. (717) 772-4171
State Forest Picnic Areas (Chapter 23)	Publish proposed rulemaking July 2013	The provisions of this chapter will be incorporated into Chapter 21 (State Forests) for purposes of simplification and ease of reference. Legal basis: Sections 302, 313, 502 of the Conservation and Natural Resources Act (71 P. S. §§ 1340.302, 1340.313 and 1340.502)	Matt Beaver (717) 783-0379 Wendy Carson, Esq. (717) 772-4171
Conservation of Pennsylvania Native Wild Plants (Chapter 45)	Publish proposed rulemaking February 2013	Purpose of rulemaking is to change the beginning date of the ginseng harvest season from Aug. 1 to Sept. 1. Legal basis: Section 7 of the Wild Resource Conservation Act (32 P. S. § 5307); and Section 313 of the Conservation and Natural Resources Act (71 P. S. § 1340.313).	Ellen Shultzabarger (717) 214-3818 Wendy Carson, Esq. (717) 772-4171
<b>CORRECTIONS</b>			
Revisions to 37 Pa. Code § 91.3	September 2013, as proposed	The county reception regulations are being revised to be consistent with statutory law mandating that certain documentation be presented by the counties before inmate reception can occur.	Randall N. Sears (717) 728-7763
Revisions to 37 Pa. Code § 93.2	September 2013, as proposed	The inmate correspondence regulations are being revised for clarification and to more accurately comport with current standards.	Randall N. Sears (717) 728-7763
Revisions to 37 Pa. Code §§ 93.301—93.308	September 2013, as Proposed	The Motivational Boot Camp regulations are being revised to reduce costs by eliminating unnecessary mandates.	Jamie Boyd (717) 728-7761
Revisions to 37 Pa. Code Chapter 94	September 2013, as proposed	The prerelease regulations are being repealed to be consistent with Act 122 of 2012.	Joseph Fulginiti (717) 728-7761



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Revisions to 37 Pa. Code Chapter 96(a)	September 2013, as proposed	The temporary transfers of regulations are being revised to require the counties to pay reasonable transportation costs for inmates transferred pursuant to court appearances.	Julie Tilghman (717) 728-7761
<b>EDUCATION</b>			
Standards for Approved Private Schools 22 Pa. Code Chapter 171 Subchapter C	Spring 2013, as final.	These standards define the elements of Approved Private Schools and the Chartered Schools (schools for the deaf and blind). These standards contain general provisions and allowable expenses and costs. The standards are promulgated under the Authority of the Public School Code of 1949, as amended, P.L. 30, No. 14, March 16, 1949, P. S. §§ 1-101, et. seq.	John Tommasini (717) 783-6134
State Board of Private Licensed Schools 22 Pa. Code Chapter 73	Spring 2013, as final.	These regulations define the requirements for obtaining licensure or registration and for operating as a Private Licensed School. The regulations also define the investigatory and hearing process for enforcement of statutory and regulatory requirements. The Board plans to update the regulations which were promulgated in 1988 to reflect inflation and to address certain issues that have arisen during that time. The regulations are promulgated under the authority of the Private Licensed Schools Act (24 P. S. §§ 6501, et. seq.).	Patricia Landis (717) 783-8228
State Board of Education 22 Pa. Code Chapter 4	Spring 2013, as final.	These regulations establish rigorous academic standards and assessments to facilitate the improvement of student achievement and to provide parents and communities a measure by which school performance can be determined. The regulations are promulgated under the authority of the Public School Code of 1949, 24 P. S. §§ 26-2603-B and 2604-B.	Karen Molchanow (717) 787-3787
Regulations of the State Board of Private Academic Schools 22 Pa. Code Chapters 51, 53, 55, 57, 61 and 63	Spring 2014, as proposed.	These regulations define the requirements for obtaining licensure as a Private Academic School. The Board plans to update the regulations, which were promulgated in 1988. The regulations are promulgated under the Authority of the Private Academic Schools Act (24 P. S. §§ 6701 et. seq.).	Robert Staver (717) 783-6583
State Board of Education 22 Pa. Code Chapter 31	January 2013, as final-omitted	This regulation conforms a provision of Chapter 31 pertinent to specialized associate degree programs with language used in regulations and policy documents of the Pennsylvania Higher Education Assistance Agency and the State Board of Private Licensed Schools to clarify that such programs may be measured in clock hours or credit hours. The regulation is promulgated under the authority of the Public School Code of 1949, 24 P. S. §§ 26-2603-B and 26-2604-B.	Karen Molchanow (717) 787-3787
State Board of Education 22 Pa. Code Chapter 18	January 2013, as proposed	These regulations address criteria the Secretary of Education may consider in determining whether to designate a school district in financial recovery status and in determining whether a district is in moderate or severe recovery status. The regulations are promulgated under the authority of the Public School Code of 1949, 24 P. S. § 621-A(A)(2)(I).	Karen Molchanow (717) 787-3787

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Standards for Approved Private Schools 22 Pa. Code Chapter 171 Subchapter A	Summer 2013, as proposed.	These standards define the elements of Approved Private Schools and the Chartered Schools (schools for the deaf and blind). This subchapter contains general provisions, which the Department seeks to update to conform to intervening changes in applicable law. The standards are promulgated under the Authority of the Public School Code of 1949, as amended, P.L. 30, No. 14, March 16, 1949, P. S. §§ 1-101, et. seq.	John Tommasini (717) 783-6134
Regulations of the State Library and Advisory Council on Library Development 22 Pa. Code, Chapters 127, 131, 133, 135 and 141—143	Spring 2013, as proposed.	The Department will be promulgating regulations under the Authority of the Library Code of 2012, Act 210 of 2012, P. N. 2411. The Department plans to update the regulations (promulgated in 1962) in 2013. These regulations will address the use of the State Library, the Advisory Council on Library Development, general provisions and plans for the use of State Aid, certification of library personnel, grants for public library facilities and State document depositories.	Stacey Aldrich (717) 783-2466
<b>EMERGENCY MANAGEMENT AGENCY</b>			
No regulations being developed or considered at this time.			
<b>ENVIRONMENTAL HEARING BOARD</b>			
25 Pa. Code Chapter 1021 Practice and Procedure	The Environmental Hearing Board intends to submit proposed rulemaking in the first quarter of 2013.	The Environmental Hearing Board intends to propose the following revisions to its rules of practice and procedure: 1) correct an omission in the language of 25 Pa. Code § 1021.51 which was amended in 2009, 2) eliminate its rules pertaining to the Costs Act which has expired, 3) adopt rules to implement mandatory electronic filing, and 4) clarify the types of responses that may be filed to a dispositive motion.	Maryanne Wesdock Senior Counsel (412) 565-5245
<b>ENVIRONMENTAL PROTECTION</b>			
Noncoal Program Noncoal Surface Mining Conservation and Reclamation Act 25 Pa. Code Chapter 77	Fall 2013, as proposed	This rulemaking includes revisions to Chapter 77 (Noncoal Mining) that govern the licensing of mine operators and permitting of mines for minerals other than coal. Specific areas for revision include clarification of permit application requirements including hydrologic data requirements.	Bill Allen (717) 783-9580 wallen@pa.gov
Water Supply Replacement Surface Mining Conservation and Reclamation Act 25 Pa. Code Chapters 87 and 88	Summer 2013, as proposed	The rulemaking includes revisions to Chapters 87 and 88, which will clarify what is necessary to meet the coal mine operator's obligation to permanently pay the operation and maintenance costs for replacement water supplies.	Bill Allen (717) 783-9580 wallen@pa.gov
Remining Requirements (Subchapters F and G Revisions) Surface Mining Conservation and Reclamation Act, 25 Pa. Code Chapters 86 and 88	Summer 2013, as proposed	The rulemaking includes amendments to remining requirements in Chapters 86 and 88 (Subchapters F and G) in order to reflect changes enacted in EPA regulations.	Bill Allen (717) 783-9580 wallen@pa.gov

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Federal Office of Surface Mining (OSM) Program Consistency Updates Surface Mining Conservation and Reclamation Act, 25 Pa. Code Chapters 86, 89 and 90	Summer 2013, as proposed	The regulatory package will include amendments to clarify the definition of "mining activities" in Chapter 86 in order to comply with Federal regulatory requirements; revisions to Chapter 89 effluent limits for passive treatment systems to comply with Federal regulations; and updates to Chapter 90 coal refuse site selection regulations to comply with the revised Coal Refuse Disposal Control Act.	Bill Allen (717) 783-9580 wallen@pa.gov
Areas Unsuited for Surface Mining Surface Mining Conservation and Reclamation Act 25 Pa. Code Chapter 86	Summer 2013, as proposed	The rulemaking includes amendments to Chapter 86 to designate coal seams within Big Run watershed, Graham Township, Clearfield County, as unsuitable for surface mining operations. The regulation results from a petition submitted to the EQB by the Graham Township Supervisors, which requested that the Big Run drainage be designated as unsuitable for surface mining operations.	Geoff Lincoln (717) 783-9582 glincoln@pa.gov
Financial Guarantees Acts 95 and 157 of 2012 25 Pa. Code Chapter 86	Summer 2013, as proposed	This rulemaking will implement Act 95 and 157 which provide for an incentive for reclamation of mine sites with bioenergy crops and establish the Land Reclamation Financial Guarantee Program, respectively.	Bill Allen (717) 783-9580 wallen@pa.gov
Handling and Use of Explosives Explosives Act of 1937; The Administrative Code of 1929; Reorganization Plan No. 2 of 1975; Reorganization Plan No. 8 of 1981; Surface Mining Conservation and Reclamation Act; and Noncoal Surface Mining Conservation and Reclamation Act 25 Pa. Code Chapter 211	Fall 2013, as proposed	The rulemaking will revise current explosive regulations to address blasting activities relating to seismic exploration. The rulemaking will also update explosives use requirements, enforcement authority and eliminate antiquated requirements.	Rick Lamkie (814) 472-1885 rlamkie@pa.gov
Oil and Gas Well Program Oil and Gas Act 25 Pa. Code Chapter 78 Subchapter C	Winter 2013, as proposed	The rulemaking includes revisions to Chapter 78 (Oil and Gas Wells) Subchapter C, regulating all surface activities associated with Oil and Gas exploration and development, including; changes to PPC planning, production fluid control, storage, disposal and containment in pits/tanks, liner standards for centralized impoundments, disposal of drill cuttings and residual wastes, secondary containment, site restoration, pipelines, water management plans, reporting releases and road spreading of brine.	Shamus Malone (717) 783-9643 smalone@pa.gov
Oil & Gas Well Program Oil and Gas Act 25 Pa. Code Chapter 78 Subchapter D	Fall 2013, as proposed	The rulemaking includes revisions to Chapter 78 (Oil and Gas Wells) Subchapter D, regulating the drilling, casing, cementing, completion, operation, production, plugging and other subsurface activities associated with Oil and Gas exploration and development, including revisions to well plugging procedures, venting, alternative methods, and to address the plugging of unconventional wellbore laterals and coal bed methane wells.	Kurt Klapkowski (717) 772-2199 kklapkowski@pa.gov

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Oil & Gas Well Program Oil and Gas Act 25 Pa. Code Chapter 78 Subchapter B	Winter 2013, as proposed	The rulemaking includes revisions to Chapter 78 (Oil and Gas Wells), Subchapter B, to increase well permit fees for wells that produce gas from nonconventional formations.	Scott Perry (717) 783-9438 scperry@pa.gov
Underground Coal Mine Safety Surface Regulations Bituminous Coal Mine Safety Act 25 Pa. Code Chapter 208	Spring 2013, as proposed	The rulemaking adopts by reference, with certain modifications, the MSHA regulations (30 CFR Part 77) for surface areas of underground bituminous coal mines.	Joseph Sbaffoni (717) 439-7469 jsbaffoni@pa.gov
Underground Coal Mine Safety High Voltage Continuous Mining Machine Standards for Underground Coal Mines Bituminous Coal Mine Safety Act 25 Pa. Code Chapter 208	Summer 2013, as proposed	This rulemaking adopts by reference, with certain modifications, the MSHA regulations (30 CFR Part 75) for a high voltage continuous mining machine standard for underground bituminous coal mines.	Joseph Sbaffoni (724) 439-7469 jsbaffoni@pa.gov
Underground Coal Mine Safety Maintenance of Incombustible Content of Rock Dust in Underground Coal Mines Bituminous Coal Mine Safety Act 25 Pa. Code Chapter 208	Spring 2013, as proposed	This rulemaking adopts by reference, with certain modifications, the MSHA regulations (30 CFR Part 75) for maintenance of incombustible content of rock dust in underground bituminous coal mines.	Joseph Sbaffoni (724) 439-7469 jsbaffoni@pa.gov
Water Quality Standards Triennial Review Clean Streams Law 25 Pa. Code Chapter 93	Spring 2013, as final	This rulemaking will include revisions to the Commonwealth's water quality criteria and standards in Chapter 93 to reflect the latest scientific information and Federal guidelines for criteria development, as required by the triennial review requirements in the Federal Clean Water Act.	Tom Barron (717) 787-9637 tbarron@pa.gov
Emissions of Particulate Matter Air Pollution Control Act 25 Pa. Code § 139.12	Spring 2013, as final	The final rulemaking amends 25 Pa. Code § 139.12 (relating to emissions of particulate matter) to reflect changes in Federal test method requirements. The Environmental Quality Board amended § 139.12 at 27 Pa.B. 6804 (December 27, 1997) to require source testing only for filterable particulate matter. The United States Environmental Protection Agency has revised the source test method (Method 202) to require the testing of both filterable and condensable particulate matter for purposes of emission inventories and new source review applicability determinations. Other clarifying amendments to Chapter 139 (relating to sampling and testing) addressing timeliness of reporting requirements are also included.	Susan Hoyle (717) 772-2329 shoyle@pa.gov



