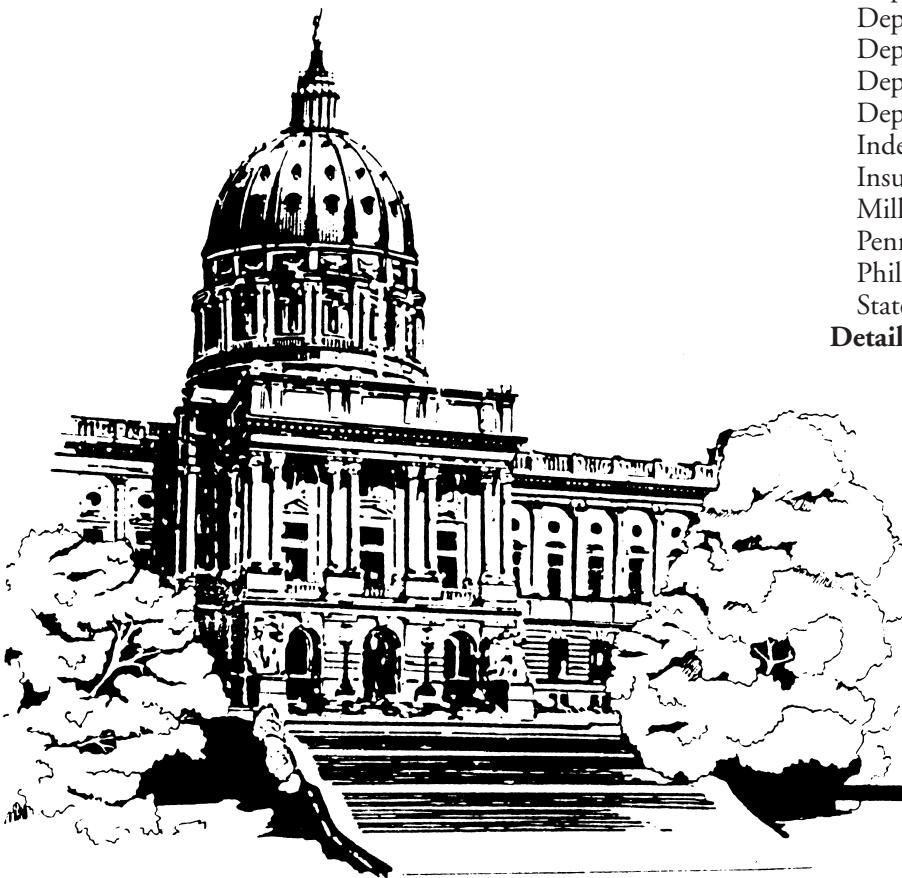


PENNSYLVANIA BULLETIN

Volume 42
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Capitol Preservation Committee
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Department of Conservation and Natural Resources
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State Employees' Retirement Board
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**Latest Pennsylvania Code Reporters
(Master Transmittal Sheets):**

No. 454, September 2012

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at www.pacode.com.

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

A chronological table of the history of *Pennsylvania Code* sections may be found at www.legis.state.pa.us.

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

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Printing Format

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

Fiscal Notes

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

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

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THE COURTS

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Interim Revision of Pretrial Release Guidelines; Administrative Order No. 05 of 2012

Order

And now, this 4th day of September, 2012, the First Judicial District of Pennsylvania having received no comments in response to the Notice to the Bar and All Criminal Justice Partners published in the June 12, 2012 edition of *The Legal Intelligencer* advising of its intention to adjust the cash ranges of the current guidelines to account for the effect of inflation, it is hereby *Ordered, Adjudged and Decreed* that the First Judicial District's Bail Guidelines are adjusted, effective on September 12, 2012, to reflect the 50% increase in the cost of living based on the Consumer Price Index for All Urban Consumers since the adoption of the Bail Guidelines in 1995, as follows:

BAIL GUIDELINES GRID

		Charge Seriousness									
		1	2	3	4	5	6	7	8	9	10
Risk Level	1	ROR 1	ROR 5	ROR 9	ROR 13	ROR 17	ROR 21	ROR 25	\$1,500- \$4,500 29	\$2,200- \$6,700 33	\$3,000- \$12,000 37
	2	ROR 2	ROR 6	ROR 10	ROR 14	ROR 18	ROSC 1 22	ROSC 1 26	\$3,000- \$6,700 30	\$3,700- \$8,200 34	\$3,700- \$12,000 38
	3	ROR 3	ROSC 1 7	ROSC 1 11	ROSC 1 15	ROSC 2 19	ROSC 2 23	ROSC 2 27	\$3,700- \$7,500 31	\$4,500- \$9,700 35	\$6,700- \$22,500 39
	4	ROSC 1 4	ROSC 1 8	ROSC 1 12	ROSC 2 16	ROSC 2 20	ROSC 2 24	\$3,700- \$6,700 28	\$4,500- \$7,500 32	\$4,500- \$12,000 36	\$9,000- \$75,000 40

In addition, a recent analysis of the practices of Philadelphia bail commissioners showed that between March and July 2012 cash bail was set in 95% of cases involving the possession of a firearm where the firearm was not discharged. In 72% of those cases, bail exceeded \$50,000, the top end of the highest range of the guidelines, which the model recommends for high risk defendants charged with the most serious offenses (cell 40 on the old matrix). Cash bail was set in these firearms cases despite that the current guidelines grade all violations of the Uniform Firearms Act at a Charge Seriousness level of 5 and, consequently, recommend ROR or ROSC2—not cash bail—depending on the defendant's risk level.

Now, therefore, after careful consideration of the current practices, which reflect the broader concern of city officials and the community at large that gun violence in Philadelphia is at epidemic proportions, it is hereby *Ordered, Adjudged and Decreed* that violations of Section 6105 (former convict not to own a firearm), 6106 (carrying a firearm without a license) and 6108 (carrying a firearm on public streets in Philadelphia) of the Pennsylvania Crimes Code are reclassified to a Charge Seriousness Level of 10. Violations of Section 4952 (Intimidation of witnesses or victims) and 4953 (Retaliation against witness, victim or party) are also reclassified to a Charge Seriousness Level of 10, effective on September 12, 2012.

This Administrative Order is issued in accordance with the April 11, 1986 order of the Supreme Court of Pennsylvania, Eastern District, No. 55 Judicial Administration, Docket No. 1; and with the March 26, 1996 order of the Supreme Court of Pennsylvania, Eastern District, No. 164 Judicial Administration, Docket No. 1, as amended. As required by Pa.R.Crim.P. No. 105 (D), this Order has been submitted to the Supreme Court's Criminal Procedural Rules Committee for review and written notification has been received from the Committee certifying that this Order is not inconsistent with any general rule of the Supreme Court. This Order shall be filed with the Prothonotary and the Clerk of Courts in a docket maintained for Orders issued by the First Judicial District of Pennsylvania, and, as required by Pa.R.Crim.P. No. 105(E), two certified copies of this Order and a copy on a computer diskette, shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. As required by Pa.R.Crim.P. No. 105 (F) one certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts and will also be published on the Unified Judicial System's web site at <http://ujportal.pacourts.us/localrules/ruleselection.aspx> and posted on the First Judicial District's website at <http://courts.phila.gov>. Copies shall be published in *The Legal Intelligencer* and will be submitted to American

Lawyer Media, Jenkins Memorial Law Library, and the Law Library for the First Judicial District.

By the Court

HONORABLE JOHN W. HERRON,
Administrative Judge, Trial Division

[Pa.B. Doc. No. 12-1855. Filed for public inspection September 21, 2012, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Administrative Suspension

Notice is hereby given that the following attorneys have been Administratively Suspended by Order of the Supreme Court of Pennsylvania dated August 2, 2012, pursuant to Rule 111(b) Pa.R.C.L.E., which requires that every active lawyer shall annually complete, during the compliance period for which he or she is assigned, the continuing legal education required by the Continuing Legal Education Board. The Order became effective September 1, 2012, for Compliance Group 3.

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

Bancheri, Christine E.
Wenham, MA

Calcaterra, Regina Marie
New Suffolk, NY

Cooke, Kevin Peter
Hackensack, NJ

Cresswell, Kimberly Ann
Millsboro, DE

Duszak, Carey Galvin
Wilmington, DE

Ealy, David Hopkins
Spencerport, NY

Feeney, Joseph Michael
New York, NY

Harmon, Bryant Allen
Hammonton, NJ

Himmelreich, David B.
East Norwalk, CT

Kim, Kyong-Won
Newport Beach, CA

Manero, Charles Francis
Sewell, NJ

Miller, Jr., John Allen
Westmont, NJ

Mirarchi, Michael Francis
Oneonta, NY

Morris, Susanna Jane
Cherry Hill, NJ

Penberthy, III, John C.
Voorhees, NJ

Schwartz, Glenn Facher
Short Hills, NJ

Slattery, John Roderick
Katy, TX

Swanson, Troy C.
Bel Air, MD

Whinston, Stephen Alan
Voorhees, NJ

SUZANNE E. PRICE,
Attorney Registrar
The Disciplinary Board of the
Supreme Court of Pennsylvania

[Pa.B. Doc. No. 12-1856. Filed for public inspection September 21, 2012, 9:00 a.m.]

RULES AND REGULATIONS

Title 52—PUBLIC UTILITIES

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CH. 59]

[L-2008-2034622]

Liquid Fuels Pipeline Regulations

The Pennsylvania Public Utility Commission (Commission), on March 1, 2012, adopted a final rulemaking order which sets forth new language for regulation of liquid fuels and hazardous materials pipelines by incorporating 49 CFR Part 195 (relating to transportation of hazardous liquids by pipeline).

Executive Summary

The Commission is amending its existing regulations at 52 Pa. Code § 59.33 to include new language for the regulation of liquid fuels and hazardous materials pipelines by incorporating Chapter 195 of the *Code of Federal Regulations*. Section 102 of the Public Utility Code, 66 Pa.C.S. § 102, defines a public utility as “Any person or corporations now or hereafter owning or operating in the Commonwealth equipment or facilities for . . . (v) Transporting or conveying natural or artificial gas, crude oil, gasoline, or petroleum products, materials for refrigeration, or oxygen or nitrogen, or other fluid substance, by pipeline or conduit, for the public for compensation.” Id. § 102(1)(v).

The Public Utility Commission has jurisdiction over petroleum and oil pipeline utilities, and, pursuant to Section 102(1)(v), the Commission also has jurisdiction over hazardous materials and liquid fuels transported via pipeline or conduit for the public for compensation. Yet, the Commission currently has no specific regulations in place to effectively address enforcement and safety issues. Therefore, we are amending our regulations to include regulations addressing transportation of hazardous materials and liquid fuels by pipeline or conduit as consistent with 49 C.F.R. § 195, et seq., and in accordance with the Pipeline Safety Grant Program Payment Agreement entered into with the Department of Transportation.

Public Meeting held
March 1, 2012

Commissioners Present: Robert F. Powelson, Chairperson; John F. Coleman, Jr., Vice Chairperson; Wayne E. Gardner; James H. Cawley; Pamela A. Witmer

Liquid Fuels Pipeline Regulations;
Doc. No. L-2008-2034622

Final Rulemaking Order

By the Commission:

By Order entered July 16, 2010, at the above-captioned docket, this Commission issued a proposed rulemaking to amend its existing regulations at 52 Pa. Code § 59.33 to include new language for the regulation of liquid fuels and hazardous materials pipelines by incorporating Chapter 195 of the *Code of Federal Regulations*. The proposed rulemaking and the notice requesting comments from interested parties were published February 26, 2011 in the *Pennsylvania Bulletin*, at 41 Pa.B. 1020. The Commission received comments from the Independent Regulatory Review Commission (IRRC). This order addresses the

comments received and sets forth a final rulemaking amending our regulations at 52 Pa. Code § 59.33.

A. Background and Procedural History

Section 102 of the Public Utility Code, 66 Pa.C.S. § 102, defines a public utility as “Any person or corporations now or hereafter owning or operating in the Commonwealth equipment or facilities for . . . (v) Transporting or conveying natural or artificial gas, crude oil, gasoline, or petroleum products, materials for refrigeration, or oxygen or nitrogen, or other fluid substance, by pipeline or conduit, for the public for compensation.” Id. § 102(1)(v).

Currently, Pennsylvania exercises jurisdiction over petroleum and oil pipeline utilities including utilities such as Laurel Pipe Line Co., Sunoco Pipeline, and Conoco Philips Pipe Line Co. Pursuant to Section 102(1)(v), the Commission also has jurisdiction over hazardous materials and liquid fuels transported via pipeline or conduit for the public for compensation, yet currently has no specific regulations in place to effectively address enforcement and safety issues. Therefore, we are proposing to amend our regulations to include regulations addressing transportation of hazardous materials and liquid fuels by pipeline or conduit as consistent with 49 C.F.R. § 195, et seq., and in accordance with the Pipeline Safety Grant Program Payment Agreement entered into with the Department of Transportation.

B. Comments

Based on criteria in Section 5.2 of the Regulatory Review Act, 71 P.S. § 745.5(b), IRRC filed comments to our proposed rulemaking raising three issues. First, IRRC asks what “hazardous liquid public utilities” are, and requests that the term be defined in the final-form regulation.

Section 195.2 of the *Code of Federal Regulations*, 49 CFR § 195.2, defines the term “hazardous liquid” as “petroleum, petroleum products, or anhydrous ammonia.” Section 102 of the Public Utility Code, 66 Pa.C.S. § 102, defines a public utility as, among other things, “Any person or corporation now or hereafter owning or operating in this Commonwealth equipment or facilities for transporting or conveying . . . crude oil, gasoline, or petroleum products . . . by pipeline or conduit, for the public for compensation.” We agree with IRRC that a definition of “hazardous liquid public utility” should be included in the final-form regulation, and will add a definition incorporating language from both § 195.2 of the CFR, and § 102 of the Public Utility Code.

The second issue raised by IRRC is that proposed subsection (b) references “future federal amendments to 49 CFR Parts 190—195, 198 and 199. . . .” IRRC points out that Section 1.6 of the *Pa. Code & Bulletin Style Manual* provides, “If an agency wishes to incorporate subsequent amendments [of a code or regulation] the agency must explicitly do so by amendment of its existing rules. . . .” IRRC suggests that the final-form rulemaking either delete the new language pertaining to future federal amendments or provide a justification for retaining it.

There are two reasons why the Commission must incorporate future federal amendments to the enumerated provisions of the CFR. First, the existing regulation at 52 Pa. Code § 59.33 already incorporates all future federal

amendments to the provisions of the CFR listed, namely Parts 191—193, and 199. The final-form rulemaking adds only Part 195 to that list. The final-form rulemaking language will be as follows:

The minimum safety standards for all [**gas transmission and distribution facilities**] **natural gas and hazardous liquid public utilities** in this Commonwealth shall be those issued under the pipeline safety laws as found in 49 U.S.C.A. §§ 60101—60503 and as implemented at 49 CFR Parts [**191—193**], [**190—195, 198**] 191—193, 195 and 199, including all subsequent amendments thereto [**future**]. **Future** Federal amendments to 49 CFR Parts [**191—193**], [**190—195, 198**] 191—193, 195 and 199, as amended or modified by the Federal government, shall have the effect of amending or modifying the Commission's regulations with regard to the minimum safety standards for all [**gas transmission and distribution facilities**] **natural gas and hazardous liquid public utilities**. The amendment or modification shall take effect 60 days after the effective date of the Federal amendment or modification, unless the Commission publishes a notice in the *Pennsylvania Bulletin* stating that the amendment or modification may not take effect.

Therefore, we are adding no new language to § 59.33 regarding future federal amendments.

The second, and more important, reason relates to maintaining federal funding for our natural gas pipeline safety program. In particular, it is imperative we maintain the current language regarding future federal amendments, so that the Commission can adequately participate in the Hazardous Liquid Pipeline Safety Grant Program. Section 511.1 of the Public Utility Code, 66 Pa.C.S. § 511.1, authorizes the Commission to apply for and use federal funds pursuant to the National Energy Act, which is composed of, among other Acts, any future Federal legislation providing special funds for gas safety programs. The U.S. Department of Transportation's ("DOT") Pipeline and Hazardous Materials Safety Administration's ("PHMSA") Hazardous Liquid Pipeline Safety Grant Program supports efforts to develop and maintain state natural gas, liquefied natural gas, and hazardous liquid pipeline safety programs.¹ The objective of the Pipeline Safety Grant Program is to develop and maintain state natural gas, liquefied natural gas, and hazardous liquid pipeline safety programs.

The Pipeline Safety Grant Program is a 100% performance-based program with the performance criteria of 100 points. Eligible programs will cover such areas as inspection and testing of gas pipelines as well as related travel, training, and research. Funds must be expended for personnel, equipment, and activities reasonably required for the pipeline safety program. DOT provides federal matching funds, up to 50 percent to any state agency with a certificate under Section 60105 of Title 49, *United States Code*, an agreement under Section 60106 of Title 49, *United States Code*, or to any state acting as a DOT agent on interstate pipelines.

Funding to the states is allocated by a method designed to reflect the degree to which a state has met specific

levels of performance, based on information provided in certification packages and the results of DOT's Regional Office program evaluation. The allocation is determined by assigning point values to the states for having achieved certain levels of program participation, dividing this point score by the sum of the states' point scores, and multiplying this ratio by the amount available for the distribution. PHMSA distributes the remaining funds according to certain criteria designed to seek improvements in various state programs.