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Flexible Packaging Printing Presses and Offset Lithographic and Letterpress Printing Presses Air Pollution Control Act 25 Pa. Code Chapters 121 and 129	Spring 2013, as final	The final rulemaking amends 25 Pa. Code Chapter 129 (relating to standards for sources) to add requirements to reduce the emissions of volatile organic compounds (VOCs) from flexible packaging printing presses and offset lithographic printing and letterpress printing presses to meet the Clean Air Act's "reasonably available control measures" requirement for ozone nonattainment areas. The final rulemaking amends §§ 129.51 and 129.67 (relating to general; and graphic arts systems) and adds §§ 129.67a and 129.67b (relating to control of VOC emissions from flexible packaging printing presses; and control of VOC emissions from offset lithographic and letterpress printing presses) to adopt emission limits and work practice standards for flexible packaging printing presses and offset lithographic printing and letterpress printing presses. Amendments to § 121.1 (relating to definitions) are also made to support the amendments to Chapter 129.	Susan Hoyle (717) 772-2329 shoyle@pa.gov
Air Quality Title V Fee Amendments Air Pollution Control Act 25 Pa. Code Chapter 127	Winter 2013, as proposed	The proposed rulemaking would amend 25 Pa. Code Chapter 127, Subchapter I (relating to plan approval and operating permit fees) by amending the existing per ton emission fee paid by the owner or operator of a Title V facility.	Dean Van Orden (717) 783-9264 dvanorden@pa.gov
Amendments for the Control of Major Sources of NOx and VOCs Air Pollution Control Act 25 Pa. Code Chapter 129	Spring 2013, as proposed	The proposed rulemaking would amend the Reasonably Available Control Technology Requirements for major NOx- and VOC-emitting stationary sources; the proposed requirements would not apply to major VOC-emitting facilities subject to Federal Control Technique Guideline recommendations adopted by the Board as final rulemakings.	Susan Hoyle (717) 772-2329 shoyle@pa.gov
Control of VOCs from Gasoline Dispensing Facilities (Stage II) Air Pollution Control Act 25 Pa. Code § 129.82	Spring 2013, as proposed	The proposed rulemaking would amend 25 Pa. Code § 129.82 (relating to control of VOCs from gasoline dispensing facilities (Stage II)) to remove the requirements for installing new and operating existing Stage II vapor recovery systems. The proposed rulemaking would establish procedures for the decommissioning of existing Stage II systems and would require Stage II systems that are not decommissioned to still comply with regulatory maintenance requirements.	Susan Hoyle (717) 772-2329 shoyle@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Control of VOC Emissions from Miscellaneous Metal Products and Plastic Parts Surface Coating Processes, Automobile and Light-duty Truck Assembly Surface Coating Processes, Industrial Cleaning Solvent Operations and Fiberglass Boat Manufacturing Processes, and Amendments to Mobile Equipment Repair and Refinishing and Adhesives, Sealants, Primers and Solvents Air Pollution Control Act 25 Pa. Code Chapters 121—129 and 130	Summer 2013, as proposed	The proposed rulemaking would amend the existing surface coating regulations under 25 Pa. Code Chapter 129 (relating to standards for sources) to further reduce the emissions of volatile organic compounds (VOCs) from miscellaneous metal products and plastic parts surface coating processes, automobile and light-duty truck assembly surface coating processes, industrial cleaning solvent operations and fiberglass boat manufacturing processes to meet the Clean Air Act (CAA) “reasonably available control measures,” including “reasonably available control technology” (RACT), requirements for ozone nonattainment areas. The emission limits and work practice standards would be consistent with the recommendations of the United States Environmental Protection Agency (EPA) included in the corresponding Control Techniques Guideline (CTG) documents. The proposed rulemaking would also amend the existing surface coating regulations in 25 Pa. Code § 129.75 (relating to mobile equipment repair and refinishing) to coordinate emission limits and work practice requirements of the CAA RACT for automobiles and light-duty trucks and the Ozone Transport Commission model rule requirements for motor vehicle and mobile equipment non-assembly line coating operations. Clarifying amendments would be proposed for the adhesives, sealants, primers and solvents regulations in 25 Pa. Code §§ 129.77 and 130.701—130.708 (relating to control of emissions from the use or application of adhesives, sealants, primers and solvents; and adhesives, sealants, primers and solvents). Amendments to 25 Pa. Code § 121.1 (relating to definitions) would also be proposed to support the amendments to Chapter 129.	Susan Hoyle (717) 772-2329 shoyle@pa.gov
Regulated Medical and Chemotherapeutic Waste Amendments Solid Waste Management Act 25 Pa. Code Chapter 284	Spring 2013, as proposed	This rulemaking will amend the existing Chapter 284. This will include some definitions in Chapter 271 that will be added or amended. The term infectious waste will be replaced with the term “regulated medical waste”. This terminology change will be a global change. In addition to definitional changes, this proposal also includes changes to storage, transporter licensing and manifesting requirements for regulated medical waste.	Ali Tarquino Morris (717) 783-2630 altarquino@pa.gov
Radiological Health 25 Pa. Code Chapters 215—240	Spring 2013, as proposed	This rulemaking will amend 25 Pa. Code Chapters 215—240 in order to incorporate by reference Federal regulations pertaining to the security of certain radioactive material; to address new x-ray technology that is not addressed in current regulations; and to include radon revisions that are not addressed in current regulations.	Joe Melnic (717) 783-9730 jmelnic@pa.gov
<b>GENERAL SERVICES</b>			
Responsibility, 4 Pa. Code Chapter 60	Spring 2013, as proposed	This chapter will be amended to be consistent with the Procurement Code and to provide for uniform debarment and suspension procedures.	Ken Rapp (717) 787-5295 Chuck Anderson (717) 214-7739 Michael Barrett (717) 346-9781
Committee on Construction Contract Documents, 4 Pa. Code Chapter 62	Fall 2013, as final omitted	The Procurement Code repealed the legislation creating this committee, which no longer exists.	Liz O'Reilly (717) 787-7095 Ed Olivieri (717) 783-3280

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Selections Committee, 4 Pa. Code Chapter 64	Fall 2013, as final omitted	These regulations should be rescinded since they have been superseded by the Commonwealth Procurement Code.	Liz O'Reilly (717) 787-7095 Ed Olivieri (717) 783-3280
Emergency Construction Repairs 4 Pa. Code Chapter 67	Fall 2013, as final omitted	These regulations should be rescinded since they have been superseded by the Commonwealth Procurement Code.	Liz O'Reilly (717) 787-7095 Ed Olivieri (717) 783-3280
Contract Compliance 4 Pa. Code Chapter 68, Subchapter A, Prequalification of Vendors and Non-construction Contractors	Fall 2013, as final omitted	These regulations should be rescinded since the subject matter of these rules is now covered by the directives management system.	Liz O'Reilly (717) 787-7095 Ed Olivieri (717) 783-3280
Methods of Awarding Contracts, 4 Pa. Code Chapter 69	Summer 2013, as final omitted	These regulations should be rescinded since they have been superseded by the Commonwealth Procurement Code.	Ken Rapp (717) 787-5295 Chuck Anderson (717) 214-7739
<b>HEALTH</b>			
Emergency Medical Services System Regulations 28 Pa. Code, Chapters 1021—1033.	Spring 2013, as final.	These new regulations will facilitate the Department's administration of the Emergency Medical Services System Act (Act) chapter of Act 37 (2009), 35 Pa.C.S. §§ 8101—8157. The Act is designed to update the existing emergency medical services system by ensuring higher quality and better coordinated emergency medical services are provided in a system that is fully integrated with the overall health care system and, in particular, with the public health system.	Michael D.I. Siget (717) 783-2500
Communicable and non-Communicable Diseases 28 Pa. Code Chapter 27	Spring 2013, as proposed.	These existing regulations are being revised to improve the Department's ability to prevent and control the spread of communicable and non-communicable diseases. The Department's authority to promulgate these regulations is found in the Disease Prevention Control law of 1955, 35 P. S. §§ 521.1 et seq. (the Act). Section 16(a) of the (Act 35 P. S. § 521.16 (a)) gives the Board authority to issue rules and regulations on a variety of matters related to communicable and non-communicable diseases. Section 16(b) of the Act (35 P. S. § 521.16 (b)) gives the Secretary of Health the authority to review existing regulations and make recommendations to the Board for changes that the Secretary considers to be desirable. There is also a legislative authority for specific provisions of the regulations. Administrative Code of 1929 (71 P. S. §§ 51 et seq.) (Code) Section 20102 (g) of the Code (71 P. S. § 532 (g)) provides general authority for the Department to promulgate regulations.	Jalene Kolb (717) 783-8228
Photo Identification Tag Regulations 28 Pa. Code Chapter 54	Spring 2013, as proposed.	The Health Care Facilities Act (35 P. S. §§ 448.101 et seq.) was amended by the passage of Act 2010-110 on November 23, 2010. This new section of the Act (35 P. S. § 448.809.2) requires health care workers employed in health care facilities and physician practices to wear photo identification tags that also contain other information including name, title and name of the health care facility.	James T. Steele (717) 783-2500

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
School Health Services 28 Pa. Code Chapter 23	Spring 2014, as proposed.	The School Health regulations were promulgated pursuant to the Department's authority to oversee school health services required by Article XIV of the Public School Code, 24 P. S. §§ 14.1401 et seq. State and Federal laws enacted since 2005 have changed the requirements for school health services. Those legislative changes require changes to the school health regulations. Anticipated changes include new provisions to address: possession and use of asthma inhalers and epinephrine auto-injectors (24 P. S. § 14-1414.1); currently accepted precautions against the spread of tuberculosis (24 P. S. § 14-1416); medical examinations of teachers and other persons including volunteers (24 P. S. § 14-1418(b)); requirements for local wellness policies (24 P. S. § 14-1422.1); requirements for independent dental hygiene practitioners working in the school setting; and revisions to the duties of the Certified School Nurse to track requirements in Federal laws protecting the rights of students with disabilities and to incorporate applicable professional nursing practice standards.	Karin Simpson (717) 783-2500
<b>HOUSING FINANCE AGENCY</b>			
No regulations being developed or considered at this date.			
<b>INFRASTRUCTURE INVESTMENT AUTHORITY</b>			
No regulations being developed or considered at this date.			
<b>INSURANCE</b>			
31 Pa. Code §§ 25.1—25.23, Rules and Procedural Requirements for Insurance Holding Company Systems	Spring 2013, as proposed.	This Chapter will be updated in accordance with NAIC model regulation standards amendments to the Holding Companies Act enacted in July of 2012.	Peter J. Salvatore, Regulatory Coordinator (717) 787-4429
31 Pa. Code §§ 161.1—1619, Requirements for Qualified and Certified Reinsurers and 163 Requirements for Funds Held as Security for the Payment of Obligations of Unlicensed, Unqualified Reinsurers	Spring 2013, as final	These Chapters will be updated to include procedures for certifying reinsurers as per NAIC model standards and amendments to the Reinsurance Credits Act enacted in July of 2012.	Peter J. Salvatore, Regulatory Coordinator (717) 787-4429
31 Pa. Code §§ 124.1—124.10, Surplus Lines Insurance	Spring 2013, as proposed.	This Chapter will be updated in accordance with amendments made to the "Surplus Lines Law" (40 P. S. §§ 991.1601—991.1626) in 2002, 2010, and 2011.	Peter J. Salvatore, Regulatory Coordinator (717) 787-4429
31 Pa. Code §§ 84.1—84.6, Tables Approved for use in Determining Minimum Nonforfeiture Standards and Minimum Standards for Valuation	Spring 2013, as proposed	This Chapter will be updated in accordance with amendments made by the NAIC to the corresponding model regulation to add an updated individual annuity mortality table.	Peter J. Salvatore, Regulatory Coordinator (717) 787-4429



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>LABOR AND INDUSTRY</b>			
Uniform Construction Code, Title 34, Part XIV, Bureau of Occupational and Industrial Safety	Submit proposed rulemaking in Winter 2013	Update and clarify administrative provisions of the Uniform Construction Code and adopt updated standards for elevator construction	Edward Leister (717) 783-6304
Flammable and Combustible Liquids, Title 37, Part I, Bureau of Occupational and Industrial Safety	Submit proposed rulemaking in Spring 2013	Update regulations based on Act 144 of 2012 and adopt requirements for storage and dispensing of compressed natural gas as vehicular fuel	Edward Leister (717) 783-6304
Bureau of Occupational and Industrial Safety (PENNSAFE Division) Title 34, Chapters 301—323, Worker and Community Right to Know	Submit proposed rulemaking by Summer 2013	Amend the PA Hazardous Substance List	Carol Freeman (717) 214-0852
Unemployment Compensation Title 34, Chapter 101, Board of Review	Submit final omitted in Winter 2013	Delete language re distance requirement in telephone regulation to conform with Act 6 of 2011	Gerard Mackarevich (717) 783-1232
Bureau of Labor Law Compliance, Title 34, Part XII, Chapter 225, Prohibition of Excessive Overtime in Health Care Act	Submit final-form rulemaking in Spring 2013	Regulations to establish a complaint and hearing process	Karen Galli (717) 787-4186
Bureau of Labor Law Compliance, Title 34, Chapters 83 and 84, Apprentices	Submit proposed rulemaking in Fall 2013	Amend regulations to reflect Federal requirements.	Rich Lengler (717) 787-4186
Office of Deaf and Hard of Hearing, Title 34, Chapter 501 Registration of Sign Language Interpreters and Translitterators	Submit proposed rulemaking in Fall 2013	Amend regulations to be consistent with amendments in Sign Language Interpreter and Translitterator State Registration Act, 63 P. S. §§ 1725.1—1725.11, that were enacted in November 2010.	Sharon Behun (717) 783-4912
Bureau of Labor Law Compliance, Title 34, Chapter 231, Minimum Wage	Submit proposed rulemaking by Summer of 2013	Update regulations to be consistent with Federal regulations changes	Richard Lengler (717) 787-4186
Workers' Compensation Appeal Board (Board), Title 34, Chapter 111, Special Rules of Administrative and Procedure Before the Board	Submit proposed rulemaking by Winter 2013	Revise regulations to reflect evolving procedures and technological changes	Commissioner Alfonso Frioni, Jr. (412) 531-2680
Office of Adjudication, Title 34, Chapter 131, Special Rules of Administrative Practice and Procedure Before the Workers' Compensation Judges	Submit proposed rulemaking by Winter 2013	Revise regulations to reflect evolving procedures and technological changes	Deputy Secretary Elizabeth Crum (717) 787-5082

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Bureau of Workers' Compensation, Title 34, Chapter 121, General Provisions	Submit Statement of Policy by Fall 2013	Update regulations to address changes resulting from new computer system	BWC Director Stephen Fireoved (717) 783-5421
Bureau of Labor Law Compliance, Title 34, Chapter 11, Employment of Minors	Submit proposed rulemaking by Summer of 2013	Revise/update current regulations in light of the new Child Labor Act	Richard Lengler (717) 787-4186
<b>MILITARY AND VETERANS AFFAIRS</b>			
43 Pa. Code Chapter 11 Fort Indiantown Gap	February 2013, as final omitted	Section 708 of the Military and Veterans Code (51 Pa.C.S. § 708) authorizes the Adjutant General to promulgate rules, regulations, and polices for the continuing operation of Fort Indiantown Gap and to designate regulations as being for the protection of persons or property at Fort Indiantown Gap. The new 43 Pa. Code Chapter 11 provides comprehensive regulations for the operation, management and control of this military installation. Fort Indiantown Gap is owned by the Commonwealth, but the bulk of it is leased by the United States Government. The Fort Indiantown Gap Police Force is a state entity with offices commissioned under state law and powers and duties defined by 51 Pa.C.S. § 711.	Dennis Guise (717) 861-8503
43 Pa. Code Chapter 7 State Veterans Homes	March 2012, as final omitted	The Department wishes to promulgate a comprehensive update to its regulations on State Veterans' Homes. The statutory authority for these regulations is section 902(10) of the Military and Veterans Code (51 Pa.C.S. § 903(10)). These regulations are out-of-date. They were last updates in 1986. The purpose of the changes to these regulations is to bring them in line with best practices in the long-term care arena.	Dennis Guise (717) 861-8503
<b>MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION</b>			
No regulations being developed or considered at this time.			
<b>PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM</b>			
No regulations being developed or considered at this time.			
<b>PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY</b>			
22 Pa. Code Chapter 121 Student Financial Aid	June 2013 as Proposed	These regulations have not been updated in some time. The revisions seek to increase the transparency in regard to the processes used for financial assistance determinations.	Christine Zuzack (717) 720-2368
<b>PROBATION AND PAROLE</b>			
Revision to 37 Pa. Code §§ 63, 65, 67, 69, 71, 73, 75 and 77 "Board of Probation and Parole"	Updates to incorporate recent changes to Title 61 and emphasis on evidence based practices.	Continues to be worked on in FY 2012.	Barbara Christie Chief Counsel (717) 787-8126
Addition of a section to 37 Pa. Code Part II. "Board of Probation and Parole"	Addition to address urinalysis collection as mandated by 61 Pa.C.S. § 6137(e).	Continues to be worked on in FY 2012.	Colleen Fickel, Director, Central Services, PBPP (717) 787-5699 x 292

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
37 Pa. Code, Chapter 79 The County Probation and Parole Officers Firearms Education and Training Law 61 P. S. § 332.5 (13) requires the Commission to “make rules and regulations and to perform other duties as may be reasonably necessary or appropriate to implement the training program for county probation and parole officers.”	Add new sections relating to “Break in Service,” and “Weapons Change.”	Expected to be submitted to IRRC in 2013.	Todd Burns Executive Director, FETC (717) 787-5699 x 389
<b><i>PUBLIC SCHOOL EMPLOYEES’ RETIREMENT SYSTEM</i></b>			
No regulations being developed or considered at this time.			
<b><i>PUBLIC WELFARE</i></b>			
Psychiatric Rehabilitation Services 55 Pa. Code Chapter 5230	March 2013, as final-form	This regulation promulgates the minimum standards for the delivery of Psychiatric Rehabilitation Services (PRS) for adults. PRS are therapeutic rehabilitation services for individuals with serious mental illness that increase competence in normal life activities and allow individuals to pursue life goals with the greatest possible level of independence.	Angie Logan (717) 772-4141
Payment for Nursing Facility Services Provided by Special Rehabilitation Nursing Facilities; Change in Methods and Standards of Setting Payment Rates. 55 Pa. Code Chapter 1187	May 2013, as proposed	This change in rate methodology will allow the Commonwealth to provide for a distinct method of calculating peer group medians and prices between the initial four Special Rehabilitation Facilities (SRFs) and the facilities classified as SRFs after 2000.	Angie Logan (717) 772-4141
Supplemental Ventilator Care Payment for Medical Assistance Nursing Facilities. 55 Pa. Code Chapter 1187 and 1189	April 2013, as proposed	This change in rate methodology will allow the Commonwealth to offer a new category of supplemental payment to Medical Assistance (MA) nursing facilities that care for a significant number of MA ventilator care residents beginning July 1, 2012.	Angie Logan (717) 772-4141
Rate Setting for County Nursing Facilities that Privatize. 55 Pa. Code Chapter 1187	June 2013, as proposed	This change will establish a new methodology for setting rates for county nursing facilities that have a change of ownership to a private nursing facility provider. County nursing facilities that privatize will have per diem rates determined using the peer group price for resident care, other resident related and administrative costs from the appropriate peer group in accordance with 55 Pa. Code § 1187.94 (relating to peer grouping for price setting) until there is a nursing facility cost report submitted by the new provider audited for use in the rebasing process.	Angie Logan (717) 772-4141

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Appeal and Fair Hearing and Administrative Disqualification Hearings 55 Pa. Code Chapter 275	December 2013, as proposed	This regulation will update definitions, streamline administrative practices, and incorporate hearing procedures that will support efficiency in the hearing and appeals process.	Angie Logan (717) 772-4141
Medical Assistance Provider Appeal Procedures 55 Pa. Code Chapter 41	December 2013, as proposed	This regulation will clarify procedural and substantive matters related to provider appeals including the filing and post hearing practices for provider appeals.	Angie Logan (717) 772-4141
Administration of County Children and Youth Programs 55 Pa. Code Chapter 3130	June 2013, as proposed	This regulation incorporates the amendments to state law and the Federal regulations for Title IV-B and Title IV-E funding for child welfare services	Angie Logan (717) 772-4141
Payment for Child Care 55 Pa. Code Chapter 287	April 2013, as proposed	Chapter 287 will be rescinded as it no longer reflects current policy. Chapter 3140 (relating to planning and financial reimbursement requirements for county children and youth social service programs) already provides the current determination requirements of TANF and Medical Assistance eligibility for children placed by county children and youth agencies.	Angie Logan (717) 772-4141
Planning and Financial Reimbursement requirements for County Children and Youth Social Service Programs 55 Pa. Code Chapter 3140	December 2013, as proposed	This regulation provides the requirements for reimbursement for services to county children and youth agencies. The regulations are in need of revision to ensure consistency with Federal requirements and policy to ensure the validity of state and Federal claims.	Angie Logan (717) 772-4141
Medical Assistance Disqualifications 55 Pa. Code Chapter 255	June 2013, as proposed	This regulation provides disqualification penalties for individuals who were prosecuted for Medical Assistance fraud. These regulations will mirror Federal regulations (found at 42 USCS § 1320a-7b) to allow for a one-year disqualification based on a court conviction for a crime against the Medical Assistance program.	Angie Logan (717) 772-4141
<b>REVENUE</b>			
Amendments to Estates & Trusts—Personal Income Tax Regulations 61 Pa. Code, Chapters 101, 103, 105 and 117	June 2013, as proposed.	The Department is promulgating this regulation to codify the Department's policy for the taxation of estates and trusts in the Commonwealth and to provide clear instructions for taxpayers regarding reporting requirements.	Douglas Berguson (717) 346-4633
Amended Returns—Personal Income Tax Regulations 61 Pa. Code Chapters 117, 119 and 121	February 2013, as final.	The Department is promulgating this regulation to clarify the Department's policy on Amended Returns for PA. PIT and replace outdated language. In addition, the regulation will provide clear instructions for taxpayers regarding petitions for refunds.	Douglas Berguson (717) 346-4633
Consolidation of Administrative Appeals under the Board of Appeals 61 Pa. Code Chapters 7 and 901	February 2013, as final.	The Department is proposing regulations to consolidate the administrative appeals under the Board of Appeals and streamline the administrative appeals process.	Douglas Berguson (717) 346-4633



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Amendments to Realty Transfer Tax Regulations 61 Pa. Code Chapter 91	December 2013, as final	Amendments to the Realty Transfer Tax regulations are being proposed to improve the clarity and effectiveness of the regulations.	Douglas Berguson (717) 346-4633
Amendments to Local Option Small Games of Chance (SGOC) 61 Pa. Code Chapter 901a	June 2013, as proposed	The Department is proposing to replace Chapter 901 with a new Chapter 901a as a result of the amendments to the SGOC law enacted under Acts 2 and 184 of 2012. The proposed rulemaking will reorganize and clarify the SGOC regulations as well as incorporate necessary changes to implement Acts 2 and 184.	Douglas Berguson (717) 346-4633
General Provisions Application of Payments 61 Pa. Code Chapter 5a	June 2013, as proposed	The Department is promulgating this regulation to clarify the provisions of the Taxpayers' Bill of Rights and provide a procedure for the application of a payment received from a taxpayer to tax liability owed the Department.	Douglas Berguson (717) 346-4633
General Provisions Payments by Electronic Funds Transfer (EFT) 61 Pa. Code Chapter 5	Published at 42 Pa.B. 7279 (December 1, 2012), as final	The Department promulgated a final-omitted rulemaking to implement a statutory change (Act 87 of 2012) that revised EFT payments required under § 5.3 from "\$20,000 or more" to "\$10,000 or more."	Douglas Berguson (717) 346-4633
<b>STATE</b>			
Bureau of Professional and Occupational Affairs—Telephonic Testimony— 49 Pa. Code Chapter 43b. (number not yet assigned)	Fall 2013, as Proposed.	This proposed rulemaking would provide rules for the admission of testimony received by telephone at hearings conducted by boards/commissions or hearing examiners. Statutory Authority: Section 3 of the act of July 2, 1993 (P. L. 345, No. 48) authorizes the Commissioner of Professional and Occupational Affairs to promulgate regulations setting forth the procedural rules to be followed in the conduct of hearings in disciplinary matters before a licensing board or commission, after consultation with the licensing boards and commissions.	Cynthia K. Montgomery (717) 783-7200
Recording Devices— 49 Pa. Code §§ 43b.101 and 43b.102 (16A-45)	Fall 2013, as Proposed.	This proposed rulemaking would provide rules for the use of electronic (audio and visual) recording devices during meetings of the boards and commissions within the Department of State for which the Bureau of Professional and Occupational Affairs provides administrative support. Statutory Authority: Sections 710 and 711 of the Sunshine Act, Act of October 15, 1998 (P. L. 179, No. 93) authorizes the adoption of rules and regulations governing the use of recording devices in public meetings.	Cynthia K. Montgomery (717) 783-7200
State Board of Accountancy—General Revisions— 49 Pa. Code Chapter 11 (number not yet assigned)	Fall 2013, as Proposed.	This proposed rulemaking would implement the amendments to the CPA Law made by the Act of July 9, 2008 (P. L. 954, No. 73). Statutory Authority: Section 3 of the C.P.A. Law, 63 P. S. § 9.3	Sara Fox (717) 783-1404
State Architects Licensure Board—Experience Requirement— 49 Pa. Code §§ 9.41 and 9.46 (16A-4120)	Summer 2013, as Proposed.	This proposed rulemaking would clarify that the experience requirement must be completed as a condition of licensure rather than as a condition of admittance to the licensing examination and is sufficient that an examination candidate has begun acquiring qualifying experience. Statutory Authority: Section 6(a) and (d) of the Architects Licensure Law, 63 P. S. § 34.6(a) and (d).	Penny Walker (717) 783-3397