The criteria used by PHMSA is the extent of intrastate jurisdiction, inspector qualifications, recommended number of inspection person-days, state adoption of applicable Federal regulations, and other relevant criteria. New state programs, such as Pennsylvania's, are automatically funded at a minimum score of 90 for the first three years (assuming the state is making satisfactory progress in meeting certification requirements), thereby providing an adequate cushion for these state programs to get established.

Therefore, it is imperative that we retain the language incorporating future federal amendments so that we may keep step with any changes in the federal regulations. Doing so ensures that we will receive the funding necessary for the Commission to carry out the requirements of the Pipeline Safety Grant Program. It is in participation of this program that we are modifying our existing regulation to add Chapter 195, as an applicable federal regulation, in order to meet the requirements for federal funding. And, likewise, staying consistent with future federal amendments to these CFR provisions in a timely manner ensures we will continue to meet these necessary requirements.

Finally, IRRC raises the issue that the existing subsection references 49 CFR Parts 191—193, and 199, while the proposed regulation replaces these references with 49 CFR parts 190—195, 198, and 199. IRRC states that it is unclear why these changes have been made, and asks for further clarification. The final-form rulemaking will differ from the proposed rulemaking in that we intend to modify 52 Pa. Code § 59.33 so that only 49 CFR Part 195 is added to the current regulation.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on February 10, 2011, the Commission submitted a copy of the proposed rulemaking, published at 41 Pa.B. 1020 (February 26, 2011), to IRRC and the Chairpersons of the House Committee on Consumer Affairs and the Senate Committee on Consumer Protection and Professional Licensure for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the House and Senate Committees were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Commission has considered all comments from IRRC, the House and Senate Committees and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on July 18, 2012, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on July 19, 2012, and approved the final-form rulemaking.

¹ Authorized by the Natural Gas Pipeline Safety Act of 1968, Public Law 90-481, 49 U.S.C. 1971, as amended; Public Law 92-401, 86 Stat. 616; Public Law 93-403, 88 Stat. 802; Public Law 94-477, 90 Stat. 2073; Pipeline Safety Act of 1979, Title I and Title II, Public Law 96-129, 93 Stat. 989; Pipeline Safety Reauthorization Act of 1988, Public Law 100-561; Pipeline Safety Act of 1992, Public Law 102-508; 49 U.S.C. 601; Public Law 103-272; Accountable Pipeline Safety and Partnership Act of 1996, Public Law 104-304.

Conclusion

Since the Gas Service Regulations at 52 Pa. Code § 59 and the Federal Code Regulations on the Transportation of Hazardous Liquids by Pipeline at 49 CFR § 195 are already used in the regulation of natural gas and hazardous liquid pipelines respectively, we propose to amend 52 Pa. Code § 59.33 to include hazardous liquid pipelines, and specifically reference 49 CFR § 195 and future amendments thereto.

Accordingly, under sections 501 and 1501 of the Public Utility Code (66 Pa.C.S. §§ 501 and 1501); sections 201 and 202 of the act of July 31, 1968 (P. L. 769 No. 240) (45 P. S. §§ 1201 and 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1, 7.2 and 7.5; section 204(b) of the Commonwealth Attorneys Act (71 P. S. § 732.204(b)); section 745.5 of the Regulatory Review Act (71 P. S. § 745.5); and section 612 of The Administrative Code of 1929 (71 P. S. § 232), and the regulations promulgated thereunder at 4 Pa. Code §§ 7.231—7.235, we find that the regulation as set forth in Annex A should be approved; *Therefore,*

It Is Ordered That:

1. The regulations of the Commission, 52 Pa. Code Chapter 59, are amended by amending § 59.33 to read as set forth in Annex A.

2. The Secretary shall serve a copy of this order and Annex A on all jurisdictional natural gas distribution companies, the Office of Consumer Advocate, the Office of Small Business Advocate and all other parties that filed comments at Docket No. L-2008-2069114.

3. The Secretary shall certify this order and Annex A and deposit them with the Legislative Bureau for publication in the *Pennsylvania Bulletin*.

4. The Secretary shall submit this order and Annex A to the Office of Attorney General for approval as to legality.

5. The Secretary shall submit this order and Annex A to the Governor’s Budget Office for review of fiscal impact.

6. The Secretary shall submit this order and Annex A for review by the designated standing committees of both houses of the General Assembly, and for review and approval by the Independent Regulatory Review Commission.

7. The final regulations become effective upon publication in the *Pennsylvania Bulletin*.

8. The contact person for this final-form rulemaking is Adam D. Young, Assistant Counsel, Law Bureau, (717) 772-8582. Alternate formats of this document are available to persons with disabilities and may be obtained by contacting Sherri DelBiondo, Regulatory Coordinator, Law Bureau, (717) 772-4579.

ROSEMARY CHIAVETTA,
Secretary

(Editor’s Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 42 Pa.B. 4992 (August 4, 2012).)

Fiscal Note: Fiscal Note 57-281 remains valid for the final adoption of the subject regulation.

Annex A

**TITLE 52. PUBLIC UTILITIES
PART I. PUBLIC UTILITY COMMISSION
Subpart C. FIXED SERVICE UTILITIES
CHAPTER 59. GAS SERVICE
SERVICE AND FACILITIES**

§ 59.33. Safety.

(a) *Responsibility.* Each public utility shall at all times use every reasonable effort to properly warn and protect the public from danger, and shall exercise reasonable care to reduce the hazards to which employees, customers and others may be subjected to by reason of its equipment and facilities.

(b) *Safety code.* The minimum safety standards for all natural gas and hazardous liquid public utilities in this Commonwealth shall be those issued under the pipeline safety laws as found in 49 U.S.C.A. §§ 60101—60503 and as implemented at 49 CFR Parts 191—193, 195 and 199, including all subsequent amendments thereto. Future Federal amendments to 49 CFR Parts 191—193, 195 and 199, as amended or modified by the Federal government, shall have the effect of amending or modifying the Commission’s regulations with regard to the minimum safety standards for all natural gas and hazardous liquid public utilities. The amendment or modification shall take effect 60 days after the effective date of the Federal amendment or modification, unless the Commission publishes a notice in the *Pennsylvania Bulletin* stating that the amendment or modification may not take effect.

(c) *Definition.* For the purposes of this section, “hazardous liquid public utility” means a person or corporation now or hereafter owning or operating in this Commonwealth equipment or facilities for transporting or conveying crude oil, gasoline, petroleum or petroleum products, by pipeline or conduit, for the public for compensation.

(d) *Enforcement.* Each public utility shall be subject to inspections as may be necessary to assure compliance with this section. The facilities, books and records of each public utility shall be accessible to the Commission and its staff for the inspections. Each public utility shall provide the Commission or its staff the reports, supplemental data and information as it shall from time to time request in the administration and enforcement of this section.

(e) *Records.* Each public utility shall keep adequate records as required for compliance with the code in subsection (b). The records shall be accessible to the Commission and its staff.

[Pa.B. Doc. No. 12-1857. Filed for public inspection September 21, 2012, 9:00 a.m.]

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
[52 PA. CODE CH. 67]
Corrective Amendment to 52 Pa. Code § 67.1(d)**

The Pennsylvania Public Utility Commission has discovered a discrepancy between the agency text of 52 Pa. Code § 67.1 (relating to general provisions), as deposited with the Legislative Reference Bureau, and the official text published at 42 Pa.B. 9 (January 7, 2012) and as currently appearing in the *Pennsylvania Code*. Subsection (d) was printed incorrectly.

Therefore, under 45 Pa.C.S. § 901: The Pennsylvania Public Utility Commission has deposited with the Legislative Reference Bureau a corrective amendment to 52 Pa. Code § 67.1(d). The corrective amendment to 52 Pa. Code § 67.1(d) is effective as of January 7, 2012, the effective date of adoption of the final-form rulemaking amending this section.

The correct version of 52 Pa. Code § 67.1 appears in Annex A.

Annex A

TITLE 52. PUBLIC UTILITIES

PART I. PUBLIC UTILITY COMMISSION

Subpart C. FIXED SERVICE UTILITIES

CHAPTER 67. SERVICE OUTAGES

§ 67.1. General provisions.

(a) Electric, gas, water and telephone utilities holding certificates of public convenience under 66 Pa.C.S. §§ 1101 and 1102 (relating to organization of public utilities; and beginning of service and enumeration of acts requiring certificate) shall adopt the following steps to notify the Commission with regard to unscheduled service interruptions.

(b) All electric, gas, water and telephone utilities shall notify the Commission when 2,500 or 5.0%, whichever is less, of their total customers have an unscheduled service interruption in a single event for 6 or more projected consecutive hours. A service outage report shall be filed with the Commission within 10 working days after the total restoration of service. Where storm conditions cause multiple reportable interruptions as defined by this section, a single composite service outage report shall be filed for the event. Each report must contain the following information:

(1) The approximate number of customers interrupted during the event.

(2) The approximate number of trouble cases for each county affected during the event. Trouble cases are non-outage cases such as primary and secondary line-down calls and emergency calls.

(3) The approximate number of outage cases for each county affected during the event.

(4) The number of outage cases exceeding 6 or more hours in duration.

(5) A listing of each outage case exceeding 6 or more hours in duration, including the following:

(i) Approximate geographic location (county, city, municipality or township).

(ii) Total number of customers affected.

(iii) Duration of the outage.

(iv) Initial date and time of the outage.

(v) Restoration time and date.

(6) The reason for the interruption.

(7) The projected time for service restoration of the event.

(8) A listing of the number of utility workers assigned specifically to the repair work by general function, that is linemen, troublemen, tree crew, and the like.

(9) A listing of the number of contract workers assigned specifically to the repair work by company and by general function, that is linemen, troublemen, tree crew, and the like.

(10) A listing of the number of workers received as mutual aid by company and by general function, that is linemen, troublemen, tree crew, and the like.

(11) The date and time of the first information of a service interruption.

(12) The date and time that repair crews were assembled.

(13) The actual time that service was restored to the last affected customer.

(14) A general description of the physical damage sustained by the utility facilities as a result of the event. The description must include facilities replaced due to damage and a listing of the number of poles, transformers, spans of wire, pipes or valves replaced.

(15) For weather-related events, the utility's weather reports, outlooks or scenarios for the day before and the day of the interruption event.

(16) For all interruption events that caused outages to more than 10% of customers in the utility's service territory, and to the best of the utility's ability to access historical data, the historical ranking of the event in terms of the number and duration of outages and examples of two comparable events, including the number and duration of outages for those comparable events.

(c) In addition to the requirements of subsection (b), the utility shall notify the Commission by telephone within 1 hour after preliminary assessment of conditions reasonably indicates that the criteria listed in subsection (b) may be applicable. Subsection (b)(1), (3), (6) and (7) shall be used as guidelines for the telephone report. The Commission will maintain telephone lines for this purpose and will notify each utility of the numbers to be called. Blank outage reporting forms are available for download on the Commission's web site.

(d) The Commission will implement a plan to govern its internal operations in receiving notification of service interruptions, in investigating such interruptions, and in assisting the customers of the utility, the utility and Commonwealth agencies in restoring service.

(e) All electric, gas, water and telephone utilities shall list in the local telephone directories of their service areas, and on their web sites, a telephone number to be used during normal operating hours and an emergency telephone number to be used 24 hours in emergency service situations.

(f) As defined in subsection (b), the service outage report must contain the required information except for the following utilities:

(1) Gas utilities are not required to submit the information under subsection (b)(2), (5), (14), (15) and (16).

(2) Water utilities are not required to submit the information under subsection (b)(2), (15) and (16).

(3) Telephone utilities are not required to submit the information under subsection (b)(2), (4), (5), (8), (9), (10), (12), (14), (15) and (16). Alternatively, in lieu of the service outage report required under subsection (b), telephone utilities may file a comparable outage report required by the Federal Communications Commission as long as the comparable report, at a minimum, contains the following information:

- (i) The name of the reporting entity.
- (ii) The reason for the interruption.
- (iii) The date and time of the first information of a service interruption.
- (iv) The approximate number of customers interrupted.
- (v) The geographic area affected by the interruption.
- (vi) The actual time that service was restored to the last affected customer.
- (g) The reporting under this chapter is not limited to the requirements in this section and does not limit requests for additional information.

[Pa.B. Doc. No. 12-1858. Filed for public inspection September 21, 2012, 9:00 a.m.]

NOTICES

CAPITOL PRESERVATION COMMITTEE

Request for Proposals

CPC 12.134: Repair and Refinishing of Irvis Lobby Cornice. The scope of work includes general repair, restoration, refinishing and cleaning of selected plaster cornice areas, beam drops, soffits, moldings and gilded surfaces by qualified artisans. Protection of adjacent finished stonework, painted art work, bronze work and miscellaneous architectural materials and finishes. Complete documentation (comprehensive text narration augmented with supporting documentation and photographs) of the processes is required. A \$100 deposit is required for issuance of project documents.

The issue date of proposals will be at 2 p.m. on October 8, 2012. A mandatory preproposal conference and walk through will be held on October 15, 2012, at 10 a.m. in Room 630, Main Capitol. The proposal receipt date is October 30, 2012, at 2 p.m. Proposals must remain firm for 60 calendar days following the proposal receipt date. Project documents may be obtained in Room 630, Main Capitol Building, Harrisburg, PA or by contacting Tara Pyle, (717) 783-6484.

DAVID L. CRAIG,
Executive Director

[Pa.B. Doc. No. 12-1859. Filed for public inspection September 21, 2012, 9:00 a.m.]

Request for Proposals

CPC 12.136: Weed Pulling in Historic South Capitol Park. The Capitol Preservation Committee is requesting proposals to perform weeding duties in newly installed planting beds in Historic South Capitol Park. This is a 3-year project that includes hand pulling of weeds in newly established planting beds and properly disposing of weeds, trash and debris found in the beds. This work will be scheduled for once a month for the months of April through October each year from 2013 to 2016.

The issue date of proposals will be October 1, 2012. A mandatory preproposal conference and walk through will be held on October 16, 2012, at 9:30 a.m. in Room 630, Main Capitol Building. Proposals are due on October 30, 2012, at 2 p.m. Proposals may be obtained in Room 630, Main Capitol building Harrisburg, PA or by contacting Tara Pyle, (717) 783-6484. For further information contact Chris Ellis, (717) 783-6484 or cellis@cpc.state.pa.us.

DAVID L. CRAIG,
Executive Director

[Pa.B. Doc. No. 12-1860. Filed for public inspection September 21, 2012, 9:00 a.m.]

DEPARTMENT OF BANKING

Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending September 4, 2012.

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

BANKING INSTITUTIONS

Consolidations, Mergers, and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-29-2012	East River Bank Philadelphia Philadelphia County	Approved
#7570	Application for approval to purchase assets and assume liabilities of one branch of VIST Bank, Wyomissing, Pennsylvania, located at: 36 North 3rd Street Philadelphia Philadelphia County	

Branch Applications**De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-4-2012	Northwest Savings Bank Warren Warren County	Lot # 6R Butler Butler County	Approved
9-4-2012	Northwest Savings Bank Warren Warren County	3006 Pleasant Valley Boulevard Altoona Blair County	Approved

Branch Consolidations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-4-2012	Citizens Bank of PA Philadelphia Philadelphia County	<i>Into:</i> 435 West Dekalb Pike King of Prussia Montgomery County <i>From:</i> 338 West Dekalb Pike King of Prussia Montgomery County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-30-2012	VIST Bank Wyomissing Berks County	36 North 3rd Street Philadelphia Philadelphia County	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

The Department's web site at www.banking.state.pa.us includes public notices for more recently filed applications.

GLENN E. MOYER,
Secretary

[Pa.B. Doc. No. 12-1861. Filed for public inspection September 21, 2012, 9:00 a.m.]

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of October 2012

The Department of Banking (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of October, 2012, is 4 1/2%.

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

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 2.04 to which was added 2.50 percentage points for a

total of 4.54 that by law is rounded off to the nearest quarter at 4 1/2%.

GLENN E. MOYER,
Secretary

[Pa.B. Doc. No. 12-1862. Filed for public inspection September 21, 2012, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Proposed Exchange of Property; Public Hearing

The Department of Conservation and Natural Resources (Department), acting through the Bureau of State Parks (Bureau), and Peter L. Cohen-Millstein and Robbie S. Cohen-Millstein are proposing to negotiate an exchange of property interests in Nockamixon Township, Bucks County.

Peter L. Cohen-Millstein and Robbie S. Cohen-Millstein will convey approximately 0.25 acre ± as Bucks County parcel ID 30-008-045. In return, the Bureau proposes to convey to Peter L. Cohen-Millstein and Robbie S. Cohen-Millstein 0.1 acre. The parcel acquired by the Department will be administered as part of the Delaware Canal State Park.

As is the policy of the Department, the public is notified of this exchange. A 30-day period for public inquiry or comment, or both, will be in effect beginning September 22, 2012, and ending October 22, 2012. Oral or written comments or questions concerning this proposed exchange may be addressed to John Norbeck, Director of State Parks, Bureau of State Parks, P. O. Box 8551, Harrisburg, PA 17105-8551, (717) 787-6640.

A public informational meeting concerning the proposed land exchange will take place at the Riegelsville Borough Hall on Thursday, October 18, 2012, at 7 p.m. The Riegelsville Borough Hall is located at 615 Easton Road (SR 611), Riegelsville, PA 18077. Oral or written comments will become part of the official document used in the final decision process. Written documents are also available regarding the proposed land exchange by request.

If, in the duration of the 30-day comment period, a significant amount of public concern develops, the Secretary of the Department may schedule a follow-up public meeting.