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Athletic Commission —Mixed martial arts update— 58 Pa. Code § 29.30 (16-53)	Spring 2013, as Final.	The proposed rulemaking would alter the Commission's current MMA regulations to permit amateur contestants to petition to strike at an opponent's head when on the ground and waive the shin/instep pad requirement after at least three amateur bouts. Statutory Authority: Sections 103(b) and 501 of the State Athletic Code, 5 Pa.C.S. § 103(b)(1), authorizes the Commission to promulgate regulations regarding professional and amateur boxing contests and exhibitions.	Martha Brown (717) 783-0736
State Board of Auctioneer Examiners —Schedule of Civil Penalties— 49 Pa. Code § 43b.12a (16A-648)	Summer 2013, as Proposed.	The proposed rulemaking would make updates to the current schedule of civil penalties, as requested by the Board. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a), authorizes the Commissioner of Professional and Occupational Affairs to set forth schedules of civil penalties.	Terrie Kocher (717) 783-3397
—Biennial Renewal Fees— 49 Pa. Code § 1.41 (16A-649)	Spring 2013, as Proposed.	The proposed rulemaking would increase biennial renewal fees to meet projected expenditures as required by law. Statutory Authority: Section 6(a) of the Auctioneer Licensing and Trading Assistant Registration Act, 63 P. S. § 734.6(a).	Terrie Kocher (717) 783-3397
State Board of Barber Examiners —Fees— 49 Pa. Code § 3.103 (16A-428)	Spring 2013, as Proposed.	The proposed rulemaking would increase biennial renewal fees and fees for other board services to meet projected expenditures as required by law. Statutory Authority: Section 14 of the Barbers License Law, 63 P. S. § 564.	Kelly Diller (717) 783-3402
General Revisions— 49 Pa. Code Chapter 3 (16A-429)	Fall 2013, as Proposed.	The proposed rulemaking would update the regulations for barber managers, temporary student licenses, barber shops and schools of barbering. Statutory Authority: Section 10 of the Barbers License Law, 63 P. S. § 560.	Kelly Diller (717) 783-3402
State Board of Chiropractic —Chiropractic specialties— 49 Pa. Code Ch. 5 (16A-4312)	Spring 2013, as Proposed.	The Chiropractic Practice Act prohibits licensees from holding themselves out as specialists unless they possess a post-graduate certification in that specialty. This proposed rulemaking would identify the certifications acceptable to the Board. Statutory Authority: Section 302(3) of the Chiropractic Practice Act, 63 P. S. § 625.302(3).	Mary Sue Ferster (717) 783-7155
—Licensure by Reciprocity— 49 Pa. Code § 5.13 (16A-4320)	Spring 2013, as Final.	This regulation would provide a revised method of licensing out-of-state chiropractors by reciprocity. Statutory Authority: Sections 302(3) and 504 of the Chiropractic Practice Act, 63 P. S. §§ 625.302(3) and 625.504.	Mary Sue Ferster (717) 783-7155
—Volunteer License— 49 Pa. Code § 5.20 (16A-4321)	Summer 2013, as Final (proposed-omitted).	This regulation would amend the volunteer license regulations to conform to amendments to the Volunteer Health Services Act. Statutory Authority: Section 302 of the Chiropractic Practice Act, 63 P. S. § 625.302; and section 5 of the Volunteer Health Services Act, 35 P. S. § 449.45.	Mary Sue Ferster (717) 783-7155
—Child Abuse Reporting Requirements— 49 Pa. Code §§ 5.91—5.96 (16A-4322)	Summer 2013, as Final (proposed-omitted).	This regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 302(3) of the Chiropractic Practice Act, 63 P. S. § 62.302(3).	Mary Sue Ferster (717) 783-7155

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Corporation Bureau —UCC Revised Article 9— (16-35)	Fall 2013, as Proposed.	This proposed rulemaking would adopt (with some revisions) the Model rules promulgated by the International Association of Corporate Administrators, which call for the delivery of filings by electronic means and acceptance of credit card payments. Statutory Authority: Section 9526 of the Uniform Commercial Code Modernization Act of 2001, 13 Pa.C.S. § 9526.	Martha Brown (717) 787-6802
State Board of Cosmetology —Fees— 49 Pa. Code § 7.2 (16A-4515)	Spring 2013, as Proposed.	The proposed rulemaking would increase biennial renewal fees for all licensee classifications to meet projected expenditures as required by law and would increase certain application fees where the current fees have been determined to be inadequate. Statutory Authority: Section 16(d) of the Beauty Culture Law, 63 P. S. § 522(d), requires the Board to increase fees by regulation to meet or exceed projected expenditures if the revenues raised by fees, fines and civil penalties are not sufficient to match expenditures over a 2-year period.	Kelly Diller (717) 783-7130
—Sanitation— 49 Pa. Code Chapter 7 (16A-4516)	Fall 2013, as Proposed.	This proposed rulemaking would update the Board's regulations on sanitation to conform to modern standards within the profession. Statutory Authority: Sections 11 and 14 of the Act of May 3, 1933 (P. L. 242, No. 86), commonly referred to as the Beauty Culture Law, 63 P. S. §§ 517 and 520.	Kelly Diller (717) 783-7130
—Schedule of Civil Penalties— 49 Pa. Code, § 43b.5. (number not yet assigned)	Spring 2013, as Proposed.	This proposed rulemaking would amend the schedule of civil penalties for the State Board of Cosmetology to implement Act 48 civil penalties for failure of a school to submit quarterly reports. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	Kelly Diller (717) 783-7130
State Board of Crane Operators —Fees— 49 Pa. Code § 6.4 (16A-7102)	Spring 2013, as Proposed.	This proposed regulation would increase the biennial renewal fee for licensed crane operators. Statutory Authority: Section 701(a) of the Crane Operator Licensure Act, 63 P. S. § 2400.701(a).	Penny Walker (717) 783-1404
State Board of Dentistry —Anesthesia Update— 49 Pa. Code, Subchapter E, §§ 33.331—33.342 (16A-4621)	Spring 2013, as Proposed.	This proposed rulemaking would update the standards for the administration of general anesthesia, deep sedation, moderate sedation, minimal sedation and nitrous oxide/oxygen analgesia in dental offices. Statutory Authority: Sections 3(o) and 11.2 of the Dental Law, 63 P. S. §§ 122(o) and 130c.	Lisa Burns (717) 783-7162
—Volunteer License— 49 Pa. Code § 33.110 (16A-4625)	Summer 2013, as Final (proposed-omitted).	This regulation would amend the current volunteer license regulations to conform to amendments to the Volunteer Health Services Act. Statutory Authority: Section 3(o) of the Dental Law, 63 P. S. § 122(o).	Lisa Burns (717) 783-7162
—Child Abuse Reporting Requirements— 49 Pa. Code § 33.250 (16A-4626)	Summer 2013, as Final (proposed-omitted).	This regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 3(o) of the Dental Law, 63 P. S. § 122(o).	Lisa Burns (717) 783-7162
—Biennial Renewal Fees— 49 Pa. Code § 33.3 (16A-4627)	Spring 2013, as Proposed.	This proposed rulemaking would increase biennial renewal fees to meet projected expenditures as required by law. Statutory Authority: Sections 3(j) and 4(b) of the Dental Law, 63 P. S. §§ 122(j) and 123(b).	Lisa Burns (717) 783-7162

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Registration Board for Professional Engineers, Land Surveyors and Geologists—Qualifications for Licensure—49 Pa. Code Chapter 37 (16A-4711)	Spring 2013, as Final.	The regulation implements Act 25 of 2010, to provide for the certification of geologists-in-training, and to update the board's regulations concerning the licensure process for engineers and land surveyors. Statutory Authority: Section 4(l) of the Engineer, Land Surveyor and Geologist Registration Law, 63 P. S. § 151(l).	Robin Shearer (717) 783-7049
State Board of Funeral Directors—Renewal; Continuing Education Enforcement—49 Pa. Code Chapter 13 (16A-4819)	Spring 2013, as Proposed.	This proposed rulemaking would update and clarify the Board's regulations relating to renewal of licenses and enforcement of continuing education. Statutory authority: Sections 10(b)(1) and 16(a) of the Funeral Director Law, 63 P. S. §§ 479.10(b)(1) and 479.16(a).	Heidy Weirich (717) 783-3397
—Schedule of Civil Penalties—Funeral Directors 49 Pa. Code § 43b.6 (16A-4820)	Spring 2013, as Proposed.	This proposed regulation would establish a schedule of civil penalties for continuing education enforcement. Statutory Authority: Section 5(a) of the act of July 2, 1993 (P. L. 345, No. 48), 63 P. S. § 2205(a).	Heidy Weirich (717) 783-3397
—Fees— 49 Pa. Code § 13.12 (16A-4822)	Spring 2013, as Proposed.	This proposed rulemaking would increase biennial renewal fees to meet projected expenditure as required by law. Statutory Authority: Section 18.1 of the Funeral Director Law, 63 P. S. § 479.18.1.	Heidy Weirich (717) 783-3397
—Child Abuse Reporting Requirements— 49 Pa. Code § 13.301—13.307 (16A-4823)	Summer 2013, as Final (proposed-omitted).	This regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 16(a) of the Funeral Director Law, 63 P. S. § 479.16(a).	Heidy Weirich (717) 783-3397
State Board of Landscape Architects—Continuing Education; Licensure without Examination— 49 Pa. Code Chapter 15 (16A-6110)	Spring 2013, as Proposed.	This regulation would implement the act of July 17, 2009 (P. L. 94, No. 24). Statutory Authority: Section 4(9) of the Landscape Architects' Registration law, 63 P. S. § 904(9).	Terrie Kocher (717) 772-8528
—General Revisions— 49 Pa. Code Chapter 15 (16A-6111)	Summer 2013, as Proposed	This proposed rulemaking implements updates to current practices of the Board with respect to qualifications and experience, examinations and continuing education. Statutory Authority: Section 4(9) of the Landscape Architects' Registration Law, 63 P. S. § 904(9).	Terrie Kocher (717) 772-8528
—Schedule of Civil Penalties— Landscape Architects 49 Pa. Code Chapter 43b. (16A-6120)	Summer 2013, as Proposed.	This proposed rulemaking would adopt a schedule of civil penalties for unlicensed practice and other violations of the Landscape Architects Registration Law. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a), authorizes the Commissioner of Professional and Occupational Affairs to set forth schedules of civil penalties, with the approval of the Board.	Terrie Kocher (717) 772-8528



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
—Electronic Seals and Signing— 49 Pa. Code Chapter 15 (16A-6121)	Summer 2013, as Proposed.	This proposed rulemaking will implement rules on electronic seals and signing from other design professional boards in Pennsylvania and other states. Statutory Authority: Sections 4 and 9 of the Landscape Architects' Registration Law, 63 P. S. §§ 904 and 909.	Terrie Kocher (717) 772-8528
State Board of Massage Therapy —Child Abuse Reporting Requirements— 49 Pa. Code Chapter 20 (16A-722)	Summer 2013, as Proposed.	This proposed rulemaking establishes mandatory reporting requirements relating to suspected child abuse under the Child Protective Services Law (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 4(2) of the Massage Therapy Law, 63 P. S. § 627.4(2).	Judy Harner (717) 783-7155
State Board of Medicine —Licensure of Respiratory Therapists and Physician Assistants— 49 Pa. Code Chapter 18 (16A-4930)	Spring 2013, as Final.	The proposed rulemaking would implement the amendments made to the Medical Practice Act by the Act of July 4, 2008 (P. L. 580, No. 45) relating to licensure of respiratory therapists and physician assistants. Statutory authority: Section 8 of the Act of July 4, 2008 (P. L. 580, No. 45) requires the Board and the State Board of Osteopathic Medicine to jointly promulgate regulations to implement the amendments.	Tammy Dougherty (717) 783-1400
—Certified Midwives— 49 Pa. Code Chapter 18 (16A-4932)	Fall 2013, as Proposed.	The proposed rulemaking would provide for the licensure of “certified” midwives as suggested by the Commonwealth Court’s decision in <i>Goslin v. State Board of Medicine</i> , 949 A.2d 372. Statutory Authority: Sections 1and 2 of the Midwife Registration Law of 1929, 63 P. S. §§ 171 and 172, and section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8, make it unlawful to practice as a midwife without a certificate from the Medical Board and authorize the Board to issue rules and regulations as may be necessary for the examination, licensing, and proper conduct of the practice of midwifery by midwives.	Tammy Dougherty (717) 783-1400
—Prescribing— 49 Pa. Code § 16.92 (16A-4933)	Spring 2013, as Final.	The rulemaking would rewrite, simplify and update the Board’s regulations relating to prescribing controlled substances and other drugs of abuse. Statutory Authority: Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8.	Tammy Dougherty (717) 783-1400
—Volunteer Licenses— 49 Pa. Code Chapter 16 (16A-4934)	Summer 2013, as Final (proposed-omitted).	This regulation will amend the volunteer license regulations to conform to amendments to the Volunteer Health Services Act (Acts 29 of 2007 and 58 of 2002). Statutory Authority: Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8.	Tammy Dougherty (717) 783-1400
—Perfusionists— 49 Pa. Code Chapter 18, Subchapter J (16A-4935)	Spring 2013, as Final.	The proposed rulemaking sets forth the requirements for licensure of perfusionists. Statutory Authority: Section 4 of the Act of June 11, 2008 (P. L. 154, No. 19) requires the Board to promulgate regulations to implement licensure of perfusionists.	Tammy Dougherty (717) 783-1400
—Licensure of Athletic Trainers— 49 Pa. Code Chapter 18, Subchapter H (16A-4936)	Spring 2013, as Final (proposed-omitted).	This regulation is required to amend the Board’s regulations regarding athletic trainers to refer to “licensure” rather than “certification” as amended by the act of December 22, 2011 (P. L. 1110, No. 124). Statutory Authority: Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8.	Tammy Dougherty (717) 783-1400

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
—Genetic Counselors— 49 Pa. Code Chapter 18 (16A-4937)	Spring 2013, as Proposed.	This proposed rulemaking would implement the act of December 22, 2011 (P. L. 576, No. 125) relating to the licensure of genetic counselors. Statutory Authority: Section 3 of Act 125 of 2011 requires the Board to promulgate regulations within 12 months. Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8, provides the general regulatory authority of the Board.	Tammy Dougherty (717) 783-1400
—CRNP Revisions— 49 Pa. Code Chapter 18, Subchapter C (16A-4938)	Spring 2013, as Final (proposed-omitted).	This regulation is needed to delete outdated regulations relating to CRNP practice because the Board no longer jointly regulates CRNPs, which are now under the sole authority of the State Board of Nursing. Statutory Authority: Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8.	Tammy Dougherty (717) 783-1400
—Use of Medical Lasers— 49 Pa. Code Chapter 18, Subchapter G (16A-4939)	Spring 2013, as Proposed.	This proposed rulemaking is intended to clarify the requirements for the use and delegation of medical devices and medical lasers. Statutory Authority: Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8.	Tammy Dougherty (717) 783-1400
—Child Abuse Reporting Requirements— 49 Pa. Code §§ 16.101—16.107 (16A-4941)	Summer 2013, as Final (proposed-omitted).	This regulation updates the Board's existing regulation on mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8.	Tammy Dougherty (717) 783-1400
—Schedule of Civil Penalties— 49 Pa. Code § 43b.20. (16A-4942)	Spring 2013, as Proposed.	This proposed rulemaking would amend the schedule of civil penalties for the State Board of Medicine to implement Act 48 civil penalties for practicing on a lapsed license and for continuing education violations. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	Tammy Dougherty (717) 783-1400
—Prosthetists, orthotists, pedorthists and orthotic fitters— 49 Pa. Code Chapters 16 and 18 (Number not yet assigned)	Spring 2013, as Proposed.	This proposed regulation would implement Act 90 of 2012 to establish licensure of prosthetists, orthotists, pedorthists and orthotic fitters. Statutory Authority: Section 3 of the act of July 5, 2012 (P. L. 873, No. 90) directs the Board to promulgate regulations within 18 months.	Tammy Dougherty (717) 783-1400
Navigation Commission for the Delaware River and its Navigable Tributaries —General Revisions— 4 Pa. Code §§ 405.7, 405.8 and 405.12 (16A-663)	Spring 2013, as Proposed.	The proposed rulemaking would require all currently licensed pilots to hold and maintain an active Federal first class pilot's license and endorsement for the routes to be traversed. Statutory Authority: Section 4 of the Act of March 29, 1803 (P. L. 542), 55 P. S. § 31, and section 2504-B(4) of the Administrative Code of 1929, 71 P. S. § 670.2(4).	Barbara Dupler (717) 783-1618
State Board of Nursing —Application Procedures— 49 Pa. Code § 21.151 (16A-5134)	Fall 2013, as Proposed.	The proposed rulemaking would provide for admission to the practical nurse exam for applicants who have graduated from a foreign practical nursing program that is equivalent to an LPN education program of study required in this Commonwealth at the time the program was completed as determined by the Commission on Graduate of Foreign Nursing Schools (CGFNS). Statutory Authority: Sections 5 and 17.6 of the Practical Nurse Law, 63 P. S. §§ 655 and 667.6.	Cindy Miller (717) 783-7142

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
—Reactivation/ Re-licensure after Lapse— 49 Pa. Code Chapter 21 (16A-5135)	Summer 2013, as Proposed.	This proposed rulemaking would set standards for the reactivation/relicensure of nurses whose licenses have lapsed for a significant period of time. Statutory Authority: Sections 2.1 and 11 of the Professional Nursing Law, 63 P. S. §§ 212.1 and 221; and sections 13.1 and 17.6 of the Practical Nurse Law, 63 P. S. §§ 663.1 and 667.6, authorize the Board to regulate the renewal of expired or inactive licenses and to promulgate regulations generally.	Cindy Miller (717) 783-7142
—Continuing Education— 49 Pa. Code §§ 21.131—21.134 (16A-5136)	Summer 2013, as Proposed.	This proposed regulation will amend the Board's continuing education regulations to eliminate the ability of registered nurses to renew their licenses without completing their continuing education. Statutory Authority: Sections 2.1 and 12.1 of the Professional Nursing Law, 63 P. S. §§ 212.1 and 222.	Cindy Miller (717) 783-7142
—Out of State Nursing Education Programs using Pennsylvania Clinical Sites— 49 Pa. Code Chapter 21 (16A-5137)	Fall 2013, as Proposed.	This proposed rulemaking would require out of state educational programs that intend to place nursing students in Pennsylvania facilities for clinical education with a Pennsylvania licensed nurse preceptor to apply to the Board for permission to utilize the clinical site. This same requirement is placed on Pennsylvania nursing education programs. Statutory Authority: Section 6.1 of the Professional Nursing Law, 63 P. S. § 216.1 and Section 9 of the Practical Nurse Law, 63 P. S. § 659.	Cindy Miller (717) 783-7142
—Volunteer License— 49 Pa. Code §§ 21.601—21.607. (16A-5139)	Summer 2013, as Final (Proposed- omitted).	This regulation would amend the volunteer license regulations to conform to amendments to the Volunteer Health Services Act. Statutory Authority: Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	Cindy Miller (717) 783-7142
—Child Abuse Reporting Requirements— 49 Pa. Code §§ 21.501—21.507. (16A-5140)	Summer 2013, as Final (proposed- omitted).	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law, (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k); and Section 17.6 of the Practical Nurse Law, 63 P. S. § 667.6.	Cindy Miller (717) 783-7142
State Board of Examiners of Nursing Home Administrators —Sexual Misconduct— 49 Pa. Code §§ 39.1 and 39.9 (16A-6211)	Summer 2013, as Proposed.	This proposed rulemaking would add sexual abuse and sexual misconduct as offenses for which a nursing home administrator's license may be disciplined. Statutory Authority: Sections 4(c) and 6(g) of the Nursing Home Administrators Licensure Act, 63 P. S. §§ 1104(c) and 1106(g).	Chris Stuckey (717) 783-7155
—Schedule of Civil Penalties— 49 Pa. Code § 43b.17 (16A-6213)	Spring 2013, as Proposed.	This proposed rulemaking would amend the schedule of civil penalties for the State Board of Examiners of Nursing Home Administrators to implement Act 48 civil penalties for continuing education violations. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	Chris Stuckey (717) 783-7155
—Continuing Education— 49 Pa. Code Chapter 39 (16A-6215)	Fall 2013, as Proposed.	This proposed regulation updates the Board's existing regulations relating to continuing education requirements and reporting. Statutory Authority: Sections 4(c) and 9(b) of the Nursing Home Administrators Act, 63 P. S. §§ 1104(c) and 1109(b).	Chris Stuckey (717) 783-7155

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Occupational Therapy Education and Licensure—Continued Competency—49 Pa. Code §§ 42.50—42.58 (16A-677)	Summer 2013, as Final.	The proposed rulemaking would implement section 15(a) of the Occupational Therapy Practice Act, 63 P. S. § 1515(a), which authorizes the board to establish additional requirements for the license renewal designed to assure continued competency. Statutory Authority: Section 5(b) of the Occupational Therapy Practice Act, 63 P. S. § 1505(b).	Judy Harner (717) 783-1389
—Referrals by Certified Registered Nurse Practitioners and Physician Assistants—49 Pa. Code Chapter 42 (16A-678)	Spring 2013, as Final (Proposed omitted)	The regulation would conform the board's regulations with changes made by Act 48 of 2007 and Act 45 of 2008, which permit CRNPs and Physician Assistants to make referrals to Occupational Therapists. Statutory Authority: Section 5(b) of the Occupational Therapy Practice Act, 63 P. S. § 1505(b).	Judy Harner (717) 783-1389
—Child Abuse Reporting Requirements—49 Pa. Code Chapter 42 (16A-679)	Summer 2013, as Final (Proposed omitted)	This regulation updates the Board's regulations on mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL), 23 P.S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL requires the Board to promulgate regulations consistent with the CPSL; Section 5(b) of the Occupational Therapy Practice Act, 63 P. S. § 1505(b) directs the Board to adopt regulations consistent with law.	Judy Harner (717) 783-1389
—Code of Ethics—49 Pa. Code § 42.24 (16A-6710)	Summer 2013, as Proposed.	This proposed rulemaking would update and amend the Board's existing code of ethics to adopt the AOTA ethics standards. Statutory authority: Section 5(b) of the Occupational Therapy Practice Act, 63 P. S. § 1505(b).	Judy Harner (717) 783-1389
—General Revisions—49 Pa. Code Chapter 42 (16A-6711)	Spring 2013, as Proposed.	This proposed rulemaking implements the act of July 5, 2012 (P. L.1132, No. 138), which amended the Occupational Therapy Practice Act. Statutory Authority: Section 5(b) of the Occupational Therapy Practice Act, 63 P. S. § 1505(b) directs the Board to adopt regulations consistent with law.	Judy Harner (717) 783-1389
State Board of Optometry—Schedule of Civil Penalties—Optometrists 49 Pa. Code Chapter 43b (16A-5212)	Summer 2013, as Proposed.	This proposed rulemaking would adopt a schedule of civil penalties for continuing education violations. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a), authorizes the Commissioner to set forth schedules of civil penalties.	Mary Sue Ferster (717) 783-7155
—Continuing Education and Prescriptions for Contact Lenses—49 Pa. Code Chapter 23 (16A-5213)	Summer 2013, as Proposed.	This proposed rulemaking would update the Board's regulations to conform to current practices. Statutory Authority: Sections 3(b)(14) and 5 of the Optometric Practice and Licensure Act (63 P. S. §§ 244.3(b)(14) and 244.5).	Mary Sue Ferster (717) 783-7155
—Volunteer License—49 Pa. Code § 23.26 (16A-5214)	Summer 2013, as Final (Proposed-omitted).	This regulation would amend the Board's volunteer license regulations to conform to amendments to the Volunteer Health Services Act. Statutory Authority: Section 3(b)(14) of the Optometric Practice and Licensure Act, 63 P. S. § 244.3(b)(14).	Mary Sue Ferster (717) 783-7155



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
—Child Abuse Reporting Requirements— 49 Pa. Code §§ 23.111—23.116 (16A-5215)	Summer 2013, as Final (proposed-omitted).	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law, CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 3(b)(14) of the Optometric Practice and Licensure Act, 63 P. S. § 244.3(b)(14).	Mary Sue Ferster (717) 783-7155
State Board of Osteopathic Medicine—Licensure of Respiratory Therapists and Physician Assistants—49 Pa. Code Chapter 25 (16A-5321)	Spring 2013, as Final.	The rulemaking implements the amendments made to the Osteopathic Medical Practice Act by the Act of July 4, 2008 (P. L. 589, No. 46) relating to licensure of respiratory therapists and physician assistants. Statutory authority: Section 8 of the Act of July 4, 2008 (P. L. 589, No. 46) requires the Board and the State Board of Medicine to jointly promulgate regulations to implement the amendments.	Tammy Dougherty (717) 783-4858
—Volunteer License— 49 Pa. Code §§ 25.601—25.607. (16A-5323)	Summer 2013, as Final (Proposed-omitted).	This regulation would amend the Board's volunteer license regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002 and Act 29 of 2007. Statutory Authority: Section 16 of the Osteopathic Medicine Act, 63 P. S. § 271.16.	Tammy Dougherty (717) 783-4858
—Perfusionists— 49 Pa. Code Chapter 25 (16A-5324)	Spring 2013, as Final.	The regulation would sets forth the requirements for licensure of perfusionists. Statutory Authority: Section 4 of the Act of June 11, 2008 (P. L. 161, No. 20) requires the Board to promulgate regulations to implement licensure of perfusionists.	Tammy Dougherty (717) 783-4858
—Licensure of Athletic Trainers— 49 Pa. Code Chapter 25, Subchapter M (16A-5325)	Spring 2013, as Final (proposed omitted)	This regulation is required to amend the Board's regulations regarding athletic trainers to refer to "licensure" rather than "certification" as amended by the act of December 22, 2011 (P. L. 1109, No. 123). Statutory Authority: Section 16 of the Osteopathic Medicine Practice Act, 63 P. S. § 271.16.	Tammy Dougherty (717) 783-4858
—Child Abuse Reporting Requirements— 49 Pa. Code §§ 25.401—25.416 (16A-5326)	Summer 2013, as Final (proposed-omitted).	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law, (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 16 of the Osteopathic Medicine Practice Act, 63 P. S. § 271.16.	Tammy Dougherty (717) 783-4858
—Schedule of Civil Penalties— 49 Pa. Code Chapter 43b. (16A-5327)	Spring 2013, as Proposed.	This proposed rulemaking would establish a schedule of civil penalties for the State Board of Osteopathic Medicine to implement Act 48 civil penalties for failure to report complaints filed against an osteopathic physician in a medical professional liability action. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	Tammy Dougherty (717) 783-4858
—Genetic Counselors— 49 Pa. Code Chapter 25 (16A-5328)	Spring 2013, as Proposed.	This proposed rulemaking would implement the act of December 22, 2011 (P. L. 581, No. 126) relating to the licensure of genetic counselors. Statutory Authority: Section 3 of Act 126 of 2011 requires the Board to promulgate regulations within 12 months. Section 16 of the Osteopathic Medicine Practice Act, 63 P. S. § 271.16, provides the general regulatory authority of the Board.	Tammy Dougherty (717) 783-4858