RICHARD J. ALLAN,
Secretary

[Pa.B. Doc. No. 12-1863. Filed for public inspection September 21, 2012, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Index Calculation Required by the Taxpayer Relief Act

Under section 333(l) of the Taxpayer Relief Act (53 P. S. § 6926.333(l)), the Department of Education (Department) has calculated the index for Fiscal Year (FY) 2013-2014.

The index is the average of the percentage increase in the Statewide average weekly wage and the Employment Cost Index. For FY 2013-2014, the base index is 1.7%.

For school districts with a market value/income aid ratio greater than 0.4000, an adjusted index will be posted on the Department's web site at www.education.state.pa.us by September 30, 2012.

RONALD J. TOMALIS,
Secretary

[Pa.B. Doc. No. 12-1864. Filed for public inspection September 21, 2012, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0050482 (Sewage)	Freedoms Foundation STP 1601 Valley Forge Road Valley Forge, PA 19482-0706	Chester County Schuylkill Township	Unnamed Tributary to Schuylkill River (3-F)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0062286 (Sewage)	Church of Saint Benedict Newton Ransom Boulevard Clarks Summit, PA 18411	Lackawanna County Newton Township	Unnamed Tributary to Gardner Creek (4-G)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0035114 (IW)	Torpedo Specialty Wire 7065 Route 27 Pittsfield, PA 16340	Warren County Pittsfield Township	Gar Run (16-B)	Y
PA0037915 (Industrial Waste)	Tionesta Fish Culture Station 172 Fish Hatchery Lane Tonesta, PA 16353-9729	Forest County Tionesta Borough	Allegheny River (16-F)	Y
PA0103292 (Sewage)	Hamilton Township Ludlow STP State Highway 6 West Ludlow, PA 16333	McKean County Hamilton Township	Twomile Run (16-F)	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

PA0053899. SIC Code 4953, **Wheelabrator Falls Inc.**, 1201 New Ford Mill Road, Morrisville, PA 19067. Facility Name: Wheelabrator Falls Recycling and Energy Recovery Facility. This existing facility is located in Falls Township, **Bucks County**.

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

The receiving stream(s), Unnamed Tributary to Biles Creek, is located in State Water Plan watershed 2-E 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 Stormwater Outfall 001:

<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 Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Arsenic	XXX	XXX	XXX	XXX	Report	XXX
Total Barium	XXX	XXX	XXX	XXX	Report	XXX
Total Cadmium	XXX	XXX	XXX	XXX	Report	XXX
Total Chromium	XXX	XXX	XXX	XXX	Report	XXX
Total Cyanide	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Magnesium	XXX	XXX	XXX	XXX	Report	XXX
Total Magnesium	XXX	XXX	XXX	XXX	Report	XXX
Total Mercury	XXX	XXX	XXX	XXX	Report	XXX
Total Selenium	XXX	XXX	XXX	XXX	Report	XXX
Total Silver	XXX	XXX	XXX	XXX	Report	XXX
Total Organic Carbon	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Stormwater Outfall 002 are:

<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 Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Arsenic	XXX	XXX	XXX	XXX	Report	XXX
Total Barium	XXX	XXX	XXX	XXX	Report	XXX
Total Cadmium	XXX	XXX	XXX	XXX	Report	XXX
Total Chromium	XXX	XXX	XXX	XXX	Report	XXX
Total Cyanide	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Magnesium	XXX	XXX	XXX	XXX	Report	XXX
Total Magnesium	XXX	XXX	XXX	XXX	Report	XXX
Total Mercury	XXX	XXX	XXX	XXX	Report	XXX
Total Selenium	XXX	XXX	XXX	XXX	Report	XXX
Total Silver	XXX	XXX	XXX	XXX	Report	XXX
Total Organic Carbon	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 0.037 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)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Dissolved Solids	XXX	XXX	XXX	2,500	5,000	6250
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	68	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Hexavalent Chromium	0.0043	0.0086	XXX	Report	Report	Report
Total Copper	0.005	0.010	XXX	Report	Report	Report
Total Zinc	XXX	XXX	XXX	0.1	0.16	0.25

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

- Remedial Measures
- Small Stream Discharge
- BAT/ELG Reopener

- Allowable Waste Discharge Temperature
- No Chemical Addition
- Chemical Additives Usage Rate
- Chemical Additives to Control Corrosion, Scaling, Algae etc.
- Change in Ownership
- TMDL/WLA Analysis
- 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 484-250-5910.

The EPA Waiver is in effect.

PA0057029, SIC Code 3826, **Hewlett Packard Co.**, 3404 E Harmony Road, Fort Collins, CO 80528-9544. Facility Name: Hewlett Packard. This existing facility is located in New Garden Township, **Chester County**.

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

The receiving stream(s), Egypt Run, is located in State Water Plan watershed 3-I 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 0.144 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0
Chloroform	XXX	XXX	XXX	0.006	0.012
1,1-Dichloroethylene	XXX	XXX	XXX	0.001	0.002
1,2-cis-Dichloroethylene	XXX	XXX	XXX	Report	Report
trans-1,2-Dichloroethylene	XXX	XXX	XXX	0.7	1.4
Tetrachloroethylene	XXX	XXX	XXX	0.001	0.002
Trichloroethylene	XXX	XXX	XXX	0.005	0.01

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

- Operator Notification
- Public Nuisance
- Discharge to Dry/Intermittent Stream
- BAT/ELG Reopener
- Test Methods
- Change of Ownership
- Sludge Disposal Requirements
- Groundwater Monitoring Requirements
- Summary Reports Evaluating Operation
- No Stripper Tower Cleaning Water Discharge

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.

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

PA0033430, Sewage, SIC Code 4941, **South Wayne County Water & Sewer Authority**, P. O. Box 6, Lake Ariel, PA 18436-0006. Facility Name: Roamingwood Wastewater Treatment Plant. This existing facility is located in Salem Township, **Wayne 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), Ariel Creek, is located in State Water Plan watershed 1-C and is classified for High Quality Waters—Cold Water Fishes, and High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.755 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	7.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.06	XXX	0.14
CBOD ₅	124.4	187.3	XXX	8.5	12.8	17.0
Total Suspended Solids	439.0	878.0	XXX	30.0	45.0	60.0
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Nitrate-Nitrite as N	161.0	XXX	XXX	11.0	XXX	22.0
Ammonia-Nitrogen						
May 1 - Oct 31	23.7	XXX	XXX	1.62	XXX	3.24
Nov 1 - Apr 30	71.0	XXX	XXX	4.86	XXX	9.72
Total Phosphorus	7.3	XXX	XXX	0.50	XXX	1.00
Total Copper						
(Interim)	XXX	XXX	XXX	Report	Report Daily Max	XXX
(Final)	XXX	XXX	XXX	0.0097	0.0145 Daily Max	XXX

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

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
CBOD ₅	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
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

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

- WET Testing during first year of permit cycle, WET Testing prior to next permit renewal, stormwater associated with industrial activities conditions, Toxic Reduction Evaluation (TRE) conditions for copper

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

The EPA Waiver is not in effect.

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

PA0024147, Sewage, SIC Code 4952, **Cumberland Township Authority**, 1370 Fairfield Road, Gettysburg, PA 17325-7267. Facility Name: Cumberland Township South STP. This existing facility is located in Cumberland Township, **Adams 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), Willoughby Run, is located in State Water Plan watershed 13-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.650 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0

<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>Weekly Average</i>	<i>Instant. Maximum</i>
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD ₅	54.0	81.0	XXX	10.0	15.0	20.0
		Wkly Avg				
BOD ₅						
Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	54.0	81.0	XXX	10.0	15.0	20.0
		Wkly Avg				
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2000	XXX	10000
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	11.0	XXX	XXX	2.0	XXX	4.0
Nov 1 - Apr 30	12.0	XXX	XXX	6.0	XXX	12.0

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

<i>Parameters</i>	<i>Mass (lbs)</i>			<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen					
(Interim)	Report	Report	XXX	XXX	XXX
(Final)	Report	11872	XXX	XXX	XXX
Net Total Phosphorus					
(Interim)	Report	Report	XXX	XXX	XXX
(Final)	Report	1583	XXX	XXX	XXX

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

The EPA Waiver is not in effect.

PA0039551, Sewage, SIC Code 6515, **Hooke & Sienkiewicz & Witkoski**, 320 Parker Street, Carlisle, PA 17013-3621. Facility Name: Lebanon Valley MHC. This existing facility is located in Bethel Township, **Lebanon 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 Little Swatara Creek, is located in State Water Plan watershed 7-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.012 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Total Annual</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Instant. Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.10	XXX	0.33
CBOD ₅	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Total Annual</i>	<i>Minimum</i>	<i>Average Monthly</i>		<i>Instant. Maximum</i>
Total Nitrogen	XXX	Report	XXX	Report Annl Avg	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18.0
Total Phosphorus	XXX	Report	XXX	Report Annl Avg	XXX	XXX

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

The EPA Waiver is in effect.

PA0111350, Sewage, SIC Code 4952, **Petersburg Borough Sewer Authority Huntingdon County**, P. O. Box 6, Petersburg, PA 16669. Facility Name: Petersburg STP. This existing facility is located in Petersburg Borough, **Huntingdon 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), Shaver Creek, is located in State Water Plan watershed 11-B and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.1 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD ₅	21	33	XXX	25	40	50
Total Suspended Solids	25	38	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Total Nitrogen	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX

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

The EPA Waiver is in effect.

PA0261904, SIC Code 6514, **Brian K Conley**, 5149 Herbst Road, Red Lion, PA 17356. Facility Name: Conley Residence & Apartment. This proposed facility is located in Windsor Township and North Hopewell Township, **York County**.

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

The receiving stream(s), North Branch Muddy Creek, is located in State Water Plan watershed 7-I 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 0.0008 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>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
CBOD ₅	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly		Instant. Maximum
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000

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

The EPA Waiver is in effect.

PA0085413, SIC Code 8661, **Lower Marsh Creek Presbyterian Church**, 1865 Knoxlyn Road, Gettysburg, PA 17325. Facility Name: Lower Marsh Creek Presbyterian Church. This existing facility is located in Highland Township, **Adams 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, Unnamed Tributary of Marsh Creek, is located in State Water Plan watershed 13-D and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0008325 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly		Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	Report Inst Min	0.50	XXX	1.63
CBOD ₅	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000

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

The EPA Waiver is in effect.

PA0088579, Sewage, SIC Code 4952, **Felton Borough York County**, 88 Main Street, Felton, PA 17322-9051. Facility Name: Felton Borough STP. This existing facility is located in Felton Borough, **York 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, North Branch Muddy Creek, is located in State Water Plan watershed 7-I and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.04 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD ₅	8.3	13 Wkly Avg	XXX	25	40	50
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	10	15 Wkly Avg	XXX	30	45	60
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000

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

The EPA Waiver is in effect.

PA0086215, Sewage, SIC Code 6515, **Peifer Brothers**, PO Box 550, Elizabethtown, PA 17022. Facility Name: Shalako Mobile Home Park. This existing facility is located in Lower Windsor Township, **York 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, Unnamed Tributary to Cabin Creek, is located in State Water Plan watershed 7-I and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.025 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.40	XXX	1.40
CBOD ₅	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	3.5	XXX	7.0
Nov 1 - Apr 30	XXX	XXX	XXX	10.5	XXX	21.0

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

The EPA Waiver is in effect.

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

PA0234117, Sewage, SIC Code 4952, **West Branch Regional Authority**, 35 S Main Street, Montgomery, PA 17752-1120. Facility Name: West Branch Regional Authority WWTP. This proposed facility is located in Clinton Township, **Lycoming County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 2.4 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD ₅	500	800	XXX	25	40	50
		Wkly Avg				
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX

<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>Weekly Average</i>	<i>Instant. Maximum</i>
Total Suspended Solids	600	900 Wkly Avg	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	2000 Geo Mean	XXX	10000
Total Copper	0.80	1.40	XXX	0.04	0.07 Daily Max	0.08
Total Lead	1.60	2.80	XXX	0.08	0.14 Daily Max	0.16

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	41095			
Net Total Phosphorus	Report	5479			

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

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

The EPA Waiver is in effect.

PA0233943, CAFO 0241, 0211, **Dale R. Hoffman**, (Kar-Dale Acres) 243 Healy Road, Shinglehouse, PA 16478-8537 and (Coneville Farm) 59 Route 244, Coudersport, PA 16915.

This proposed facilities are located in Oswayo and Hebron Townships, **Potter County**.

Description of Proposed Activity: A dairy and beef facility near Shinglehouse, PA.

The receiving streams, Oswayo Creek and Elevenmile Creek, are in the State Water Plan watershed 16C and are classified for: CWF and HQ-CWF, respectively.

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

In addition to the effluent limits, the permit contains the following major special conditions.

1. Compliance with the farm's Nutrient Management Plan (NMPs) and Manure Management
2. Compliance with the farm's Preparedness, Prevention and Contingency (PPC) Plan
3. Compliance with the Farm's Erosion & Sedimentation Control Plan (E&S Plan) for plowing and tilling
4. Compliance with NPDES Permit for stormwater discharges during construction activities
5. Animal mortality handling and disposing requirements
6. Manure storage facilities and Water Quality Management (WQM) Permit Requirements
7. Requirements for storage of feed and other raw materials
8. Best Management Practices requirements.
9. Manure Storage Facility Re-certification
10. Minimum Freeboard
11. Manure Exportation Report

12. Coneville Farm Manure Storage Facility Re-certification

13. Land Application of Manure

The EPA waiver will not be in effect.

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

PA0254371, Industrial Waste, SIC Code 4941, **Marianna Municipal Water Works County**, P. O. Box 368, Marianna, PA 15345. Facility Name: Marianna Municipal Water Works. This proposed facility is located in Marianna Borough, **Washington County**.

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

The receiving stream(s), Tenmile Creek, is located in State Water Plan watershed 19-B and is classified for Trout Stocking, 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 0.0125 MGD.

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

The EPA Waiver is in effect.

PA0252531, Sewage, SIC Code 4952, **Independence—Cross Creek Joint Sewer Authority**, 16 Campbell Street, PO Box 156, Avella, PA 15312. Facility Name: Independence-Cross Creek STP. This existing facility is located in Independence Township, **Washington County**.

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

The receiving stream(s), Cross Creek, is located in State Water Plan watershed 20-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.354 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
CBOD ₅	73.9	110.8	XXX	25	37.5	50
BOD ₅						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	88.6	132.9	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	20.7	31.0	XXX	7.0	10.5	14.0
Nov 1 - Apr 30	62.0	93.1	XXX	21.0	31.5	42.0

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

The EPA Waiver is in effect.

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

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

WQM Permit No. WQG02231205, Sewage, **Castleway Properties LLC**, 10 Industrial Highway, Mail Stop 1, E Building, Suite 101, Lester, PA 19113.

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

Description of Action/Activity: Construction and operation of a sewage pump station.

WQM Permit No. WQG02151206, Sewage, **Fairview Court Development Inc.**, 1031 North 31st Street, Philadelphia, PA 19121.

This proposed facility is located in Phoenixville Borough, **Chester County**.

Description of Action/Activity: Construction and operation of new sewage pumping station for 36 single family residence.

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

WQM Permit No. 0605408, Amendment 12-1, Sewerage, **Bear Creek Management Company, LLC**, 1950 Old Gallows Road, Suite 600, Vienna, VA 22182.

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

Description of Proposed Action/Activity: Seeking permit approval to design & construct new wastewater disinfection and water reuse system.

WQM Permit No. 0712402, Sewerage, **Altoona Water Authority**, 900 Chestnut Avenue, Altoona, PA 16601.

This proposed facility is located in Altoona City, **Blair County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction / operation of installation of approximately 4,000 LF of 12" to 30" sanitary sewer pipe and appurtenances in city streets, residential yards and shrub/forested areas. This project resulted from the corrective action plan which revealed hydraulic issues with the existing interceptor sewer in these locations.

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

WQM Permit No. 6512402, Sewerage, **Mon Valley Sewage Authority**, 20 South Washington Street, Donora, PA 15033

This proposed facility is located in the City of Monessen, **Westmoreland County**

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

WQM Permit No. 2699402, Sewerage, **Dunbar Borough Sanitary Authority**, 93 Connellsville Street, Dunbar, PA 15431

This existing facility is located in Dunbar Borough/Township, **Fayette County**

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026412005	RagApple, LLC 6022 North Road Friendsville, PA 18818	Wayne	Damascus Township	Beaverdam Creek, HQ-CWF, MF; Sunny Brook, HQ-CWF, MF; UNT NB Calkins Creek, HQ-CWF, MF; NB Calkins Creek, HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023912012	Nestle Purina PetCare Co. Keith Graver 2050 Pope Rd. Allentown, PA 18104	Lehigh	South Whitehall Twp.	Unnamed Tributary to Jordan Creek, HQ-CWF, MF; Jordan Creek, TSF, MF

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032107001R	Old Forge Station LLC 2151 Linglestown Road Harrisburg, PA 17110	Cumberland	South Middleton Twp	Letort Spring Run (EV)
PAI033610007	Drumore Crossings LP 120 West Germantown Pike Plymouth Meeting, PA 19462	Lancaster	Drumore Twp	Fishing Creek & Conowingo Creek Susquehanna Watershed (HQ-CWF)
PAI032112006	Dickinson College 5 North Orange Street Carlisle, PA 17731	Cumberland	Carlisle Boro	LeTort Spring Run (HQ-WWF)

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

Crawford County Conservation District, Woodcock Creek Nature Center, 21742 German Road, Meadville PA 16335

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI062012002	Pneumo Abex 604 Spring Hill Drive Suite 110 Spring TX 77386-6032	Crawford	Hayfield Township	French Creek WWF, UNT French Creek WWF

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

PAG-12 CAFOs

STATE CONSERVATION COMMISSION

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

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

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

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

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

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

<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>
John Wanner 5800 Wanner Road Narvon, PA 17555	Lancaster	683.2	1428.13	Dairy	HQ	R
Randall Andrews 421 Penn Grant Road Lancaster, PA 17602	Lancaster	290	1171.12	Poultry	HQ	R
Robert Boyles	Lycoming	219.7	589.58	Swine & Beef	NA	Renewal-NMP Amendment

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Application No. 3512509 Public Water Supply.