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Pharmacy—Compounding Practices—49 Pa. Code Chapter 27 (16A-5419)	Summer 2013, as Proposed.	This proposed rulemaking would establish standards for the compounding of drugs by pharmacists. Statutory Authority: Section 6(k)(9) of the Pharmacy Act, 63 P. S. § 390-6(k)(9) grants the authority to promulgate rules and regulations to effectuate the purposes of the act. Section 2 of the Pharmacy Act, 63 P. S. § 390-2(11) defines the practice of pharmacy to include the compounding of drugs.	Melanie Zimmerman (717) 783-7156
—Cancer Drug Repository Program—49 Pa. Code Chapter 27 (16A-5423)	Spring 2013, as Final.	The regulation would establish the eligibility criteria, standards and procedures for the administration of a cancer drug repository program. Statutory authority: Section 7 of the Act of May 13, 2008 (P. L. 139, No. 14), known as the Cancer Drug Repository Program Act, requires the Board to promulgate regulations to carry out the purposes of the act.	Melanie Zimmerman (717) 783-7156
—Pharmacy Internship—49 Pa. Code Chapter 27 (16A-5424)	Summer 2013, as Final.	This proposed rulemaking would update the Board's regulations relating to the pharmacy internship required under section 3 of the Pharmacy Act. Statutory Authority: Section 3 of the Pharmacy Act, 63 P. S. § 390-3(c) requires the Board to establish by regulation the internship requirements which must be satisfactorily completed prior to issuance of a pharmacist license.	Melanie Zimmerman (717) 783-7156
—Collaborative Management of Drug Therapy—49 Pa. Code Chapter 27 (16A-5425)	Summer 2013, as Proposed.	This proposed rulemaking would implement Act 29 of 2010, which provides for collaborative drug therapy management between a pharmacist and a licensed physician. Statutory Authority: Section 5 of the act of June 1, 2010 (P. L. 201, No. 29) requires the Board to promulgate regulations to implement Act 29 within 18 months of its effective date.	Melanie Zimmerman (717) 783-7156
—Emergency Preparedness—49 Pa. Code Chapter 27 (16A-5426)	Summer 2013, as Proposed.	The proposed rulemaking would establish procedures and standards for the operation of remote emergency pharmacies in the event of an emergency caused by a natural or manmade disaster or any other exceptional situation that causes an extraordinary demand for pharmacy services. Statutory Authority: Section 6(k)(9) of the Pharmacy Act, 63 P. S. § 390-6(k)(9).	Melanie Zimmerman (717) 783-7156
—General Revisions to Standards of Practice—49 Pa. Code § 27.18 (16A-5427)	Summer 2013, as Proposed.	This proposed rulemaking would update the Board's regulations relating to standards of practice for pharmacists. Statutory Authority: Section 6(k)(9) of the Pharmacy Act, 63 P. S. § 390-6(k)(9).	Melanie Zimmerman (717) 783-7156
—Correctional Facility Drug Redistribution—49 Pa. Code Chapter 27 (number not yet assigned)	Summer 2013, as Proposed.	This proposed rulemaking is required to conform the Board's regulations to the act of July 9, 2010 (P. L. 457, No. 59), which permits a vendor pharmacy to redistribute drugs returned by a correctional facility to other correctional facilities. Statutory Authority: Section 6(k)(9) of the Pharmacy Act, 63 P. S. § 390-6(k)(9).	Melanie Zimmerman (717) 783-7156
—Schedule of Civil Penalties—49 Pa. Code § 43b.7 (number not yet assigned)	Summer 2013, as Proposed.	This proposed rulemaking would amend the schedule of civil penalties for the State Board of Pharmacy to implement Act 48 civil penalties for continuing education violations. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	Melanie Zimmerman (717) 783-7156

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Physical Therapy—Child Abuse Reporting Requirements—49 Pa. Code §§ 40.201—40.207. (16A-6515)	Summer 2013, as Final (proposed-omitted).	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law, (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 3(a) of the Physical Therapy Practice Act, 63 P. S. § 1303(a).	Michelle Roberts (717) 783-7134
—Schedule of Civil Penalties—49 Pa. Code, Chapter 43b. (number not yet assigned)	Summer 2013, as Proposed.	This proposed rulemaking would establish a schedule of civil penalties for the State Board of Physical Therapy to implement Act 48 civil penalties for practicing on a lapsed license. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	Michelle Roberts (717) 783-7134
State Board of Podiatry—Certificate of Authority to Perform Acupuncture—49 Pa. Code Chapter 29 (16A-449)	Spring 2013, as Proposed.	This proposed rulemaking would establish the fees and regulate the practice of acupuncture by podiatrists under the Acupuncture Registration Act. Statutory Authority: Section 3 of the Acupuncture Registration Act, 63 P. S. § 1803.	Tammy Dougherty (717) 783-4858
—Volunteer License—49 Pa. Code § 29.55 (16A-4411)	Summer 2013, as Final (Proposed-omitted).	This regulation would amend the Board's volunteer license regulations to conform to recent amendments to the Volunteer Health Services Act. Statutory Authority: Section 15 of the Podiatry Practice Act, 63 P. S. § 42.15.	Tammy Dougherty (717) 783-4858
—Child Abuse Reporting Requirements—49 Pa. Code §§ 29.91—29.97 (16A-4412)	Summer 2013, as Final (proposed-omitted).	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law, (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 15 of the Podiatry Practice Act, 63 P. S. § 42.15.	Tammy Dougherty (717) 783-4858
—Schedule of Civil Penalties—Podiatrists 49 Pa. Code Chapter 43b (16A-4413)	Spring 2013, as Proposed.	This proposed rulemaking would adopt a schedule of civil penalties for continuing education violations. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a), authorizes the Commissioner to set forth schedules of civil penalties.	Tammy Dougherty (717) 783-4858
—Therapeutic Drugs—49 Pa. Code § 29.41 (16A-4414)	Spring 2013, as Proposed.	This proposed rulemaking would amend the list of therapeutic drugs that podiatrists may prescribe. Statutory Authority: Section 15 of the Podiatry Practice Act, 63 P. S. § 42.15.	Tammy Dougherty (717) 783-4858
State Board of Psychology—Continuing Education—49 Pa. Code § 41.59 (16A-6317)	Summer 2013, as Proposed.	This proposed rulemaking would amend the Board's continuing education requirements regarding home study, instruction and carry over. Statutory Authority: Section 15 of the Professional Psychologists Practice Act, 63 P. S. § 1215.	Chris Stuckey (717) 783-7155
—Code of Ethics—49 Pa. Code § 41.61 (16A-6318)	Summer 2013, as Proposed.	This proposed rulemaking would update the Board's Code of Conduct so that it would be in line with changes to the American Psychological Association and the Association of State and Provincial Psychology Boards. Statutory Authority: Section 3.2(2) of the Professional Psychologists Practice Act, 63 P. S. § 1203.2(2).	Chris Stuckey (717) 783-7155
—Education and Experience—49 Pa. Code § 41.31 (16A-6320)	Fall 2013, as Proposed.	This proposed rulemaking would clarify the education, examination and experience requirements. Statutory Authority: Section 3.2(2) of the Professional Psychologists Practice Act, 63 P. S. § 1203.2(2).	Chris Stuckey (717) 783-7155

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
—Child Abuse Reporting Requirements— 49 Pa. Code Chapter 41 (16A-6322)	Summer 2013, as Final (Proposed omitted).	This regulation would amend the board's regulations to conform to changes made to the Child Protective Services Act. Statutory Authority: Section 6383(b)(2) of the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2) and section 3.2(2) of the Professional Psychologists Practice Act, 63 P. S. § 1203.2(2).	Chris Stuckey (717) 783-7155
State Board of Certified Real Estate Appraisers— Schedule of Civil Penalties— Real Estate Appraisers— 49 Pa. Code § 43b.15a (16A-7016)	Spring 2013, as Proposed.	The proposed rulemaking will codify and amend the Board's current schedule of civil penalties statement of policy. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a), authorizes the Commissioner to set forth schedules of civil penalties, with the approval of the Board.	Heidy Weirich (717) 783-4866
—Appraisal Management Companies— General Temporary Regulations— 49 Pa. Code Chapter 36, Subchapter D (16A-7017)	Spring 2013, as Temporary regulations.	These temporary regulations will provide for the registration of appraisal management companies under the act of February 2, 2012 (P. L. 30, No. 4), known as the Appraisal Management Company Registration Act. Section 4(b) of the Appraisal Management Company Act, 63 P. S. § 457.24(b), authorizes the Board to promulgate temporary regulations.	Heidy Weirich (717) 783-4866
—Assessment Record Keeping and Reporting— 49 Pa. Code §§ 36.201 and 36.265 (16A-7018)	Spring 2013, as Proposed.	The proposed rulemaking updates the Board's regulations to reflect current practice followed by assessment offices throughout the Commonwealth, and to assure consistency with Uniform Standards of Appraisal Practice (USPAP) and International Association of Assessing Officers (IAAO) standards of assessment practice. Statutory Authority: Section 3 of the Assessors Certification Act, 63 P. S. § 457.3.	Heidy Weirich (717) 783-4866
State Real Estate Commission— Advertising and Solicitation— 49 Pa. Code § 35.305 (16A-5620)	Fall 2013, as Proposed.	The proposed rulemaking would require licensees to advertise or otherwise hold themselves out to the public only under the name listed on their licenses. Statutory Authority: Section 404 of the Real Estate Licensing and Registration Act, 63 P. S. § 455.404.	Patricia Ridley (717) 783-3658
—Escrow requirements— 49 Pa. Code Chapter 35 (16A-5622)	Fall 2013, as Proposed.	This proposed rulemaking would establish additional escrow requirements consistent with the changes made by Act 14 of 2009. Statutory Authority: Section 404 of the Real Estate Licensing and Registration Act, 63 P. S. § 455.404.	Patricia Ridley (717) 783-3658
—Schedule of Civil Penalties— 49 Pa. Code § 43b.8 (16A-5623)	Summer 2013, as Proposed.	This proposed rulemaking would amend the schedule of civil penalties for the State Real Estate Commission to implement Act 48 civil penalties for continuing education violations. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	Patricia Ridley (717) 783-3658
State Board of Social Workers, Marriage and Family Therapists and Professional Counselors— Schedule of Civil Penalties— 49 Pa. Code Chapter 43b. (16A-6917)	Spring 2013, as Final.	This proposed rulemaking would establish a schedule of civil penalties for the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors to implement Act 48 civil penalties for practicing without a license or practicing on a lapsed license. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	Sandra Matter (717) 783-1389



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
—Continuing Education Audit and Enforcement—49 Pa. Code Chapters 47—49 (16A-6918)	Spring 2013, as Final.	This proposed rulemaking would establish provisions for the enforcement of the continuing education requirements for licensed social workers, licensed clinical social workers, licensed marriage and family therapists and licensed professional counselors. Statutory Authority: Section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906(2).	Sandra Matter (717) 783-1389
—Child Abuse Reporting Requirements—49 Pa. Code §§ 47.51—47.57 (16A-6919)	Summer 2013, as Final (proposed-omitted).	This regulation would amend the board's regulations to conform to changes made to the Child Protective Services Act. Statutory Authority: Section 6383(b)(2) of the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2) and section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906(2).	Sandra Matter (717) 783-1389
—Biennial Renewal Fees—49 Pa. Code § 47.4 (16A-6920)	Spring 2013, as Proposed.	The proposed rulemaking would increase biennial renewal fees to meet projected expenditures as required by law. Statutory Authority: Section 18(c) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1918(c).	Sandra Matter (717) 783-1389
—Qualifications for License—49 Pa. Code §§ 47.12c, 48.13 and 49.13 (16A-6921)	Spring 2013, as Proposed.	This regulation would amend the Board's existing regulations to incorporate changes made by the act of March 14, 2012 (P. L. 191, No. 17) relating to the qualifications for licensure of licensed clinical social workers, marriage and family therapists and professional counselors. Statutory Authority: Section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906(2).	Sandra Matter (717) 783-1389
—General Revisions—49 Pa. Code Chapters 47—49 (number not yet assigned)	Fall 2013, as Proposed.	This proposed rulemaking will eliminate outdated regulations, and update existing regulations to comport with current standards of the profession and current practices of the Board. Statutory Authority: Section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906(2).	Sandra Matter (717) 783-1389
State Board of Examiners in Speech-Language and Hearing —General Revisions—49 Pa. Code Chapter 45 (16A-6803)	Summer 2013, as Proposed.	This proposed rulemaking would update the regulations of the Board to delete or amend outdated regulations. Statutory Authority: Section 5(2) of the Speech-Language and Hearing Licensure Act, 63 P. S. § 1705(2).	Sandra Matter (717) 783-1389
—Child Abuse Reporting Requirements—49 Pa. Code §§ 45.401—45.407 (16A-6805)	Summer 2013, as Final (proposed-omitted).	This regulation would amend the board's regulations to conform to changes made to the Child Protective Services Act. Statutory Authority: Section 6383(b)(2) of the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2) and section 5(2) of the Speech-Language and Hearing Licensure Act, 63 P. S. § 1705(2).	Sandra Matter (717) 783-1389
—Termination of Grandfather Provisions—49 Pa. Code § 45.21 (16A-6806)	Spring 2013, as Proposed.	This proposed rulemaking is intended to terminate an outdated grandfathering provision. Statutory Authority: Section 5(2) of the Speech-Language and Hearing Licensure Act, 63 P. S. § 1705(2).	Sandra Matter (717) 783-1389

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
—Continuing Education— 49 Pa. Code Chapter 45. (16A-6807)	Spring 2013, as Proposed.	This proposed rulemaking is intended to clarify the continuing education requirements for licensees that hold more than one class of license issued by the Board. Statutory Authority: Section 5(2) of the Speech-Language and Hearing Licensure Act, 63 P. S. § 1705(2).	Sandra Matter (717) 783-1389
State Board of Vehicle Manufacturers, Dealers and Salespersons —Salesperson License— 49 Pa. Code Chapter 19 (16A-609)	Spring 2013, as Proposed.	This proposed rulemaking would clarify and update the requirements for salespersons in order to permit salespersons to sell at other locations of the same dealer. Statutory Authority: Section 4(9) of the Board of Vehicles Act, 63 P. S. § 818.4(9).	Janice Cline (717) 783-1697
—Fee for Out-of-state RV Dealer Participating in a Show— 49 Pa. Code § 19.4 (16A-6011)	Fall 2013, as Proposed.	This proposed rulemaking would establish a fee for processing applications under section 32.1(c) of the act, 63 P. S. § 818.32a(c), for out-of-state RV dealers to register with the Board in order to participate in an RV show in this Commonwealth. Statutory Authority: Sections 4(9) and 32.1(c) of the Board of Vehicles Act, 63 P. S. §§ 818.4(9) and 818.32.1(c).	Janice Cline (717) 783-1697
State Board of Veterinary Medicine —Facilities— 49 Pa. Code Chapter 31 (16A-5720)	Summer 2013, as Proposed.	This proposed rulemaking would establish standards for and require registration of veterinary facilities. Statutory Authority: Sections 5 and 27 of the Veterinary Medicine Practice Act, 63 P. S. §§ 485.5 and 485.27.	Michelle Roberts (717) 783-7134
—Licensure of Euthanasia Technicians— 49 Pa. Code Chapter 31 (number not yet assigned)	Fall 2013, as Proposed.	This proposed rulemaking is necessary to implement the act of October 24, 2012 (P. L. 1452, No. 182) (Act 182 of 2012) to authorize animal protection organizations to purchase, possess and administer euthanasia drugs and to license euthanasia technicians. Statutory Authority: Section 304(b) and (c) of Act 182 of 2012 direct the board to promulgate regulations within 18 months of the effective date of the act.	Michelle Roberts (717) 783-7134
<b>STATE EMPLOYEES' RETIREMENT SYSTEM</b>			
4 Pa. Code § 247.51. Time for Recomputation of Annuity. (This would impose a time limit for annuitants to change the optional payment plan authorized by the second to the last sentence of 71 Pa.C.S. § 5907(j)).	2014	This would provide guidance on when an annuitant is permitted to change their optional payment plan. There is no time frame in the statute for this election to occur causing administrative difficulties including possibly permitting anti-selection of death benefits, requiring members to make a declaration under discontinued disability benefits and negating an option change absent another qualifying event.	Brian McDonough, Esq. (717) 787-7317 Sharon Smith (717) 787-9657 David Durbin (717) 783-7210
4 Pa. Code § 243.8. Membership rules for educational employees.	2014	This would clarify the requirements for membership and final average salary calculations for educational employees.	Brian McDonough, Esq. (717) 787-7317 Sharon Smith (717) 787-9657 David Durbin (717) 783-7210

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
4 Pa. Code § 245.4. Member contributions for the purchase of credit for previous State service or to become a full coverage member. (This would be amended to specify the effects of a service purchase or reinstatement.)	2014	This would clarify the effects of the reinstatement or purchase of previous State service. An administrative decision has offered partial guidance in this area. This would enable consistent application of the statute and would reduce litigation of purchase of service issues. This is also being considered as a statutory amendment.	Brian McDonough, Esq. (717) 787-7317 Sharon Smith (717) 787-9657 David Durbin (717) 783-7210
<b>STATE POLICE</b>			
37 Pa. Code § 41.5 Designation of Emergency Vehicles	June 2014	Title 75 Pa.C.S. § 6106 allows PSP to designate emergency vehicles upon certain findings. This regulation would add Philadelphia Prison System vehicles used to escort ambulances transporting sick or injured inmates to the class of vehicles eligible for designation.	Major Marshall A. Martin (717) 783-5566
<b>STATE SYSTEM OF HIGHER EDUCATION</b>			
No regulations being developed or considered at this date.			
<b>TRANSPORTATION</b>			
175—Vehicle Equipment and Inspection 67 Pa. Code Chapter 175	Final Rulemaking— Estimated Promulgation May 2013	Many changes are needed to bring the regulations in line with changes in the Vehicle Code. Other changes include an initiative to update recertification requirements for safety inspectors and accommodate electronic recordkeeping of vehicle safety inspection findings. The changes will also allow for the utilization of laser guided systems to improve quality, efficiency and safety associated with snow plow and line painting operations.	Kristen Singer (717) 787-2171 James Smith (717) 787-4299
23—Delivery of Certificates of Title 67 Pa. Code Chapter 23	Proposed Rulemaking— Estimated Promulgation June 2013	The method of title delivery has changed due to the electronic lien and title program (75 Pa.C.S. § 1151). This Chapter needs to be updated to reflect the ability to transmit titles with liens electronically, rather than by mail.	Andy Cleaver (717) 787-2171
17—Authorization to Verify ID Numbers 67 Pa. Code Chapter 17	Final Rulemaking— Estimated Promulgation May 2013	Changes are needed to document the Vehicle Identification Number (VIN) verification process. The VIN verification process is not currently documented in either the Vehicle Code or in regulations.	Andy Cleaver (717) 787-2171
71—School Bus Drivers 67 Pa. Code Chapter 71	Proposed Rulemaking— Estimated Promulgation December 2013	The regulations will be updated to help ensure that school bus drivers diagnosed with various cardiovascular diseases are in stable condition. The regulations will also update the medical standards for school bus drivers that have brain disease, cognitive impairment or a mental/emotional disorder.	Rich Kirkpatrick (717) 783-5958
83—Physical & Mental Criteria—Including Vision Standards Relating to the Licensing of Drivers 67 Pa. Code Chapter 83	Proposed Rulemaking— Estimated Promulgation December 2013	The regulations will be updated to help ensure that license holders diagnosed with various cardiovascular diseases are in stable condition. The regulations will also update the medical standards for license holders that have brain disease, cognitive impairment or a mental/emotional disorder.	Rich Kirkpatrick (717) 783-5958
105—Mechanical Electrical and Electronic Speed Timing Devices 67 Pa. Code Chapter 105	Proposed Rulemaking— On Hold, pending analysis	The regulations are being updated to reflect changes in equipment technology relating to calibration and maintenance of speed timing devices used for law enforcement purposes and to delete references to obsolete equipment and calibration procedures.	Kristen Singer (717) 787-2171

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Chapter 427—Public Transportation (Act 44 of 2008)	Final Rulemaking—Estimated Promulgation March 2013	Act 44 of 2008, Chapter 15, Sustainable Mobility Options, authorizes almost all public transportation funding programs for the Commonwealth. The legislation required the Department to develop regulations for several sections of the legislation. The temporary regulations were published in the <i>Pennsylvania Bulletin</i> on July 18, 2009. Permanent regulations were published on November 12, 2011. IRRC provided comments to Office of Chief Counsel. As of May 15, 2012, Office of Chief Counsel is in the process of addressing the IRRC comments.	LaVerne Collins (717) 787-1214
Chapter 441 Driveway/Local Road Regulation Fees	Final Rulemaking—On hold	Allows sales agreement or mineral right owners to apply for permits. Update sight distance requirements to AASHTO standards. Relocate driveway designs to Publication 282 to allow immediate updates. Allow driveway applications to be submitted by electronic submission. Remove fees and fee structure from regulation and publish in <i>PA Bulletin</i> . Updating outdated references.	Mike Dzurko (717) 787-7350
Chapter 459 Occupancy of Highways by Utilities 67 Pa. Code Chapter 459	Proposed Rulemaking—June 2013	Allow utility applications to be submitted by electronic submission. Allows newest techniques in utility work to be used. Remove fees and fee structure from regulation and publish in <i>PA Bulletin</i> . Updating outdated references.	Glenn Rowe (717) 787-3620
Chapter 101 Authorizing Appropriately Attired Persons to Direct, Control or Regulate Traffic 67 Pa. Code Chapter 101	Proposed Rulemaking—Estimated publication June 2013	The proposed regulation change is needed to be consistent with a Federal Highway Administration rule making (23 CFR Part 634: Worker Visibility Rule—issued November 24, 2008).	Matt Briggs (717) 783-6268
Chapter 443 Roadside Rest Areas 67 Pa. Code Chapter 443	Final Rulemaking—On hold	These amendments more clearly delineate what activities are prohibited and permitted at roadside rest areas.	Terry Pearsal (717) 787-0466
175—Vehicle Equipment and Inspection 67 Pa. Code Chapter 175	Final Rulemaking—Estimated Promulgation May 2013	Many changes are needed to bring the regulations in line with changed in the Vehicle Code. Other changes include an initiative to update recertification requirements for safety inspectors and accommodate electronic record keeping of vehicle safety inspection findings. The changes will also allow for the utilization of laser guided systems to improve quality, efficiency and safety associated with snow plow and line painting operations.	Kristen Singer (717) 787-2171 James Smith (717) 787-4299

[Pa.B. Doc. No. 13-202. Filed for public inspection February 1, 2013, 9:00 a.m.]

## HISTORICAL AND MUSEUM COMMISSION

### National Register Nominations to be Reviewed by the Historic Preservation Board

The Historic Preservation Board (Board) will hold a meeting on February 5, 2013, at 9:45 a.m. at the Rachel Carson State Office Building, Harrisburg, PA. For individuals with a disability who wish to attend this meeting, and require an auxiliary aid, service or other accommodation to participate, contact Cheri Garrett at (717) 783-

9933 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Board can accommodate their needs. For persons who have any questions or comments, contact the National Register Office of the Bureau for Historic Preservation at (717) 783-8947.

1. Joe Frazier's Gym, 2917 North Broad Street, Philadelphia City, Philadelphia County, No. 157203
2. John Wilde & Brother, Inc., 3737 Main Street, Philadelphia City, Philadelphia County, No. 157099
3. Idlewild, 110 Idlewild Lane, Upper Providence Township, Delaware County, No. 155153



4. Mascot Roller Mills (Boundary Increase), intersection of Newport and Stumptown Roads, Upper Leacock Township, Lancaster County, No. 156394

5. August Wilson House, 1727 Bedford Avenue, Pittsburgh City, Allegheny County, No. 155045

6. Pittsburgh Renaissance Historic District, roughly bounded by the Allegheny River, Stanwix Street, the Monongahela and the Ohio Rivers, Pittsburgh City, Allegheny County, No. 156390

7. Penn-Liberty Historic District (boundary increase), roughly bounded by Liberty Avenue, Stanwix Street, Fort Duquesne Boulevard, 9th, French and 10th Streets, Pittsburgh City, Allegheny County, No. 156700

8. Pittsburgh Central Downtown Historic District (boundary increase and additional documentation), roughly bounded by Grant Street, Fourth Avenue, Wood Street, Sixth and Liberty Avenues, the former Pennsylvania Railroad tracks and Seventh Avenue, Pittsburgh City, Allegheny County, No. 156803

9. Fourth Avenue Historic District (boundary increase and additional documentation), roughly bounded by Smithfield Street, Third Avenue, Market Square Place and Fifth Avenue, Pittsburgh City, Allegheny County, No. 156804

10. Firstside Historic District (boundary increase and additional documentation), roughly bounded by the Boulevard of the Allies, Grant Street, Fort Pitt Boulevard and Stanwix Street, Pittsburgh City, Allegheny County, No. 156805

11. Pittsburgh Terminal Warehouse and Transfer Company, 333-400 East Carson Street, Pittsburgh City, Allegheny County, No. 007715

JAMES M. VAUGHAN,  
*Executive Director*

[Pa.B. Doc. No. 13-203. Filed for public inspection February 1, 2013, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Agency Contract Termination of Martin's Hatchery Poultry Farms under Act 143; Westfield Insurance; Doc. No. AT13-01-013

A prereview telephone conference initiated by this office is scheduled for February 14, 2013, at 9:30 a.m. A review of the agency contract termination is scheduled for March 7, 2013, at 9:30 a.m.