Applicant	Pennsylvania American Water Company 800 W. Hershey Park Drive Hershey, PA 17033
[Township or Borough]	Abington Township Lackawanna County

Responsible Official	Mr. David Kaufman
Type of Facility	Public Water Supply
Consulting Engineer	Gannett Fleming, Inc. Mr. Timothy Glessner, P.E. PO Box 67100 Harrisburg, PA. 17106-7100
Application Received Date	August 27, 2012
Description of Action	This project provides for the installation of approximately 112,000 feet of 8-inch and 12-inch pipe including pressure regulating valve stations and a new booster pump station with chlorine and corrosion inhibitor addition.

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

Permit No. 0212521, Public Water Supply.

Applicant	Borough of Tarentum 318 2nd Avenue Tarentum, PA 15084
[Township or Borough]	Tarentum Borough
Responsible Official	William Rossey, Borough Manager Borough of Tarentum 318 2nd Avenue Tarentum, PA 15084
Type of Facility	Water system
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650

Application Received Date	August 23, 2012
Description of Action	Replacement of filter underdrains and media, installation of an air scour system, installation of a hydraulic sludge removal system and construction of two 1.5 million gallon water storage tanks.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Application No. 5412503MA

Applicant	Stanley Frompovich
[Township or Borough]	South Manheim Twp, Schuylkill Co.
Responsible Official	Stanley Frompovich
Type of Facility	Bulk Water Hauling
Consulting Engineer	Yourshaw Engineering
Application Received Date	8/22/12
Description of Action	The addition of a spring source, equipment replacement and relocation at the auburn bulk water hauling station.

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

Application No. 3012505MA, Minor Amendment.

Applicant	Southwestern Pennsylvania Water Authority 1442 Jefferson Road PO Box 187 Jefferson, PA 15344
[Township or Borough]	Center and Wayne Townships
Responsible Official	John Golding, Manager Southwestern Pennsylvania Water Authority 1442 Jefferson Road PO Box 187 Jefferson, PA 15344
Type of Facility	Water system
Consulting Engineer	Bankson Engineers 267 Blue Run Road PO Box 200 Indianola, PA 15051
Application Received Date	September 10, 2012
Description of Action	Installation of approximately 21,700 feet of 8-inch diameter waterline.

WATER ALLOCATIONS

Applications received under the Act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth

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

WA-18-400E, Water Allocations. Suburban Lock Haven Water Authority. Mill Hall Borough, **Clinton County.** Application for the renewal and increase in allocation of existing water allocation permit WA-18-400D, to purchase a daily average of 1.83 mgd, on a 30 day average, from the Central Clinton County Water Filtration Authority.

WA-18-933A, Water Allocations. Central Clinton County Water Filtration Authority. Wayne Township, **Clinton County.** Application for the renewal and in-

crease in allocation of existing water allocation permit WA-18-933, to purchase a daily average of 5.18 million gallons per day from the City of Lock Haven, through an interconnection located in Wayne Township, Clinton County.

WA-18-116B, Water Allocations. City of Lock Haven Water Department. City of Lock Haven, **Clinton County.** Application for the renewal and increase in allocation of existing water allocation permit WA-18-116A, to withdraw and use 5.18 mgd, on a peak day basis, from the existing reservoirs on McElhattan Creek in Wayne Township, Clinton County. Two subsidiary permits are held by neighboring and interconnected Municipal Authorities: Central Clinton County Water Filtration Authority and Suburban Lock Haven Water Authority.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

**UNDER ACT 2, 1995
PREAMBLE 1**

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

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

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

and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

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

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

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

Petronio Residence, 306 Clearview Road, Bushkill Township, **Northampton County**, Thomas Hippensteal, Envirosearch Consultants, Inc., have submitted a Notice of Intent to Remediate on behalf of their client, Mary Petronio, 1114 Winnie Way, Labrobe, PA 15650, concerning the remediation of soil from No. 2 fuel oil as a result from a leaking underground storage tank. The applicant proposes to remediate the site to meet the Residential Statewide Health Standards for soil. The intended future of the site is residential. A summary of the Notice of Intent to remediate was published in *The Express Times* on August 23, 2012.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

Applications received or withdrawn under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P.L. 525, No. 93) and regulations to transport infectious and chemotherapeutic waste.

Central Office: Bureau of Waste Management, Division of Hazardous Waste Management, PO Box 8471, Harrisburg, PA 17105-8471

Renewal Applications Received

Coast Medical Supply, Inc., 20 Meridian Drive, Unit 2, Eatontown, NJ 07724. License No. PA-HC 0214. Received on April 9, 2012.

Advant-Edge Solutions of Middle Atlantic, Inc., 1 Shea Way, Newark, DE 19713. License No. PA-AH 0220. Received on May 24, 2012.

Environmental Waste Minimization, Inc., 14 Brick Kiln Court, Northampton, PA 18067-9784. License No. PA-AH 0219. Received on April 27, 2012.

Veolia ES Technical Solutions, LLC., 1 Eden Lane, Flanders, NJ 07836-8950. License No. PA-AH 0221. Received on July 31, 2012.

Cole Care, Inc., 1001 East Second Street, Coudersport, PA 16915. License No. PA-AH 0178. Received on August 8, 2012.

Environmental Transport Group, Inc., P.O. Box 296, Flanders, NJ 07836. License No. PA-AH 0023. Received on August 9, 2012.

DETERMINATION FOR APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

Application(s) for Determination of Applicability for General Permit WMGM020 Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.

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

General Permit Application Number WMGM020D005. American Ash Recycling Corp, 1072 Roosevelt Ave, York, PA 17402. The Department of Environmental Protection, Bureau of Land Recycling and Waste Management has received an application for a determination of applicability (DOA) under the General Permit Number WMGM020. General Permit Number WMGM020D005 is limited to salvage facilities that store and process (shaking, scraping and screening) ferrous/non-ferrous metal coated with ash residue that is recovered from municipal waste incineration facilities. The Department determined the application to be administratively complete on September 7, 2012.

Written comments concerning the application should be directed to Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on General Permit Number WMGM020" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

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.

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

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

16-160A: Clarion Altela Environmental Services, LLC (3099 Piney Dam Road, Clarion, PA 16214) for construction of twelve additional AltelaRain 600 modules to process produced water and frac flow-back water generated by natural gas wells in Piney Township, **Clarion County**. This is a State Only facility.

16-161A: Kelly IMG Energy, LLC (301 Oxford Valley Rd., Ste. 1603A, Yardley, PA 19067) for construction of a 6.2 MW electric generating station, consisting of two (2) 4,835 bhp natural gas-fired engines with associated oxidation catalysts, in Toby Township, **Clarion County**.

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

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

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

06-05095A: Unicast Co. (241 North Washington Street, Boyertown, PA 19512-1114) for construction of two (2) Coreless Electric Induction Furnaces in Boyertown Borough, **Berks County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to the above mentioned company for the above mentioned project. Particulate matter emissions from the two (2) furnaces will be about 5.87 tons per year over any 12-month consecutive period. The plan approval will contain additional testing, recordkeeping, and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The project will not trigger PSD or NSR requirements.

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

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

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

Tom Hanlon, 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.

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

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

49-00065A: Polar Tech Industries of Pennsylvania, Inc. (1017 West Valley Road, Elysburg, PA 17824) for construction of an expandable polystyrene foam processing operation in Ralpho Township, **Northumberland County**.

The Department of Environmental Protection's (DEP) review of the information submitted by Polar Tech Industries of Pennsylvania, Inc. indicates that the air contamination source to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from the operation will not exceed 12.51 tons of VOCs per year.

In addition to the emission limitation, the following is a summary of the types of conditions the Department

intends place in the plan approval to ensure compliance with all applicable regulatory requirements including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12.

Emission and material throughput restrictions to limit the emission of VOCs.

Work practice requirements to construct and operate the source with good air pollution control practices.

Recordkeeping conditions to verify compliance with the emission limitations and all applicable requirements.

A copy of the plan approval application and the Department's review is available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review may be made by calling the Department at 570-327-3693. Written comments or requests for a public hearing should be directed to David Shimmel, P.E., Section Chief, New Source Review, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3568.

14-00002N: Graymont (PA) Inc. (194 Match Factory Place, Bellefonte, PA 16823) has submitted an application to the Pennsylvania Department of Environmental Protection (Department) for a plan approval to construct a natural gas-fired, parallel-flow regenerative (PFR), twin-shaft vertical lime kiln at their Pleasant Gap plant which is located in Spring Township, **Centre County**. The proposed project consists of the PFR vertical lime kiln rated at 660 tons per day, two (2) diesel-fired emergency generators, revisions to existing limestone and lime storage, handling and loading operations as well as new limestone and lime storage, handling and loading operations. Additionally, the application is for the establishment of a sulfur dioxide (SO₂) plant-wide applicability limit (PAL) under the provisions specified in 40 CFR 52.21(aa). As applicable and set forth in the following regulatory requirements, the application is subject to the Prevention of Significant Deterioration (PSD) provisions of 40 CFR 52.21, the Nonattainment New Source Review (NNSR) provisions of 25 Pa. Code §§ 127.201–27.218, and the best available technology (BAT) provisions of 25 Pa. Code §§ 127.1 and 127.12. The project will include lower annual SO₂ emissions limit for the existing sources, including Kiln No. 6 and 7.

The combined air contaminant emissions from the proposed project that will be emitted at the facility are, as follows: total particulate matter (PM) including filterable and condensable, 20.5 tons per year (tpy); total PM with an effective aerodynamic diameter of less than or equal to 10 microns (PM₁₀) including filterable and condensable, 13.3 tpy; total PM_{2.5} including filterable and condensable, 9.5 tpy; nitrogen oxides (expressed as NO₂), 35.4 tpy; carbon monoxide (CO), 27.3 tpy; volatile organic compounds (VOC), 12.2 tpy; greenhouse gas (expressed as CO₂e), 238,429.5 tpy. The SO₂ PAL emissions limitation for all of the air contaminant sources at this facility is established at 302.62 tons in any 12 consecutive month period. The proposed kiln's greenhouse gas emissions are subject to the best available control technology (BACT) requirements of 40 CFR 52.21(j) as well as the Department's BAT requirements. Additionally, the hazardous air pollutant emissions from the proposed kiln and processed stone handling operation are subject to the maximum achievable control technology (MACT) requirements specified in National Emission Standards of Hazardous Air

Pollutants for Lime Manufacturing Plants, 40 CFR Part 63 Subpart AAAAA. The Department has determined that the combined air contaminant emissions from the proposed project satisfy PAL, BACT and MACT requirements as well as the Department's BAT requirements.

The proposed project is also subject to the National Standards of Performance for Nonmetallic Mineral Processing Plants that is codified in 40 CFR Part 60 Subpart OOO as applicable to the new/modified limestone processing sources as well as the National Standards of Performance for Stationary Compression Ignition Internal Combustion Engines that is codified in 40 CFR Part 60 Subpart IIII and the National Emission Standards of Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines that is codified 40 CFR Part 63 Subpart ZZZZ as applicable to the proposed diesel-fired engines. All sources and SO₂ emissions at the facility will be subject to the requirements 40 CFR 52.21(aa), relating to the PAL requirements.

The Department's review of the information submitted by Graymont indicates that the proposed sources and associated control devices will meet all applicable federal and state air quality regulatory requirements pertaining to air contamination sources and the emission of air contaminants, including the Department's BAT requirements of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department intends to approve the application and issue a plan approval for the proposed construction and operation of the sources and air cleaning devices as indicated in this application. The facility is a major (Title V) facility. Additionally, if the Department determines that the proposed sources are operating in compliance with all of the plan approval conditions, the conditions established in the plan approval will be incorporated into Title V Operating Permit 14-00002 by means of an administrative amendment pursuant to 25 Pa. Code § 127.450. The following is a summary of the conditions that the Department proposes to place in the plan approval to be issued to ensure compliance with all applicable air quality regulatory requirements:

1. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the emission of particulate matter from ID C322A associated with Source ID P322A shall not exceed 0.004 grain per dry standard cubic foot. The emission of particulate matter less than 10 microns in diameter (PM₁₀) from ID C322A associated with Source ID P322A shall not exceed 0.003 grain per dry standard cubic foot. The emission of particulate matter less than 2.5 microns in diameter (PM_{2.5}) from ID C322A associated with Source ID P322A shall not exceed 0.002 grain per dry standard cubic foot. [Compliance with the requirement specified in this streamlined permit condition assures compliance with the following particulate matter limitations; 0.04 gr/dscf as specified in 25 Pa. Code § 123.13 and 0.014 gr/dscf as specified in 40 CFR 60.672(a)]

2. Pursuant to the requirements in 40 CFR 60.672(a) and (b), the visible emission of air contaminants into the atmosphere from each conveyor's transfer point associated with Source ID P322A shall not exceed 7% opacity.

3. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the emission of visible air contaminants into the atmosphere from ID C322A associated with Source ID P322A shall not exceed 5% opacity.

4. Within 120 days of achieving maximum routine operating conditions, but no later than 180 days after initial startup, the permittee shall perform an EPA

reference method testing program on the exhaust of ID C322A associated with Source ID P322A to verify compliance with the PM, PM₁₀ and PM_{2.5} emissions limitations. All testing shall be performed while Source ID P322A is operating at maximum routine operating conditions and using methods approved by the Department. [Compliance with the requirement specified in this streamlined condition assures conformance with the initial compliance requirements as specified in 40 CFR 60.672]

5. Within 120 days of achieving maximum routine operating conditions, but no later than 180 days after initial startup, the permittee shall perform an EPA reference Method 9 testing program on the vent (ID S322A) for the fabric collector (ID C322A) associated with Source ID P322A to verify compliance with the opacity limitation.

6. The permittee shall comply with the applicable testing provisions as specified in 40 CFR 60.675.

7. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall conduct daily visible emissions observations, during routine operation of Source ID P322A, on the transfer point associated with 235-TRI-237 and 235-BEC-236, transfer point associated with 235-BEC-236 and each Kiln 8 Surge Pile, transfer point associated with 305-BEC-256 and Emergency Stockpile, transfer point associated with 235-RVE-256 and 305-SCC-262, transfer point associated with 305-SCC-262 and 305-PDC-258 Fines Disposal Container, each dust collection point, and the exhaust outlet to the atmosphere of ID C322A. [Compliance with the requirement specified in this streamlined condition assures conformance with the monthly inspection requirements as specified in 40 CFR 60.674(b)]

8. Pursuant to 40 CFR 60.674, the permittee shall conduct quarterly 30-minute visible emissions inspections using EPA Method 22 (40 CFR part 60, Appendix A-7) on the vent (ID S322A) for the fabric collector associated with ID C322A during routine operation of Source ID P322A and shall comply with the applicable monitoring provisions as specified in 40 CFR 60.674(c).

9. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall install and maintain instrumentation to continuously and accurately measure the pressure differential across ID C322A associated with Source ID P322A and the actual pressure differential shall be displayed on a continuous basis.

10. The permittee shall keep records of the supporting documentation to verify compliance with the PM, PM₁₀ and PM_{2.5} emissions limitations for ID C322A associated with Source ID P322A. These records shall be retained for a minimum of five (5) years and shall be made available to the Department upon request.

11. The permittee shall keep record of each of the daily visible emissions observations performed, including the findings of each inspection and action taken as a result of each inspection. These records shall be retained for a minimum of five (5) years and shall be made available to the Department upon request.

12. The permittee shall keep record of the quarterly 30-minute, EPA Method 22 visible emissions inspections for ID C322A and shall comply with the applicable recordkeeping provisions as specified in 40 CFR 60.676. These records shall be retained for a minimum of five (5) years and shall be made available to the Department upon request.

13. The permittee shall record the differential pressure across ID C322A, at least once per week, when Source ID

P322A is in operation. These records shall be retained for a minimum of five (5) years and shall be made available to the Department upon request.

14. The submission of all requests, reports, applications, submittals and other communications required by Subpart OOO of the Federal Standards of Performance for New Stationary Sources, 40 CFR 60.670-60.676, must be made to both the Department and the U.S. Environmental Protection Agency.

15. The permittee shall comply with the applicable corrective action provisions as specified in 40 CFR 60.674(b).

16. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not operate Source ID P322A without the simultaneous operation of the ID C322A. The PM, PM₁₀ and PM_{2.5} emissions from Source ID P322A shall be controlled by ID C322A.

17. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall only use 16 weight (ounces per square yard) polyester bags or other bags, as approved by the Department, that offer equivalent or better control of particulate matter emissions in ID C322A associated with Source ID P322A.

18. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall keep on hand a sufficient quantity of spare fabric collector bags for ID C322A associated with Source ID P322A in order to be able to immediately replace any bags requiring replacement due to deterioration.

19. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, all conveyors that are not entirely located inside a building shall be fully enclosed.