Motions preliminary to those at the review, protests, petitions to intervene or notices of intervention, if any, must be filed on or before February 4, 2013, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before February 13, 2013.

On or before February 28, 2013, each party shall file with the Administrative Hearings Office a review statement which shall contain: (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at

the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for that party's case.

Persons with a disability who wish to attend the previously-referenced administrative review and require an auxiliary aid, service or other accommodation to participate in the review should contact Donna R. Fleischauer, Human Resources Director, (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-204. Filed for public inspection February 1, 2013, 9:00 a.m.]

### Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Attleboro Retirement Community, LLC

Attleboro Retirement Community, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Attleboro Retirement Village in Langhorne, PA. The initial filing was received on January 22, 2013, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or syerger@pa.gov.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-205. Filed for public inspection February 1, 2013, 9:00 a.m.]

### Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Harlee Manor, Inc.

Harlee Manor, Inc. has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Harlee Manor, Inc. in Springfield, PA. The initial filing was received on January 22, 2013, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written

statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or syerger@pa.gov.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-206. Filed for public inspection February 1, 2013, 9:00 a.m.]

ary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-208. Filed for public inspection February 1, 2013, 9:00 a.m.]

### Highmark, Inc.; Rate Increase Filing for Several LTC Forms

Highmark, Inc. is requesting approval to increase the premium an aggregate 40% on 552 policyholders with the following individual Highmark Blue Shield LTC policy form numbers: SPL-336-HMBSPA and FSPL-336-HMBSPA. The increase will average 40% but individual policyholders can receive increases ranging from 0% to 60%.

Unless formal administrative action is taken prior to April 17, 2013, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-207. Filed for public inspection February 1, 2013, 9:00 a.m.]

### MedAmerica Insurance Company; Rate Increase Filing for Several LTC Forms

MedAmerica Insurance Company is requesting approval to increase the premium an aggregate 38% on 464 policyholders with the following MedAmerica LTC policy form numbers: SPL-336 and FSPL-336. The increase will average 38% but individual policyholders can receive increases ranging from 0% to 60%.

Unless formal administrative action is taken prior to April 17, 2013, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-209. Filed for public inspection February 1, 2013, 9:00 a.m.]

### Highmark, Inc.; Rate Increase Filing for Several LTC Forms

Highmark, Inc. is requesting approval to increase the premium an aggregate 41% on 518 policyholders with the following individual Highmark Blue Cross Blue Shield LTC policy form numbers: SPL-336-HMBCBSPA and FSPL-336-HMBCBSPA. The increase will average 41% but individual policyholders can receive increases ranging from 0% to 60%.

Unless formal administrative action is taken prior to April 17, 2013, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary,

### Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with their company's termination of the insureds' homeowners policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Kevin and Paula O'Donnell; file no. 12-114-131295; The Travelers Home and Marine Insurance Company; Doc. No. P13-01-011; February 28, 2013, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-210. Filed for public inspection February 1, 2013, 9:00 a.m.]

### Surplus Lines Agents and Interested Parties; Export List of Insurance Coverages

In May 2012, the Insurance Commissioner (Commissioner) determined that certain insurance coverages were generally unavailable in the authorized market and declared those coverages as exportable. A list of exportable coverages was published at 42 Pa.B. 2571 (May 12, 2012). Accordingly, for those insurance coverages that are included on the export list, a diligent search among insurers admitted to do business in this Commonwealth is not required before placement of the coverages in the surplus lines market.

The Commissioner declared that the export list would remain in effect until revised or superseded by a subsequent list.

At this time, the Commissioner is soliciting comments regarding the current export list. Persons may request in writing that a coverage be added or removed from the list.

Persons wishing to comment on the Commissioner's current export list are invited to submit a written statement within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Office of Corporate and Financial Regulation, Insurance Department, 1345 Strawberry Square, Harrisburg, PA, 17120, fax (717) 787-8557, cbybee@pa.gov. After consideration of all comments received, the Commissioner will publish a notice in the *Pennsylvania Bulletin* providing a 15-day opportunity to comment on any proposed changes before formal publication of the revised list.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-211. Filed for public inspection February 1, 2013, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by February 19, 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.

#### **Application of the following for approval to begin operating as common carriers for transportation of persons as described under the application.**

**A-2012-2329717. La Mexicana Express Service, LLC** (1044 Union Street, Reading, PA 19604) for the right to begin to transport, as a common carrier, by motor vehicle, persons, in paratransit service, from point to point within Berks County.

#### **Application of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under the application.**

**A-2012-2329971. Interstate Nursing Services, Inc., t/a Whitehall Medical Transport Services** (1041 North 6th Street, Whitehall, PA 18052), a corporation of this Commonwealth, for amendment to its common carrier certificate, which grants the right to transport as a common carrier, persons in paratransit service, between points in the Counties of Lehigh and Northampton, and from points in said counties, to points in Pennsylvania, and return. Subject to the following conditions:

1. That no right, power or privilege is granted to transport persons to or from points in Northampton County, except for the transportation of persons to or from points within Bethlehem Township, the City of Bethlehem and the Boroughs of Northampton and Nazareth, Northampton County.

2. That no right, power or privilege is granted to transport persons to or from the Lehigh Valley Hospital-Muhlenberg, located in the City of Bethlehem, Northampton County.

*So as to Permit* the transportation of persons in paratransit service, between points in the Counties of Bucks, Berks, Chester, Montgomery, Northampton, Philadelphia and Schuylkill.



**Application of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.**

**A-2012-2331737. Joseph A. Trapuzzano, t/a Broadway Limousine** (624 Woodward Avenue, McKees Rocks, PA 15136) for the additional right to begin to transport, as a common carrier by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Allegheny, Beaver, Butler, Washington and Westmoreland, to points in Pennsylvania, and return, excluding areas under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* David M. O'Boyle, Wick, Streiff, Meyer, O'Boyle & Szeligo, PC, 1450 Two Chatham Center, 112 Washington Place, Pittsburgh, PA 15219-3455.

**Application of the following for approval to begin operating as contract carriers for transportation of persons as described under the application.**

**A-2012-2329000. Morton-Battles Corporation, t/a Global Coach**, (1810 Widener Place, Philadelphia, PA 19141) for the right to begin to transport, as a contract carrier for Access2Care, by motor vehicle, persons in paratransit service, between points in the Counties of Philadelphia, Bucks, Delaware, Montgomery, Chester, Lancaster, Lehigh and Northampton, and to points in Pennsylvania, and return.

**Applications of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.**

**A-2012-2339012. Herbert U Craft, Jr., t/a Craft Funeral Home** (814 Bethlehem Pike, Erdenheim, PA 19038) for the discontinuance of service and cancellation of his Certificate of Public Convenience as a common carrier, by motor vehicle, at A-00099861 authorizing the transportation of persons in limousine service between points in Pennsylvania.

**A-2012-2340706. Amish Express, LLC** (240 Letort Road, Millersville, Lancaster County, PA 17551)—discontinuance of service—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.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-212. Filed for public inspection February 1, 2013, 9:00 a.m.]

### Telecommunications

**A-2013-2343554 and A-2013-2343555. Birch Communications, Inc. and Covista, Inc.** Joint application of Birch Communications, Inc. and Covista, Inc., for approval of the transfer of all of Covista, Inc.'s Pennsylvania customers and telecommunications assets to Birch Communications, Inc.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before February 19, 2013. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us), and at the applicant's business address.

*Applicants:* Birch Communications, Inc., Covista, Inc.

*Through and By Counsel:* Susan E. Bruce, Esquire, McNees, Wallace and Nurick, LLC, 100 Pine Street, P. O. Box 1166, Harrisburg, PA 17108-1166

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-213. Filed for public inspection February 1, 2013, 9:00 a.m.]

### Telecommunications

**A-2013-2343827. United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and United States Cellular Corporation.** Joint petition of United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and United States Cellular Corporation for approval of an executed true and correct ICC Bill-and-Keep Amendment to the CRMS interconnection agreement between CenturyLink and United States Cellular Corporation under section 252(e) of The Telecommunications Act of 1996.

United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and United States Cellular Corporation, by its counsel, filed January 18, 2013, at the Pennsylvania Public Utility Commission (Commission) a joint petition for approval of an executed true and correct ICC Bill-and-Keep Amendment to the CRMS interconnection agreement between CenturyLink and United States Cellular Corporation, 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 CenturyLink 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. 13-214. Filed for public inspection February 1, 2013, 9:00 a.m.]

### Transfer of Indirect Control

**A-2013-2343851 and A-2013-2343853. Yankee Metro Partners, LLC, Sidera Networks, LLC, NEON Connect, Inc. and LTS Buyer, LLC.** Joint application of Yankee Metro Partners, LLC, Sidera Networks, LLC,



NEON Connect, Inc. and LTS Buyer, LLC for approval of a general rule transfer of indirect control of Sidera Networks, LLC and NEON Connect, Inc., to LTS Buyer LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before February 19, 2013. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us), and at the applicant's business address.

*Applicants:* Sidera Networks, LLC, NEON Connect, Inc.

*Through and By Counsel:* Michael A. Gruin, Esquire, Stevens & Lee, 17 North Second Street, 16th Floor, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-215. Filed for public inspection February 1, 2013, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 13-003.1, On-Call Marine Dive Inspection & Repair Services, until 2 p.m. on Thursday, March 7, 2013. Information (including mandatory prebid information) can be obtained from the web site [www.philaport.com](http://www.philaport.com) under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-216. Filed for public inspection February 1, 2013, 9:00 a.m.]

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 12-044.P, Request for Proposal—Design of Video Surveillance for Various PRPA Facilities, until 2 p.m. on Thursday, February 28, 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. 13-217. Filed for public inspection February 1, 2013, 9:00 a.m.]

## STATE BOARD OF PHARMACY

### Bureau of Professional and Occupational Affairs v. Phila RX Pharmacy; Doc. No. 1220-54-2012

On July 1, 2012, the State Board of Pharmacy suspended the license of Phila RX Pharmacy, license no. PP481266, of Philadelphia, Philadelphia County for non-payment of a previously issued civil penalty.

Individuals may obtain a copy of the order of suspension by writing to Kerry E. Maloney, Board Counsel, State Board of Pharmacy, P. O. Box 2649, Harrisburg, PA 17105-2649.

EDWARD J. BECHTEL, R.Ph.,  
*Chairperson*

[Pa.B. Doc. No. 13-218. Filed for public inspection February 1, 2013, 9:00 a.m.]

## STATE CONSERVATION COMMISSION

### Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

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

For individuals who wish to challenge an action, 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, so individuals interested in challenging this action 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.

## Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/ Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New or Amended</i>	<i>Action Taken</i>
Troxell Farms 250 Showers Road New Columbia, PA 17856	Union County/ White Deer Township	1,453.81	Swine	Amended	Approved
Amos K. Stoltzfus 350 Evans Road Lititz, PA 17543	Lancaster County/ Elizabeth Township	57.0	Layer	New	Approved
Grant Martin 380 Gameland Road Newville, PA 17241	Cumberland County/ Upper Mifflin Township	8.85	Guineas	New	Approved
Cotner Farms, Inc. 127 Rushtown Road Danville, PA 17821	Northumberland County/ Rush Township	1,444.0	Layer	Amended	Approved
Daniel S. Smucker 2095 North Churchtown Road Narvon, PA 17555	Lancaster County/ Caernarvon Township	6.5	Cattle	New	Approved
Dale L. Brubaker 2565 Long Lane Lebanon, PA 17046	Lebanon County/ North Lebanon Township	205.3	Broiler	New	Approved
Esbenshade, Inc.— Maytown Farm 2569 Maytown Road Marietta, PA 17547	Lancaster County/ East Donegal Township	1,679.39	Layer	New	Approved
Country View Family Farms, LLC— New Hope Farm 23177 Back Road Conford, PA 17217	Franklin County/ Fannett Township	2,716.0	Swine	Amended	Approved
Presque Isle Downs, Inc. 8199 Perry Highway Erie, PA 16509	Erie County/ Summit Township	309.86	Horses	New	Disapproved

MICHAEL L. KRANCER,  
*Chairperson*

[Pa.B. Doc. No. 13-219. Filed for public inspection February 1, 2013, 9:00 a.m.]