20. Source ID P322A is the Kiln No. 8 project stone reclamation system, which consists of the following:

(1) Conveyor 235-BEC-160 (this conveyor is existing and also associated with Source ID P322)

(2) Conveyor 235-BEC-232

(3) Conveyor 235-BEC-234

(4) Tripping Conveyor 235-TRI-237

(5) Conveyor 235-BEC-236

(6) Kiln 8 Surge Piles (maximum 3)

(7) Kiln Start-up Pile

(8) Seven Weight Conveyors (Underground)

(9) Conveyor 305-BSS-253

(10) Conveyor 305-BEC-252

(11) Screen 305-IVS-254

(12) Conveyor 305-BEC-256 (Reversible)

(13) Conveyor 305-BEC-264

(14) Screw Conveyor 305-SCC-262 (Reversible)

(15) Disposal Container for 305-PDC-258 Fines

(16) Emergency Stockpile

(a) ID C322A, designated as 305-PDC-258, is a fabric collector rated at 5000 SCFM of airflow and controls the dust emissions from items (1), (2), (3) (4), (9), (10), (11) and (13).

(b) ID C322W is wet suppression system for controlling the dust emissions from items (5) and (6)

21. Source ID P322 is subject to 40 CFR Part 60, Subpart OOO. The permittee shall comply with all the applicable requirements specified in 40 CFR 60.670—60.676.

22. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the emission of particulate matter from ID C323 associated with Source ID P323 shall not exceed 0.004 grain per dry standard cubic foot. The emission of particulate matter less than 10 microns in diameter (PM_{10}) from ID C323 associated with Source ID P323 shall not exceed 0.003 grain per dry standard cubic foot. The emission of particulate matter less than 2.5 microns in diameter ($PM_{2.5}$) from ID C323 associated with Source ID P323 shall not exceed 0.002 grain per dry standard cubic foot.

[Compliance with the requirement specified in this streamlined permit condition assures compliance with the following particulate matter limitations; 0.05 gram/dscm as specified in 40 CFR 63.7090(a), 0.04 gr/dscf as specified in 25 Pa. Code § 123.13 and 0.014 gr/dscf as specified in 40 CFR 60.672(a)]

23. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12 and 40 CFR 63.7090(a), there shall be no visible emission of air contaminants into the atmosphere from building 305-BUI-401 and building 305-BUI-008 associated with Source ID P323.

24. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the emission of visible air contaminants into the atmosphere from ID C323 associated with Source ID P323 shall not exceed 5% opacity.

[Compliance with the requirement specified in this streamlined permit condition assures compliance with the visible emissions limitations of 7% as specified in 40 CFR 63.7090(a)]

25. Within 120 days of achieving maximum routine operating conditions, but no later than 180 days after initial startup, the permittee shall perform an EPA reference method testing program on the exhaust of ID C323 associated with Source ID P323 to verify compliance with the PM, PM_{10} and $PM_{2.5}$ emissions limitations. All testing shall be performed while Source ID P323 is operating at maximum routine operating conditions and using methods approved by the Department.

(a) Pursuant to 40 CFR 63.1112(a), the EPA reference method testing program shall be performed in accordance with the applicable testing requirements as specified in item 12 of Table 4 to 40 CFR Part 63 Subpart AAAAA.

[Compliance with the requirement specified in this streamlined condition assures compliance with the compliance timeline requirements as specified in 40 CFR 60.672 and 63.7083(a)(2)]

26. Within 120 days of achieving maximum routine operating conditions, but no later than 180 days after initial startup, the permittee shall perform an EPA reference Method 9 testing program on the vent (ID S323) for the fabric collector (ID C323) associated with Source ID P323 to verify compliance with the opacity limitation.

(a) Pursuant to 40 CFR 63.1112(a), the EPA reference method testing program shall be performed in accordance with the applicable testing requirements as specified in item 13 of Table 4 to 40 CFR Part 63 Subpart AAAAA.

[Compliance with the requirement specified in this streamlined condition assures conformance with the compliance timeline requirements as specified in 40 CFR 63.7083(a)(2)]

27. Within 120 days of achieving maximum routine operating conditions, but no later than 180 days after initial startup, the permittee shall perform a visible emissions check test on building 305-BUI-401 and building 305-BUI-008 associated with Source ID P323 to verify compliance with the no visible emissions limitation.

(a) Pursuant to 40 CFR 63.1112(a), the visible emissions check test shall be performed in accordance with the applicable testing requirements as specified in item 18 of Table 4 to 40 CFR Part 63 Subpart AAAAA.

[Compliance with the requirement specified in this streamlined condition assures conformance with the compliance timeline requirements as specified in 40 CFR 63.7083(a)(2)]

28. The permittee shall conduct subsequent EPA reference method testing programs on the exhaust of ID C323 associated with Source ID P323 to verify compliance with the PM, PM_{10} and $PM_{2.5}$ emissions limitations. In accordance with the applicable subsequent performance test requirements as specified in 40 CFR 63.7111.

29. The permittee shall conduct quarterly 30-minute visible emissions inspections using EPA Method 22 (40 CFR part 60, Appendix A-7) on the vent (ID S323) for the fabric collector associated with ID C323 during routine operation of Source ID P323 and shall comply with the applicable monitoring provisions as specified in 40 CFR 60.674(c).

30. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall conduct daily visible emissions observations, during routine operation of Source ID P323, on building 305-BUI-401, building 305-BUI-008 and the exhaust outlet to the atmosphere of ID C323.

(a) The daily visible emissions observations on the buildings shall be performed during daylight hours and in accordance with the applicable procedure requirements as specified in items 2(i) and 2(ii) of Table 6 to 40 CFR Part 63 Subpart AAAAA.

(b) The daily visible emissions observations on ID C323 shall be performed during daylight hours and in accordance with the applicable procedure requirements as specified in items 1(i) and 1(iv) of Table 6 to 40 CFR Part 63 Subpart AAAAA.

[Compliance with the requirement specified in this streamlined condition assures conformance with the visible emissions observation requirements as specified in 40 CFR 63.7121(e)]

31. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall install and maintain instrumentation to continuously and accurately measure the pressure differential across ID C323 associated with Source ID P323 and the actual pressure differential shall be displayed on a continuous basis.

32. The permittee shall keep record of the differential pressure across ID C323, at least once per week, when Source ID P323 is in operation. These records shall be retained for a minimum of five (5) years and shall be made available to the Department upon request.

33. The permittee shall comply with the applicable testing requirements as specified in 40 CFR 63.7112.

34. The permittee shall keep record of the quarterly 30-minute, EPA Method 22 visible emissions inspections for ID C323 and shall comply with the applicable recordkeeping provisions as specified in 40 CFR 60.676.

These records shall be retained for a minimum of five (5) years and shall be made available to the Department upon request.

35. The permittee shall keep record of each of the daily visible emissions observations performed, including the findings of each inspection and action taken as a result of each inspection. These records shall be retained for a minimum of five (5) years and shall be made available to the Department upon request.

36. The permittee shall comply with the applicable recordkeeping requirements as specified in 40 CFR 63.7132 according to the schedule specified in 40 CFR 63.7133.

37. The permittee shall comply with the applicable notification requirements as specified in 40 CFR 63.7083(d).

38. The permittee shall comply with the applicable notification of compliance status requirements as specified in 40 CFR 63.7114.

39. The permittee shall comply with the applicable notification requirements as specified in 40 CFR 63.7130(a), (c) and (d).

40. The permittee shall submit compliance reports to the Department on a semi-annual basis that include the applicable information as specified in 40 CFR 63.7131(c) and (d). The semi-annual reports shall be submitted to the Department no later than March 1 (for January 1 through December 31 of the previous year) and September 1 (for July 1 of the previous year through June 30 of the current year).

41. The permittee shall comply with the applicable OM&M plan and SSMP requirements as specified in 40 CFR 63.7100(d) and (e).

42. Pursuant to 40 CFR 63.7113(f), the permittee shall inspect the capture/collection and closed vent system associated with Source ID P323 and ID C323 at least once per calendar year to verify that the system is operating in accordance with the OM&M plan required by 40 CFR 63.7100(d).

43. The permittee shall comply with the applicable requirements as specified in 40 CFR 63.7140.

44. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall only use 16 weight (ounces per square yard) polyester bags with a PTFE coating or other bags, as approved by the Department, that offer equivalent or better control of particulate matter emissions in ID C323 associated with Source ID P323.

45. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, all conveyors that are not entirely located inside a building shall be fully enclosed.

46. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall keep on hand a sufficient quantity of spare fabric collector bags for ID C323 associated with Source ID P323 in order to be able to immediately replace any bags requiring replacement due to deterioration.

47. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not operate Source ID P323 without the simultaneous operation of the ID C323. The PM, PM₁₀, PM_{2.5} emissions from Source ID P323 shall be controlled by ID C323.

48. Source ID P323 is the Kiln No. 8 processed stone handling system, which consists of the following:

- (1) Conveyor 305-BEC-266
- (2) Hopper 328-HOP-850
- (3) Vibratory Feeder 328-VIF-852
- (4) Conveyor 328-BEC-854 (Reversible)
- (5) Silo 328-SIL-855
- (6) Silo 328-SIL-856
- (7) Building 305-BUI-401
- (8) Building 328-BUI-008

(a) ID C323, designated as 328-PDC-898, is fabric collector rated at 4000 SCFM of airflow and controls the dust emissions from items (2), (3), (4), (5), (6), (7) and (9).

(b) Conveyor 305-BEC-266 shall be fully surrounded by a tubular enclosure 305-BSS-267.

49. Source ID P323 is subject to the processed stone handling requirements of 40 CFR Part 63, Subpart AAAAA. The permittee shall comply with all the applicable requirements specified in 40 CFR 63.7080—63.7143.

50. Source ID P323 is subject to 40 CFR Part 60, Subpart OOO. The permittee shall comply with all the applicable requirements specified in 40 CFR 60.670—60.676.

51. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, there shall be no emission of visible air contaminants to the atmosphere from building 328-BUI-804 and each of the outdoor transfer points associated with Source ID P324, except for the transfer point associated with the lime kiln dust truck loading operation. The emission of visible air contaminants to the atmosphere from the transfer point associated with the lime kiln dust truck loading operation via 328-LSP-890 shall not exceed 7% opacity.

52. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall conduct daily visible emissions observations, during routine operation of Source ID P324, on building 328-BUI-804, the transfer point associated with 328-SCC-880 and 328-ELE-882, the transfer point associated with 328-ELE-882 and 328-SIL-884, and the transfer point associated with 328-SCC-888, the three (3) transfer points associated with 328-SIL-884, and the lime kiln dust truck loading operation via 328-LSP-890.

53. The permittee shall keep record of each of the daily visible emissions observations performed, including the findings of each inspection and action taken as a result of each inspection. These records shall be retained for a minimum of five (5) years and shall be made available to the Department upon request.

54. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not operate Source ID P324 without the simultaneous operation of the ID C323. The PM, PM₁₀ and PM_{2.5} emissions from Source ID P324 shall be controlled by ID C323.

55. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall only use 16 weight (ounces per square yard) polyester bags with a PTFE coating or other bags, as approved by the Department, that offer equivalent or better control of particulate matter emissions in ID C323 associated with Source ID P324.

56. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall keep on hand a sufficient quantity of spare fabric collector bags for ID

C323 associated with Source ID P324 in order to be able to immediately replace any bags requiring replacement due to deterioration.

57. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, all conveyors associated with Source ID P324 shall be fully enclosed.

58. All trucks leaving the single bay lime kiln dust truck loading operation shall be fully tarped.

59. Source ID P324 is the Kiln 8 lime kiln dust handling and loading system, which consists of the following:

- (1) Screw Conveyor 328-SCC-878
- (2) Screw Conveyor 328-SCC-879
- (3) Screw Conveyor 328-SCC-880
- (4) Elevator 328-ELE-882
- (5) Silo 328-SIL-884
- (6) Screw Conveyor 328-SCC-888
- (7) Bin 328-BIN-893
- (8) Single Bay Lime Kiln Dust Truck Loading Operation via 328-LSP-890

(a) ID C323, designated as 328-PDC-898, is fabric collector rated at 4000 SCFM of airflow and controls the dust emissions from items (4) and (7).

60. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the emission of particulate matter from ID C325 associated with Source ID P325 shall not exceed 0.004 grain per dry standard cubic foot. The emission of particulate matter less than 10 microns in diameter (PM_{10}) from ID C325 associated with Source ID P325 shall not exceed 0.003 grain per dry standard cubic foot. The emission of particulate matter less than 2.5 microns in diameter ($PM_{2.5}$) from ID C325 associated with Source ID P325 shall not exceed 0.002 grain per dry standard cubic foot.

61. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the emission of visible air contaminants into the atmosphere from ID C325 associated with Source ID P325 shall not exceed 5% opacity.

62. Within 120 days of achieving maximum routine operating conditions, but no later than 180 days after initial startup, the permittee shall perform an EPA reference method testing program on the exhaust of ID C325 associated with Source ID P325 to verify compliance with the PM , PM_{10} and $PM_{2.5}$ emissions limitations. All testing shall be performed while Source ID P325 is operating at maximum routine operating conditions and using methods approved by the Department.

63. Within 120 days of achieving maximum routine operating conditions, but no later than 180 days after initial startup, the permittee shall perform an EPA reference Method 9 testing program on the vent (ID S325) for the fabric collector (ID C325) associated with Source ID P325 to verify compliance with the opacity limitation.

64. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, there shall be no emission of visible air contaminants to the atmosphere from building 345-BUI-802, building 345-BUI-800 and each of the outdoor transfer points associated with Source ID P325.

65. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall conduct daily visible emissions observations, during routine operation of Source ID P325, on building 345-BUI-802, building 345-

BUI-800, the transfer points associated with 345-IRC-818, the transfer point associated with 345-ELE-830, the transfer point associated with 345-ELE-834, the transfer point associated with 345-ELE-867, the transfer point associated with 345-ELE-870, the transfer point associated with 345-BEC-876/345-DGC-878, the transfer point associated with 345-SIL-880, the transfer point associated with 345-SIL-896, the transfer point associated with 345-BEC-208, the transfer point associated with 345-BEC-228, the transfer point associated with 345-BEC-236, the transfer point associated with 345-BSS-915/345-BEF-914/345-DGC-916, and the exhaust outlet to the atmosphere of ID C325.

66. The permittee shall keep record of each of the daily visible emissions observations performed, including the findings of each inspection and action taken as a result of each inspection. These records shall be retained for a minimum of five (5) years and shall be made available to the Department upon request.

67. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not operate Source ID P325 without the simultaneous operation of the ID C325. The PM , PM_{10} and $PM_{2.5}$ emissions from Source ID P325 shall be controlled by ID C325.

68. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall only use 16 weight (ounces per square yard) polyester bags with a PTFE coating or other bags, as approved by the Department, that offer equivalent or better control of particulate matter emissions in ID C325 associated with Source ID P325.

69. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall keep on hand a sufficient quantity of spare fabric collector bags for ID C325 associated with Source ID P325 in order to be able to immediately replace any bags requiring replacement due to deterioration.

70. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, all conveyors associated with Source ID P325 shall be fully enclosed.

71. Source ID P325 is the Kiln No. 8 project lime handling and storage system, which consists of the following:

- (1) Conveyor 345-SCC-232 (installed prior to Kiln No. 8 project)
- (2) Double Conveyor 345-BEC-233/345-DGC-235
- (3) Vibratory Feeder 328-VIF-864
- (4) Vibratory Feeder 328-VIF-865
- (5) Double Conveyor 345-BEC-814/324-BSS-815/345-DGC-816
- (6) Roll Crusher 345-IRC-818 (located in Building 345-BUI-800)
- (7) Double Conveyor 345-BEC-820/345-DGC-822
- (8) Elevator 345-ELE-830
- (9) Elevator 345-ELE-834
- (10) Screen 345-ECS-838 (located in Building 345-BUI-802)
- (11) Bin 345-BIN-842
- (12) Double Conveyor 345-BSS-851/324-BEF-850/345-DGC-852
- (13) 345-HAM-858
- (14) Elevator 345-ELE-867

- (15) Elevator 345-ELE-870
 - (16) Double Conveyor 345-BEC-876/345-DGC-878
 - (17) Silo 345-SIL-880
 - (18) Silo 345-SIL-896
 - (19) Conveyor 345-BEC-236 (installed prior to Kiln No. 8 project)
 - (20) Conveyor 345-BEC-208 (installed prior to Kiln No. 8 project)
 - (21) Conveyor 345-BEC-228 (installed prior to Kiln No. 8 project)
- (c) ID C325, designated as 345-PDC-560, is a fabric collector rated at 8500 SCFM of airflow and controls the dust emissions from items (2), (5), (7), (10), (11), (12), (16), (17), (18), (19), (20) and (21).

72. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the emission of particulate matter from ID C326 associated with Source ID P326 shall not exceed 0.004 grain per dry standard cubic foot. The emission of particulate matter less than 10 microns in diameter (PM_{10}) from ID C326 associated with Source ID P326 shall not exceed 0.003 grain per dry standard cubic foot. The emission of particulate matter less than 2.5 microns in diameter ($PM_{2.5}$) from ID C326 associated with Source ID P326 shall not exceed 0.002 grain per dry standard cubic foot.

73. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the emission of visible air contaminants into the atmosphere from ID C326 associated with Source ID P326 shall not exceed 5% opacity.

74. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, there shall be no emission of visible air contaminants to the atmosphere from building 328-BUI-803 and each of the outdoor transfer points associated with Source ID P326.

75. Within 120 days of achieving maximum routine operating conditions, but no later than 180 days after initial startup, the permittee shall perform an EPA reference method testing program on the exhaust of ID C326 associated with Source ID P326 to verify compliance with the PM, PM_{10} and $PM_{2.5}$ emissions limitations. All testing shall be performed while Source ID P326 is operating at maximum routine operating conditions and using methods approved by the Department.

76. Within 120 days of achieving maximum routine operating conditions, but no later than 180 days after initial startup, the permittee shall perform an EPA reference Method 9 testing program on the vent (ID S326) for the fabric collector (ID C326) associated with Source ID P326 to verify compliance with the opacity limitation.

77. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall conduct daily visible emissions observations, during routine operation of Source ID P326, on building 345-BUI-803, core material truck loading operation, bay #1 railcar loading operation, bay #2 railcar loading operation, the transfer points associated with 345-BSS-893/345-BEF-892/345-DGC-894, the transfer point associated with 345-BSS-885/345-BEF-884/345-DGC-886, the transfer point associated with 345-BSS-903/345-BEF-902/345-DGC-904, the transfer point associated with 345-SIL-880, the transfer point associated with 345-SIL-896, the transfer point associated with 345-ECS-912, the transfer point associated with 345-BSS-915/345-BEF-914/345-DGC-916, the transfer point associated with 345-SCC-918, the transfer point associated with 345-BEC-602/345-DGC-603, the transfer point associated

with 345-SCC-604, the exhaust outlet to the atmosphere of 345-PDC-510 (EXISTING) and the exhaust outlet to the atmosphere of ID C326.

78. The permittee shall keep record of each of the daily visible emissions observations performed, including the findings of each inspection and action taken as a result of each inspection. These records shall be retained for a minimum of five (5) years and shall be made available to the Department upon request.

79. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not operate Source ID P326 without the simultaneous operation of the ID C326. The PM, PM_{10} and $PM_{2.5}$ emissions from Source ID P326 shall be controlled by ID C326.

80. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall only use 16 weight (ounces per square yard) polyester bags with a PTFE coating or other bags, as approved by the Department, that offer equivalent or better control of particulate matter emissions in ID C326 associated with Source ID P326.

81. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall keep on hand a sufficient quantity of spare fabric collector bags for ID C326 associated with Source ID P326 in order to be able to immediately replace any bags requiring replacement due to deterioration.

82. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, all conveyors associated with Source ID P326 shall be fully enclosed.

83. Source ID P326 is the Kiln No. 8 project lime handling and storage system, which consists of the following:

- (1) Core material truck loading operation via 345-LSP-854
- (2) Bay #1 railcar loading operation via 345-LSP-888 and 345-LSP-906
- (3) Bay #2 railcar loading operation via 345-LSP-810 (installed prior to Kiln No. 8 project)
- (4) Double Conveyor 345-BSS-893/324-BEF-892/345-DGC-894 (Reversible)
- (5) Double Conveyor 345-BSS-885/324-BEF-884/345-DGC-886
- (6) Double Conveyor 345-BSS-903/324-BEF-902/345-DGC-904
- (7) Vibratory Feeder 345-VIF-910
- (8) Screen 345-ECS-912
- (9) Double Conveyor 345-BSS-915/324-BEF-914/345-DGC-916

(a) ID C326, designated as 345-PDC-570, is a fabric collector rated at 10000 SCFM of airflow and controls the dust emissions from items (1), (2), (4), (5) and (6).

(b) ID C325, designated as 345-PDC-560, is a fabric collector rated at 8500 SCFM of airflow and controls the dust emissions from Screen 345-ECS-912

84. Pursuant to the applicable compliance requirements as specified in 40 CFR 60.4211, the permittee shall purchase certified engines that meet the emissions standards specified in 40 CFR 60.4205(b) for the same model year and maximum engine power.

[Compliance with this streamlined permit conditions will assure compliance with the applicable PM and SO₂ standards as specified in 25 Pa. Code §§ 123.13 and 123.21]

85. Pursuant to the applicable compliance requirements as specified in 40 CFR 60.4211, the permittee shall not operate each of the engines associated with Source ID P328 for purposes of peak shaving or to generate income from supplying power to the grid or otherwise supply non-emergency power as part of a financial arrangement with another entity. Additionally, non-emergency operational use of each engine shall be restricted to less than or equal to 100 hours in any 12 consecutive month period.

86. [Additional authority for this permit condition is also derived from the permittee voluntarily electing the restriction] The combined emergency and non-emergency operational uses of each engine associated with Source ID P328 shall be restricted to less than or equal to 300 hours in any 12 consecutive month period.

87. Pursuant to the applicable fuel requirements as specified in 40 CFR 60.4207(b), the permittee shall only operate each of the engines associated with Source ID P328 on diesel fuel that meets the following requirements.

(a) Maximum sulfur content equal to 15 ppm by weight

(b) Minimum cetane index equal to 40 or maximum aromatic content equal to 35% by volume

88. The permittee shall install non-resettable hour meters on each engine that is associated with Source ID P328 prior to the respective start-up of each engine to continuously monitor the operation of each engine in order to verify compliance with the operational restrictions for each engine.

[Compliance with the requirements of this streamlined permit condition will assure compliance with the requirements of 40 CFR 60.4209(a)]

89. [Additional authority for this permit condition is also derived from the provisions of 40 CFR 60.4214(b)] The permittee shall keep monthly records of the operation of the engines associated with Source ID P328 in emergency and non-emergency service that are recorded through the non-resettable hour meter to verify compliance with the operational restrictions for each engine. The records shall include the time of operation of each engine and the reason each of the engines were in operation at that respective time. These records shall be retained for a minimum of five (5) years and shall be made available to the Department upon request.

90. The permittee shall keep records of fuel certification reports obtained yearly from the diesel fuel supplier containing the name of the diesel fuel supplier and specification that demonstrate all of the diesel fuel shipments for Source ID P328 meet the required fuel specifications. All testing and certification reports shall be in accordance with the provisions of 25 Pa. Code Chapter 139. These records shall be retained for a minimum of five (5) years and shall be made available to the Department upon request.

91. The submission of all requests, reports, applications, submittals and other communications required by 40 CFR Part 60 Subpart IIII and 40 CFR Part 63 Subpart ZZZZ shall be made to both the Department of Environmental Protection and the Environmental Protection Agency.

92. Within 90 days of the selection of the specific manufacturer and model of each emergency generator

associated with Source ID P328, the permittee shall submit specifications for the selected engines to the Department for review and final approval. These specifications shall include the rated power of each engine, displacement of each engine, certification of NSPS conformance for each engine and other emission-related specification to verify each engine meet's all applicable regulatory requirements for non-road, emergency engines.

(a) In order for the selected generator sets to be given final approval by the Department, these specifications must be determined by the Department to be equivalent, or superior, to those contained in the application and supplemental materials submitted for plan approval.

(b) The Department will establish annual limitations (tpy) for each engine based on each of the final approved engine specifications

93. Pursuant to the applicable limited requirements as specified in 40 CFR 63.6590(b), the permittee shall submit initial notification in accordance with the requirements of 40 CFR 63.6645 for the emergency-use engine associated with the 500 kW emergency generator of Source ID P328. No additional requirements of 40 CFR Part 63 Subparts A and ZZZZ apply to the emergency-use engine associated with the 500 kW emergency generator of Source ID P328 pursuant to 40 CFR 63.6590(b).

94. Pursuant to the applicable compliance requirements as specified in 40 CFR 60.4211, the permittee shall install and configure the engines associated with Source ID P328 in accordance with the manufacturers' emission-related specifications.

95. Pursuant to the applicable compliance requirements as specified in 40 CFR 60.4211, the permittee shall operate and maintain the engines associated with Source ID P328 in accordance with the manufacturers' emission-related written instructions. Additionally, the permittee shall only change the specific emission-related settings that are permitted by the engine manufacturer and shall meet the applicable requirements of 40 CFR Parts 89, 94 and/or 1068.

96. Pursuant to the applicable maintenance requirements as specified in 40 CFR 60.4206, the permittee shall operate and maintain the engines associated with Source ID P328 in order to meet the applicable emissions standard as specified in 40 CFR 60.4205(b) for the entire period of time that each of the engines are on-site and operational.

97. [Compliance with this permit condition will assure compliance with the requirements of 40 CFR Part 63 Subpart ZZZZ pursuant to 40 CFR 63.6590(c)] The emergency-use engine associated with the 100 kW emergency generator of Source ID P328 is subject to the requirements in 40 CFR Part 60 Subpart IIII. The permittee shall comply with all applicable provisions specified 40 CFR 60.4200—60.4219, including appendices.

98. The engine associated with the 500 kW emergency generator of Source ID P328 is subject to the requirements in 40 CFR Part 60 Subpart IIII. The permittee shall comply with all applicable provisions specified 40 CFR 60.4200—60.4219, including appendices.

99. Source ID P328 consists of two (2) diesel-fired emergency generator sets that are used to supply back-up power to the Kiln No. 8 cooling fans. The emergency generator sets are rated at 100 kW and 500 kW (or equivalent as approved by the Department).

100. Pursuant to the plant-wide applicability limit (PAL) provisions of 40 CFR 52.21(aa)(7), the total com-

bined sulfur dioxide (SO₂) emissions, including fugitive emissions, from the facility shall not exceed 302.62 tons in any 12 consecutive month period. The effective date of this SO₂ PAL is the issue date of this plan approval and the PAL period will expire 10 years from this issue date.

a) In accordance with the plant-wide applicability limit (PAL) provisions of 40 CFR 52.21(aa)(7), emissions calculations for compliance with the SO₂ PAL shall include emissions from startups, shutdowns and malfunctions.

101. Pursuant to the plant-wide applicability limit (PAL) provisions of 40 CFR 52.21(aa)(7)(vi), the permittee shall monitor the monthly SO₂ emissions from the facility in accordance with 40 CFR 52.21(aa)(12).

102. Pursuant to the plant-wide applicability limit (PAL) provisions of 40 CFR 52.21(aa)(7)(viii), the permittee shall keep comprehensive records of the following information for the duration of the PAL effective period plus five years.

a) A copy of the PAL permit application and any applications for revisions to the PAL

b) Each annual certification for compliance pursuant to Title V and the data relied on in certifying the compliance

103. Pursuant to the plant-wide applicability limit (PAL) provisions of 40 CFR 52.21(aa)(7), the permittee shall keep records of the monthly emissions of SO₂ from the facility, including SO₂ emissions from startups, shutdowns and malfunctions, and the supporting calculations/documentation to verify compliance with the SO₂ PAL (includes total annual SO₂ emissions in TPY based on a 12-month rolling total for each month in the reporting period), including a determination of the 12-month rolling total emissions from each emissions unit. The records shall be retained for a minimum of five years and shall be made available to the Department upon request.

104. Pursuant to the plant-wide applicability limit (PAL) provisions of 40 CFR 52.21(aa)(7)(ix), the permittee shall submit semiannual reports of the following:

(a) The monthly emissions of SO₂ from the facility and the supporting calculations/documentation to verify compliance with the SO₂ PAL (includes total annual emissions in TPY based on a 12-month rolling total for each month in the reporting period).

(b) A list of the emissions units modified or added to the facility during the preceding 6-month period.

(c) The number, duration and cause of deviations or monitoring malfunctions, other than the time associated with zero and span calibration checks, and the corrective action taken.

(d) A notification of a shutdown of a monitoring system, whether the shutdown was permanent or temporary, the reason for the shutdown, the anticipated date that the monitoring system will be fully operational or replaced with another monitoring system, whether the emissions unit monitored by the monitoring system continued to operate, and the calculation of the emissions of the pollutant or the number determined by the method included in this plan approval pursuant to 40 CFR 52.21(aa)(12)(vii).

(e) A statement signed by a responsible official of the company that owns or operates the facility certifying the truth, accuracy and completeness of the information provided in the report.

(f) The semiannual reports shall be submitted to the Department no later than March 1 (for the reporting period of July 1 through December 31 of the previous

year) and September 1 (for the reporting of January 1 through June 30 of the current year).

105. Pursuant to the plant-wide applicability limit (PAL) provisions of 40 CFR 52.21(aa)(7)(ix), the permittee shall submit reports of deviations or exceedance of the PAL requirements in accordance with 40 CFR 52.21(aa)(14)(ii).

106. Pursuant to the plant-wide applicability limit (PAL) provisions of 40 CFR 52.21(aa)(7)(iii) and (aa)(10)(ii), the company shall submit an application to renew the PAL at least 6 months prior to, but not earlier than 18 months from, the date of expiration of the PAL. If a complete renewal application is submitted within this time period, then the PAL shall not expire at the end of the PAL effective period and it shall remain effective until a revised permit with the renewed PAL is issued. A complete renewal application all of the information required in 40 CFR 52.21 paragraph (aa)(10)(iii).

107. If the PAL operating permit expires and is not renewed in accordance with 40 CFR 52.21(aa)(10), the company shall submit an application to comply with the requirements listed in 40 CFR 52.21 (aa)(9) to the Department for review and approval.

108. The Department will follow the provisions of 40 CFR 52.21(aa)(8) for reopening of this SO₂ PAL permit.

109. The provisions of 40 CFR 52.21(aa)(5) and (10) are applicable to the renewal of this SO₂ PAL permit.

110. The SO₂ PAL established by this SO₂ PAL permit shall only be increased during the PAL effective period if the provisions of 40 CFR 52.21(11)(i)(a)—(d) are satisfied.

111. To satisfy the provision of 40 CFR 52.21(aa)(12)(d), the permittee shall only use a monitoring system consistent with the provisions of 40 CFR 52.21(aa).

112. Pursuant to the provisions of 40 CFR 52.21(aa)(4)(g)(ii), at no time (during or after the PAL effective period) are emissions reductions of a PAL, which occur during the PAL effective period, creditable as decreases for purposes of offsets unless the level of the PAL is reduced by the amount of such emissions reductions and such reductions would be creditable in the absence of the PAL.

113. Pursuant to the requirement of 40 CFR 52.21(14)(iii) the permittee shall submit to the Department the results of any re-validation test or method within three (3) months after completion of such test or method.

114. Pursuant to the provisions of 40 CFR 52.21(aa)(1)(ii), the facility is not subject to the Prevention of Significant Deterioration (PSD) requirements of 25 Pa. Code Chapter 127, Subchapter D for SO₂ emissions so long as the permittee complies with the SO₂ PAL and conditions for the PAL as specified in this plan approval. Any increase in the emissions above this PAL will subject the facility to the PSD requirements. The facility must comply with requirements listed in 40 CFR 52.21(aa).

115. The issuance of this plan approval does not prevent the future adoption by the Department of any rules, regulations or standards, or the issuance of orders necessary to comply with the requirements of the Federal Clean Air Act or the Pennsylvania Air Pollution Control Act, or to achieve or maintain ambient air quality standards.

116. In accordance with 127.1, the emissions from a new source that requires a plan approval shall be the minimum attainable through the use of the BAT (BAT). A

physical change or change in method of operation at an existing emissions unit will not be subject to BAT requirements of this chapter unless the emissions unit is modified so that the fixed capital cost of new components exceeds 50% of the fixed capital cost that would be required to construct a comparable entirely new emissions unit.

117. [Additional authority for this permit condition is also derived from the requirements of 25 Pa. Code § 139.101] Pursuant to the provisions of 40 CFR 52.21(aa)(12), the permittee shall maintain, certify and operate a continuous emission monitoring system (CEMS) for sulfur dioxide (SO₂) on Source ID P408 (Kiln No. 6) in accordance with all applicable requirements that are specified in 25 Pa. Code Chapter 139, the Department's Continuous Source Monitoring Manual and PS—2 of Appendix B to Part 60 of 40 CFR.

(a) Pursuant to 40 CFR 52.21(aa)(13)(i), the CEMS shall be capable of monitoring total monthly SO₂ emissions and total annual SO₂ emissions based on a 12-month rolling total that is determined every quarter for each month in the quarter.

i. Pursuant to 40 CFR 52.21(aa)(12)(vii), the highest 30-day rolling average emission of SO₂ (pound per hour) for the quarter shall be substituted for each hour of invalid or missing data during the quarter. An hourly value of zero is substituted when the process did not operate for the entire hour.

118. Pursuant to the source monitoring provisions in 25 Pa. Code §§ 139.101 and 139.103, the required relative accuracy testing shall be completed on the SO₂ CEMS. [Compliance with this streamlined permit condition will assure compliance with the applicable re-validation requirements as specified in 40 CFR 52.21(aa)(12)(ix)]

119. [Additional authority for this permit condition is also derived from the requirements of 25 Pa. Code § 139.101] Pursuant to the provisions of 40 CFR 52.21(aa)(12), the permittee shall maintain, certify and operate a continuous emission monitoring system (CEMS) for sulfur dioxide (SO₂) on Source ID P413 (Kiln No. 7) in accordance with all applicable requirements that are specified in 25 Pa. Code Chapter 139, the Department's Continuous Source Monitoring Manual and PS—2 of Appendix B to Part 60 of 40 CFR.

(a) Pursuant to 40 CFR 52.21(aa)(13)(i), the CEMS shall be capable of monitoring total monthly SO₂ emissions and total annual SO₂ emissions based on a 12-month rolling total that is determined every quarter for each month in the quarter.

i. Pursuant to 40 CFR 52.21(aa)(12)(vii), the highest 30-day rolling average emission of SO₂ (pound per hour) for the quarter shall be substituted for each hour of invalid or missing data during the quarter. An hourly value of zero is substituted when the process did not operate for the entire hour.

120. Pursuant to the source monitoring provisions in 25 Pa. Code §§ 139.101 and 139.103, the required relative accuracy testing shall be completed on the SO₂ CEMS. [Compliance with this streamlined permit condition will assure compliance with the applicable re-validation requirements as specified in 40 CFR 52.21(aa)(12)(ix)]

121. [Additional authority for this permit condition is also derived from the requirements of 25 Pa. Code § 139.101] Pursuant to the provisions of 40 CFR 52.21(aa)(12), the permittee shall install, maintain, certify and operate a continuous emission monitoring system

(CEMS) for sulfur dioxide (SO₂) on Source ID P418 in accordance with all applicable requirements that are specified in 25 Pa. Code Chapter 139, the Department's Continuous Source Monitoring Manual and PS—2 of Appendix B to Part 60 of 40 CFR.

(a) Pursuant to 40 CFR 52.21(aa)(13)(i), the CEMS shall be capable of monitoring total monthly SO₂ emissions and total annual SO₂ emissions based on a 12-month rolling total that is determined within 30 days of every quarter for each month in the quarter.

i. Pursuant to 40 CFR 52.21(aa)(12)(vii), the highest 30-day rolling average emission of SO₂ (pound per hour) for the quarter shall be substituted for each hour of invalid or missing data during the quarter. An hourly value of zero is substituted when the process did not operate for the entire hour.

122. Pursuant to the source monitoring provisions in 25 Pa. Code §§ 139.101 and 139.103, the required relative accuracy testing shall be completed on the SO₂ CEMS.

[Compliance with this streamlined permit condition will assure compliance with the applicable re-validation requirements as specified in 40 CFR 52.21(aa)(12)(ix)]

123. Pursuant to the provisions of 40 CFR 52.21(aa)(12), the permittee shall monitor the hours that each engine associated with Source IDs P320A, P321 and P328 operates through a non-resettable hour meter.

124. Pursuant to the provisions of 40 CFR 52.21(aa)(12), The permittee shall perform tests or obtain a fuel certification report of the percent sulfur by weight for each delivery of ultra-low sulfur diesel fuel for each of the engines associated with Source IDs P320A, P321 and P328. All testing and certification reports shall be in accordance with the provisions of 25 Pa. Code Chapter 139. These records shall be retained for a minimum of five (5) years and shall be made available to the Department upon request.

125. Pursuant to the provisions of 40 CFR 52.21(aa)(12), the permittee shall monitor and record the monthly SO₂ emissions from each engine associated with Source IDs P320A, P321 and P328 using each engine's total hours operated in a month and the following emission factors.

(a) 0.002 pound per hour for Source ID P320A

(b) 0.002 pound per hour for the Kiln 6 Aux. Engine associated Source ID P321

(c) 0.002 pound per hour for the Kiln 7 Aux. Engine associated Source ID P321

(d) 0.006 pound per hour for the Kiln 6 Aux. Engine associated Source ID P321

(e) 0.004 pound per hour for the Kiln 8 100 kW Aux. Engine associated Source ID P328

(f) 0.01 pound per hour for the Kiln 8 500 kW Aux. Engine associated Source ID P328

126. Pursuant to 40 CFR 52.21(aa)(12)(vii), the highest monthly hours of operation from the previous 12-consecutive month period shall be substituted for each month of invalid or missing data.

127. Pursuant to the provisions of 40 CFR 52.21(aa)(12), the permittee shall monitor the total annual SO₂ emissions based on a 12-month rolling total of the monthly SO₂ emissions from each engine associated with Source IDs P320A, P321 and P328. The 12-month rolling total of SO₂ emissions from each engine for each

month in the quarter shall be determined and recorded within 30 days of every quarter.

128. Pursuant to the provisions of 40 CFR 52.21(aa)(12), the permittee shall monitor the gallons of No. 2 oil and propane that the dryer process associated with Source ID P310 uses through fuel meters or other methods as approved by the Department. Any meters used to monitor fuel usage shall be maintained according to manufacturer specifications.

129. Pursuant to the provisions of 40 CFR 52.21(aa)(12), The permittee shall perform tests or obtain a fuel certification report of the percent sulfur by weight for each delivery of No. 2 oil for the dryer process associated with Source ID P310. All testing and certification reports shall be in accordance with the provisions of 25 Pa. Code Chapter 139. These records shall be retained for a minimum of five (5) years and shall be made available to the Department upon request.

130. Pursuant to the provisions of 40 CFR 52.21(aa)(12), the permittee shall monitor and record the monthly SO₂ emissions from the dryer process associated with Source ID P310 using the fuel usage during each month and the following emission factors.

- (a) 0.03 pound per gallon for No. 2 fuel oil
- (b) 0.00003 pound per gallon for propane

131. Pursuant to 40 CFR 52.21(aa)(12)(vii), the highest monthly fuel use from the previous 12-consecutive month period shall be substituted for each month of invalid or missing data.

132. Pursuant to the provisions of 40 CFR 52.21(aa)(12), the permittee shall monitor the total annual SO₂ emissions based on a 12-month rolling total of the monthly SO₂ emissions from the dryer process associated with Source ID P310. The 12-month rolling total of SO₂ emissions from dryer process for each month in the quarter shall be determined and recorded within 30 days of every quarter.

133. Pursuant to the provisions of 40 CFR 52.21(aa)(12), the permittee shall monitor the gallons of propane that the combustion units associated with Source ID 033 uses through fuel meters or other methods as approved by the Department. Any meters used to monitor fuel usage shall be maintained according to manufacturer specifications.

134. Pursuant to the provisions of 40 CFR 52.21(aa)(12), the permittee shall monitor and record the monthly SO₂ emissions from the combustion units associated with Source ID 033 using the fuel usage during each month and the following emission factors.

- (a) 0.00003 pound per gallon for propane

135. Pursuant to 40 CFR 52.21(aa)(12)(vii), the highest monthly fuel use from the previous 12-consecutive month period shall be substituted for each month of invalid or missing data.

136. Pursuant to the provisions of 40 CFR 52.21(aa)(12), the permittee shall monitor the total annual SO₂ emissions based on a 12-month rolling total of the monthly SO₂ emissions from the combustion units associated with Source ID 033. The 12-month rolling total of SO₂ emissions from dryer process for each month in the quarter shall be determined and recorded within 30 days of every quarter.

137. Pursuant to the provisions of 40 CFR 52.21(aa)(12), the permittee shall monitor the gallons of No. 2 oil that the combustion unit associated with Source

ID 032 uses through fuel meter or other methods as approved by the Department. Any meter used to monitor fuel usage shall be maintained according to manufacturer specifications.

138. Pursuant to the provisions of 40 CFR 52.21(aa)(12), The permittee shall perform tests or obtain a fuel certification report of the percent sulfur by weight for each delivery of No. 2 oil for the combustion unit associated with Source ID 032. All testing and certification reports shall be in accordance with the provisions of 25 Pa. Code Chapter 139. These records shall be retained for a minimum of five (5) years and shall be made available to the Department upon request.

139. Pursuant to the provisions of 40 CFR 52.21(aa)(12), the permittee shall monitor and record the monthly SO₂ emissions from the combustion unit associated with Source ID 032 using the fuel usage during each month and the 0.07 pound per gallon emission factor.

140. Pursuant to 40 CFR 52.21(aa)(12)(vii), the highest monthly fuel use from the previous 12-consecutive month period shall be substituted for each month of invalid or missing data.

141. Pursuant to the provisions of 40 CFR 52.21(aa)(12), the permittee shall monitor the total annual SO₂ emissions based on a 12-month rolling total of the monthly SO₂ emissions from the combustion unit associated with Source ID 032. The 12-month rolling total of SO₂ emissions from the combustion unit for each month in the quarter shall be determined and recorded within 30 days of every quarter.

142. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the concentration and rate of emission of filterable particulate matter in the exhaust from the Kiln No. 8 baghouse (ID C418) shall not exceed 0.004 grain per dry standard cubic foot and 1.34 pound per hour, respectively, as measured by Method 5 in appendix A to Part 60 of 40 CFR.

143. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the concentration and rate emission of filterable particulate matter with an effective aerodynamic diameter of less than 10 micrometers (PM₁₀) in the exhaust from the Kiln No. 8 baghouse (ID C418) shall not exceed 0.003 grain per dry standard cubic foot and 1.00 pound per hour, respectively.

144. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the concentration and rate of emission of particulate matter (PM) with an effective aerodynamic diameter of less than 2.5 micrometers (PM_{2.5}), including condensable PM in the exhaust from the Kiln No. 8 baghouse (ID C418) shall not exceed 0.002 grain per dry standard cubic foot and 1.56 pound per hour, respectively.

145. [Additional authority for this permit condition is also derived from the applicable emissions limitation (lb/tsf) as specified in 40 CFR 63.7090] Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the particulate matter emissions from the kiln associated with Source ID P418 shall not exceed 0.10 pound per ton of limestone feed as measured using Method 5 in appendix A to Part 60 of 40 CFR and the limestone feed rate measurement over the period of the performance test.

146. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the rate of emission of sulfur oxides (expressed as SO₂) from the kiln associated with Source ID P418 shall not exceed 23.0 pounds per hour (rolling 30-day average).

147. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the emission of visible air contaminants from the kiln associated with Source ID P418 shall not exceed an average opacity for any 6-minute block period equal to 10%.

[Compliance with this streamlined permit condition will assure compliance with the requirements of 40 CFR 63.7121(a)]

148. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the rate of emission of volatile organic compounds from the kiln associated with Source ID P418 shall not exceed 0.10 pound per ton of lime.

149. At the permittee's request, the total combined emissions of volatile organic compounds from all sources located at the facility shall not equal or exceed 50 tons in any 12 consecutive month period.

150. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the rate of emission of nitrogen oxides (expressed as NO₂) from the kiln associated with Source ID P418 shall not exceed 7.90 pounds per hour (rolling 30-day average) and 34.6 tons in any 12 consecutive month period.

151. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the rate of emission of carbon monoxide from the kiln associated with Source ID P418 shall not exceed 6.96 pounds per hour (rolling 30-day average) and 26.5 tons in any 12 consecutive month period.

152. Pursuant to the best available control technology of the Prevention of Significant Deterioration requirements in 40 CFR 52.21 and of 25 Pa. Code § 127.83, as well as the BAT requirements in 25 Pa. Code §§ 127.1 and 127.12, the kiln associated Source ID P418 shall not use more than 3.65 MMBtu (HHV) of natural gas per ton of lime (rolling 12-month average).

153. Pursuant to 25 Pa. Code § 123.21, the sulfur dioxide emissions, expressed as SO₂, shall not exceed 500 parts per million by volume, dry basis.

154. Pursuant to the BAT requirements in 25 Pa. Code §§ 127.1 and 127.12, the kiln associated with Source ID P418 shall be fired on only pipeline—quality natural gas.

155. [Additional authority for this permit condition is also derived from the applicable testing and initial compliance requirements as specified in 40 CFR 63.7110] The permittee shall conduct EPA reference method testing on the kiln associated with Source ID P418 for filterable and condensable particulate matter emissions, filterable and condensable PM₁₀ emissions, and filterable and condensable PM_{2.5} emissions to verify compliance with the limitations in this plan approval.

(a) The performance of each test shall be conducted while the source is operating at maximum routine operating conditions, and each test shall be performed using methods and procedures acceptable to the Department

(b) The applicable performance test requirements as specified in 40 CFR 63.7112(a), (b), (c), (d), (e), (h) and (j) shall be met by the permittee

(c) Subsequent EPA reference method testing for filterable and condensable particulate matter, filterable and condensable PM₁₀, and filterable and condensable PM_{2.5} shall be conducted every five years from the date of the previous tests

156. The permittee shall conduct EPA reference method testing on the kiln associated with Source ID P418 for

volatile organic compound emissions to verify compliance with the limitations in this plan approval.

(a) The performance of each test shall be conducted while the source is operating at maximum routine operating conditions, and each test shall be performed using methods and procedures acceptable to the Department

(b) Subsequent EPA reference method testing for volatile organic compounds shall be conducted every five years from the date of the previous tests

157. The permittee shall comply with the applicable testing requirements as specified in 40 CFR 63.7112.

158. Pursuant to the provisions of 25 Pa. Code §§ 139.101 and 139.103, the permittee shall install, certify, maintain and operate a continuous emission monitoring system for nitrogen oxides (expressed as NO₂), carbon monoxide, and sulfur oxides (expressed as SO₂) emissions and opacity on the kiln associated with Source ID 418 in accordance with all applicable requirements specified in Chapter 139 of Article III of the Rules and Regulations of the Department of Environmental Protection, the Department's Continuous Source Monitoring Manual as well as 40 CFR Part 63, Subpart A and PS—1 of Appendix B to Part 60 of 40 CFR for opacity.

(a) The continuous emission monitoring systems shall be capable of monitoring the nitrogen oxide, carbon monoxide and sulfur oxide concentrations, expressed in ppmv, emission rates, expressed in pound per hour, and total emissions in any 12 consecutive month period, expressed in tons per year.

159. The permittee shall comply with the applicable monitoring and data collection requirements as specified in 40 CFR 63.7120.

160. Pursuant to 40 CFR 63.7113(g), the permittee shall install the continuous emission monitoring system for opacity (COMS) at the outlet of the Kiln No. 8 baghouse (ID C418).

(a) In addition, the permittee shall install, maintain, calibrate, and operate the COMS as required by 40 CFR Part 63, Subpart A, General Provisions and according to Performance Specification (PS)—1 of Appendix B to Part 60 of 40 CFR.

161. Pursuant to the best available control technology of the Prevention of Significant Deterioration requirements in 40 CFR 52.21 and of 25 Pa. Code § 127.83, as well as the BAT requirements in 25 Pa. Code §§ 127.1 and 127.12, the permittee shall install, operate and maintain instrumentation to continuously monitor the natural gas consumption and lime production of the kiln associated Source ID P418.

(a) The instruments to monitor the natural gas consumption and lime production of the kiln shall be installed, maintained and operated in accordance with manufacturers' specification

(b) The same plant instruments used to monitor natural gas consumption and lime production for accounting purposes shall be used in the monitoring of these parameters that are used to verify compliance with the BACT fuel efficiency limitation.

162. The permittee shall monitor the greenhouse gas emissions from the kiln associated with Source ID P418 in accordance with the applicable methods and procedures as specified in 40 CFR Part 98.

163. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall install and maintain instrumentation to continuously and accurately

measure the pressure differential across ID C418 and the actual pressure differential shall be displayed on a continuous basis.

164. The permittee shall keep records of the differential pressure across ID C418, at least once per shift, when Source ID P418 is in operation. These records shall be retained for a minimum of five years and shall be made available to the Department upon request.

165. The permittee shall maintain records for the fuel used in the kiln associated with Source ID P418 to verify compliance with the fuel restriction for the kiln.

166. The permittee shall comply with the applicable recordkeeping requirements as specified in 40 CFR 63.7132 according to the schedule specified in 40 CFR 63.7133.

167. The permittee shall keep accurate and comprehensive records of the monthly emission of volatile organic compounds (VOC) from the kiln associated with Source ID P418 to demonstrate compliance with the combined VOC emissions limitation for all sources at the facility. All information used to satisfy this recordkeeping requirement shall be kept for a minimum of five (5) years and shall be made available to the Department upon request.

168. Pursuant to the best available control technology of the Prevention of Significant Deterioration requirements in 40 CFR 52.21 and of 25 Pa. Code § 127.83, as well as the BAT requirements in 25 Pa. Code §§ 127.1 and 127.12, the permittee shall keep accurate and comprehensive records of the kiln's efficiency (MMBtu/ton of lime) at least on a monthly basis, including supporting sampling data, analyses and calculations, to verify compliance with the BACT fuel efficiency limitation of the kiln associated with Source ID P418. These records shall be retained for a minimum of five (5) years and shall be made available to the Department upon request.

169. The permittee shall comply with the applicable OM&M plan and SSMP requirements as specified in 40 CFR 63.7100(d) and (e).

170. The permittee shall comply with the applicable notification requirements as specified in 40 CFR 63.7130(a), (c) and (d).

171. Pursuant to the provisions of 25 Pa. Code §§ 139.101 and 139.103, the permittee shall submit a phase I application to the Department for the continuous emission monitoring systems required by this plan approval at least six months prior to the anticipated startup date of the kiln associated with Source ID P418.

(a) In addition, the required relative accuracy testing shall have been completed on the associated continuous emission monitoring system, and the system shall be fully certified in accordance with all applicable state and federal regulatory requirements within 180 days of startup of the kiln associated with Source ID P418.

172. The permittee shall comply with the applicable notification requirements as specified in 40 CFR 63.7083(d).

173. The permittee shall comply with the applicable notification of compliance status requirements as specified in 40 CFR 63.7114.

174. The permittee shall submit compliance reports to the Department on a semi-annual basis that include the applicable information as specified in 40 CFR 63.7131(c) and (d). The semi-annual reports shall be submitted to the Department no later than March 1 (for January 1

through December 31 of the previous year) and September 1 (for July 1 of the previous year through June 30 of the current year).

175. Except as noted in the malfunction reporting requirement herein, the permittee shall comply with the applicable startup, shutdown and malfunction reporting requirements as specified in 40 CFR 63.7131(a) according to the schedule specified in Table 7.

176. The submission of all requests, reports, applications, submittals and other communications required by 40 CFR Part 60 and Part 63 shall be made to both the Department and the EPA. The EPA copies may be sent to: Office of Enforcement and Compliance Assistance (3AP20) USEPA Region III 1650 Arch Street Philadelphia, PA 19103-2029

177. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not operate Source ID P418 without the simultaneous operation of the ID C418. The filterable PM, PM₁₀, PM_{2.5} emissions from Source ID P418 shall be controlled by ID C418. The permittee is authorized to isolate and remove from service one compartment of ID C418 for maintenance purposes only.

178. Pursuant to 40 CFR 63.7113(f), the permittee shall inspect the capture/collection and closed vent system associated with Source ID P418 and ID C418 at least once per calendar year to verify that the system is operating in accordance with the OM&M plan required by 40 CFR 63.7100(d).

179. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall keep on hand a sufficient quantity of spare fabric collector bags for ID C418 associated with Source ID P418 in order to be able to immediately replace any bags requiring replacement due to deterioration.

180. Source ID P418 is subject to the lime kiln requirements of 40 CFR Part 63, Subpart AAAAA. The permittee shall comply with all the applicable requirements specified in 40 CFR 63.7080—63.7143.

181. Pursuant to BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall only use 20 weight membrane bags (as approved by the Department) in the fabric collector associated with ID C418.

182. The permittee shall comply with the applicable requirements as specified in 40 CFR 63.7140.

183. Source ID P418 is subject to the lime kiln requirements of 40 CFR Part 63, Subpart AAAAA. The permittee shall comply with all the applicable requirements specified in 40 CFR 63.7080—63.7143.

184. [Additional authority for this permit condition is also derived from the provisions of 25 Pa. Code § 127.442]

(1) The permittee shall report malfunctions which occur at the facility to the Department. A malfunction is any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Malfunctions that are not resulting in, or potentially resulting in, air contaminant emissions in excess of an applicable air contaminant emissions limitation and/or are not resulting in, or potentially resulting in, noncompliance with any condition specified herein do not have to be reported. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

(2) Failures that are caused in part by poor maintenance or careless operation shall be reported as excess emissions or deviations from the requirements specified herein.

(3) When the malfunction, excess emission or deviation from any requirement specified herein poses an imminent and substantial danger to the public health and safety or environment, the permittee shall notify the Department by telephone no later than one (1) hour after the incident.

(4) Malfunction, excess emission or deviation from any requirement specified herein, or any malfunction resulting in, or which may possibly be resulting in, a violation of any requirement specified herein or any applicable rule or regulation contained in Article III of the Rules and Regulations of the Department of Environmental Protection, that is not subject to the notice requirements of subsection (3) of this condition shall be reported to the Department within twenty-four (24) hours of discovery. In notifying the Department, the permittee shall describe the following:

- (a) name and location of the source,
 - (b) nature and cause of the malfunction or breakdown,
 - (c) time when the malfunction or breakdown was first observed,
 - (d) expected duration of excess emission,
 - (e) estimated rate of emissions and
 - (f) corrective actions or preventative measures taken.
- (5) The permittee shall notify the Department immediately when corrective measures have been accomplished.
- (6) Upon the request of the Department, the permittee shall submit a full written report to the Regional Air Program Manager within fifteen (15) days of the malfunction, excess emission or deviation from the requirements specified herein.
- (7) The permittee shall comply with the startup, shutdown and malfunction reporting requirements of 40 CFR 63.7131 for Source ID P418 according to the schedule specified in this condition.

185. Source ID P418 consists of a 660 tons per day, twin-shaft vertical lime kiln, designated as Kiln No. 8, that is equipped with 66 natural gas fuel delivery lances (2 sets of 33) with a total approximate heat input (HHV) equal to 100.4 MMBtu/hr. The air contaminant emissions from the kiln shall be controlled by the installation of ID C418 which is a pulse jet fabric collector, designated as 328-PDC-870. The fabric collector shall have a minimum fabric area of 25,536 square feet and handle no more than 75,000 actual cubic feet per minute.

186. Pursuant to the new source review provisions in 25 Pa. Code §§ 127.201 through 127.217, the permittee shall purchase and apply 213 tons per year of nitrogen oxide (NO_x) emissions reduction credits (ERCs) prior to commencement of operation of Source IDs P418 to offset the total of the net increase in potential to emit of de minimis increases over the contemporaneous period (June 2002 to June 2012) for the Kiln No. 8 project.

(a) The permittee shall certify to the North Central Regional Office of the Department the amount of ERCs purchased, the company from which the ERCs were purchased, and the effective date of transfer of the ERCs.

(b) The purchase and application of the NO_x ERCs shall be tracked in the Department's ERC registry system.

(c) Failure to purchase and apply the ERCs prior to commencement of operation of Source ID 418 in this plan approval shall make this plan approval null and void.

187. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, all air-contaminant sources and control devices associated with the Kiln No. 8 project shall be installed, maintained and operated in a manner consistent with good air pollution control practices and in accordance with the manufacturer's recommendations.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's North Central Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570.327.3693.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this plan approval, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Plan Approval No. 14-00002N) and a concise statement regarding the relevancy of the information or objections to issuance of the plan approval.

A public hearing may be held, if the Department in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department 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, North Central Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570.327.3648.

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

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

30-00170A: Laurel Mountain Midstream, LLC (1550 Coraopolis Heights Road, Suite 140, Moon Township, PA 15108) to allow the installation and initial temporary operation of two Caterpillar G3612 lean burn natural gas-fired compressor engines rated at 3,550 bhp each at the Brown Compressor Station located in Greene Township, **Greene County**.

In accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (DEP) intends to issue Air Quality Plan Approval: PA-30-00170A to allow the installation and initial temporary operation of two new Caterpillar G3612 lean burn natural gas-fired compressor engines rated at 3,550 bhp each at the Brown Compressor Station located in Greene Township, Greene County. Four currently authorized natural gas-fired compressor engines rated at 1,380 bhp each, one natural gas-fired compressor engines rated at 1,340 bhp, three dehydrators (including reboilers) rated for 20, 30, and 150 MMscfd of natural gas, and nine produced water tanks with a total capacity of 1364 bbl will remain permitted under GP5-30-00170D.

Potential to emit from the facility is estimated to be 90.22 tons of nitrogen oxides (NO_x), 57.63 tons of carbon monoxide (CO), 48.65 tons of volatile organic compounds (VOC), 7.46 tons of formaldehyde (HCHO), 17.34 tons of hazardous air pollutants (HAP), and 91,443 tons of carbon dioxide equivalents (CO_{2e}) per year. Best available technology (BAT) for the proposed natural gas-fired engines is ultra-lean burn emission combustion technology, installation and proper operation of oxidation catalysts, and good combustion practices including the use of air to fuel ratio controllers and proper maintenance and operation. The authorization is subject to State regulations including 25 Pa. Code § 123.31, Federal New Source Performance Standards (NSPS) including 40 CFR Part 60 Subpart JJJJ for spark ignition internal combustion engines, and Federal National Emission Standards for Hazardous Air Pollutants (NESHAPS) including 40 CFR Part 63 Subpart HH for oil and natural gas production facilities. Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes testing, work practice, monitoring, recordkeeping, and reporting conditions. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

Interested persons may submit written comments, suggestions, or objections concerning the proposed Plan Approval to Alex Sandy, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments submitted to the Department shall include the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-30-00170A) and concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

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

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

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

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

33-002D: Owens-Brockway Glass Container, Inc.—Crenshaw Plant No. 19 (3831 Route 219 North, Brockport, PA 15823) for an improvement project for Furnace D and associated refiner and three forehearths (D1, D3 & D4) which will reduce NO_x emissions by furnace design changes and air staging in Snyder Township, **Jefferson County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the Title V operating permit at a later date.

This project will result in projected actual emissions of 204.4 tpy for NO_x, 14.6 tpy for CO, 78.84 tpy for PM/PM₁₀, 72.27 tpy for PM_{2.5}, 208.05 tpy for SO_x, and 14.6 tpy for VOC. However, this project will only result in a 13.8 tpy increase for PM/PM₁₀, 9.31 tpy increase for PM_{2.5}, 39.33 tpy increase for SO_x, a 107.25 tpy decrease for NO_x, and no change for VOC or CO. This Plan Approval will contain conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate BAT for the source including, but are not limited to, the following:

- Source 104 (Glass Furnace D):
- Emission limits equal to the projected actual emissions are included
- 40 CFR 60 Subpart CC conditions are included
- Stack testing requirements for PM/PM₁₀/PM_{2.5}, and SO_x along with NO_x if the CEM is not approved are included
- Recordkeeping and work practice standards are included

In accordance with 25 Pa. Code § 127.44(e)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP at (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(e)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comment, identification of the proposed plan approval [33-002D] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Regional Air Quality Program Manager, 230 Chestnut St., Meadville, PA 16335; Phone # (814) 332-6940.

In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region Air Quality Program Manager.

If a plan approval has not undergone the above public notice process, the change to an operating permit must be treated as a significant modification. In these situations the Department should follow the procedures described in 25 Pa. Code §§ 127.421—127.431 for state only operating permits or 25 Pa. Code §§ 127.521—127.524 for Title V operating permits.

43-196C: General Transportations—Grove City Plant (1503 W. Main Street Extension, Grove City, PA 16127-2513) for construction of a new test cell (test cell No. 6) and the modification of existing test cell No. 5 to facilitate testing of the newer, higher tier engines in Grove City Borough, **Mercer County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the Title V operating permit at a later date.

This project will result in projected actual emissions of 16.8 tpy for NO_x, 0.42 tpy for CO, 0.3 tpy for PM/PM₁₀/PM_{2.5}, 0.13 tpy for SO_x, and 0.3095 tpy for VOC. However, this project will result in a 1.21 tpy decrease for PM/PM₁₀/PM_{2.5}, 1.996 tpy decrease for SO_x, a 30.864 tpy decrease for NO_x, a 10.368 tpy decrease for CO, and a 2.1785 tpy decrease for VOC. This Plan Approval will contain conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate BAT for the source including, but are not limited to, the following:

- Existing test cells 1—4 will have their NO_x and fuel throughput limitations lowered to account for the emissions/fuel usage from test cell 5.
- Source 132E & F (Diesel Engine Test Cell 5 & 6):
 - Emission limits equal to the projected actual emissions are included
 - Fuel throughput limitations for each cell are included
 - Stack testing requirements for PM₁₀, NO_x, SO_x, VOC, and CO are included
 - Recordkeeping and work practice standards are included

In accordance with 25 Pa. Code § 127.44(e)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP at (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(e)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [43-196C] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Regional Air Quality Program Manager, 230 Chestnut St., Meadville, PA 16335; Phone # (814) 332-6940.

In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region Air Quality Program Manager.

If a plan approval has not undergone the above public notice process, the change to an operating permit must be treated as a significant modification. In these situations the Department should follow the procedures described in 25 Pa. Code §§ 127.421—127.431 for state only operating permits or 25 Pa. Code §§ 127.521—127.524 for Title V operating permits.

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

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

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

48-00084: Michelman—Cancellirere Iron Works, Inc. (P. O. Box 20431, Lehigh Valley, PA 18002-0431) for renewal of a State-only Synthetic Minor Operating Permit to operate a spray booth and its associated accessories in East Allen Township, **Northampton County**. The proposed State-only Operating Permit contains applicable requirements for emissions limitations, monitoring, recordkeeping, reporting and work practice standards designed to ensure 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 Daniel Husted, New Source Review Chief—Telephone: 717-705-4863

36-05144A: Lancaster Leaf Tobacco Co. of PA, Inc. (198 West Liberty Street, P. O. Box 897, Lancaster, PA 17608-0897) for operation of their tobacco leaf processing plant at 207 Pitney Road in the City of Lancaster, **Lancaster 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.

The subject facility has actual emissions around 2.36 tpy CO, 2.81 tpy NO_x, 0.08 tpy PM₁₀, 0.02 tpy SO_x, & 0.16 tpy VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 63, Subpart JJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

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

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

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

Tom Hanlon, Facility Permitting Chief, may be contacted at 717-705-4862, or at PA DEP Air Quality Pro-

gram, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

07-03058: NPC, Inc. (13710 Dunning's Highway, P. O. Box 373, Claysburg, PA 16625) for operation of their printing facility located in Greenfield Township, **Blair 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.

Actual 2011 emissions at the facility are estimated to be 13.1 tons of VOCs; 1.0 ton of NO_x and less than one ton each of PM₁₀, CO, SO₂ and combined 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 ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

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

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

Mr. Daniel C. Husted, New Source Review Chief, may be contacted at 717-705-4863, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments, protests or requests for a public hearing.

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

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

11-00285: HRI, Inc.—Johnstown Asphalt Plant (270 Solomon Run Road, Johnstown, Pa 15904) for operation of a hot mix batch asphalt facility in Richland Township, **Cambria County**. In accordance with 25 Pa Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the above mentioned facility.

The subject facility consists of one hot mix batch asphalt plants rated at 2400 tons per hour. The batch plant is limited to 480,000 tons production in any consecutive 12-month period. The facility also consists of a 1, 029 hp diesel generator limited to 4,000 hours per year. The site is equipped with (3) 20,000 gallon fuel storage tanks, (20) 12,000 gallon fuel storage tanks and (1) 8,000

gallon fuel storage tank. The facility has the potential to emit: 99 tpy CO; 96 tpy NO_x; 32 tpy SO_x; 10 tpy VOC; and 49 tpy PM. The facility is required to conduct annual burner tune up tests and daily survey of the facility to ensure compliance with the operating permit limitations. The proposed authorization is subject to State and Federal Regulations. The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Plan Approval may submit the information to Sheila Shaffer Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (11-00285) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

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

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

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

42-00221: Werzalit Of America, Inc. (40 Holley Avenue, Bradford, PA 16701-1809) for renewal of the Natural Minor Operating Permit to operate a furniture and fixtures manufacturing plant located in City of Bradford, **McKean County**. The emitting sources included, 1) Wood and wood product fired boiler, 2) Cleaver brooks Boiler, 3) Wood Chipping / Drying process, 4) Dry chip sieve, 5) Blending/ Pressing (Raw products/ Casual furniture), 6) Finishing (casual furniture, 7) Knife mill, 8) Blending/pressing (Architectural Cladding), 9) Finishing (Architectural Cladding), 10) Automatic spray system, 11) Boiler feed storage bin and, 12) Boiler feed process. The emission of pollutants from the facility is less than the Title V threshold-limits. Thus, the facility is natural minor. The potential emissions statement from the facility: PM: 10.6 TPY (Tons per year), VOC: 10.4 TPY, Formaldehyde: 3.3 TPY and Menthol: 5.0 TPY

43-00324: John Flynn Funeral Home and Crematory, Inc. (2630 E State Street, Hermitage, PA 16148-2718), for renewal of the Natural Minor Permit to operate a funeral service and crematories. The facility's major emission sources include, Cremator (primary chamber) with afterburner (secondary chamber). The facility is located in City of Hermitage, **Mercer County**. The emission of the pollutants from the facility is less than Title V threshold limits. Thus, the facility is natural minor. The potential emissions statement from the facility: PM: 0.28 TPY, VOC- 0.02 TPY, CO: 0.30, NOX 1.10.

OPERATING PERMITS

PUBLIC HEARINGS

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

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

TVOP-04-00235: Bruce Mansfield—FirstEnergy LLC (128 Ferry Hill Rd., Shippingport, PA 15077) In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.428, the Department of Environmental Protection (DEP) is providing notice that it intends to conduct a

Public Meeting/Hearing on Thursday, November 1, 2012 from 6:30 pm to 8:30 pm. The Public Meeting/Hearing will be held in the auditorium at South Side Area High School located at 4949 State Route 151, Hookstown, PA 15050. The Public Hearing is being conducted to answer questions and accept testimony regarding the proposed issuance of a renewal Title V Operating Permit (TVOP-04-00235) and an Acid Rain Permit (AR-04-00235) to FirstEnergy to authorize the continued operation of the existing sources at FirstEnergy's Bruce Mansfield facility located in Shippingport, **Beaver County**.

The facility's main sources include three 914 megawatt pulverized coal-fired electric generating units, four boilers, two diesel generators, material storage and handling equipment, space heaters and other smaller sources. Units #1 and #2 are equipped with a wet venturi scrubber for SO₂ and particulate control, low-NO_x burners, separate over-fired air and selective catalytic reduction (SCR) for NO_x control, and a sodium bisulfite injection system (SBS) for SO₃/opacity control. Unit #3 is equipped with an electrostatic precipitator (ESP) followed by a horizontal weir scrubber for particulate and SO₂ control. Unit #3 is also controlled with SCR, low-NO_x burners, separate over-fired air, and the SBS system. Other sources at this facility include three auxiliary boilers, two diesel generators, material handling and storage equipment, and other smaller sources.

This facility has the potential to emit the following type and quantity of air contaminants (on an annual basis): 2,356 tons of carbon monoxide, 49,452 tons of nitrogen oxides, 62,519 tons of sulfur oxides, 10,452 tons of particulate matter, 3.0 tons of volatile organic compounds, 42 tons of ammonia, 5,766 tons of hazardous air pollutants, including 5,115 tons of hydrochloric acid, 639.3 tons of hydrofluoric acid, 1.79 tons of lead, and 707 pounds of mercury, and 21,534,178.5 tons of carbon dioxide equivalents (greenhouse gases). No emission or equipment changes are being proposed by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, 63, 64, 68, 72, 73, 74, 75, 76, 96, 97, 98 and 25 Pa. Code Chapters 121—145.

DEP also proposes to issue an Acid Rain Permit renewal for this site. The Acid Rain Permit is included by reference in the Title V Operating Permit renewal. The Designated Representative for the Acid Rain Permit for this site is Raymond L. Evans. The EGUs at this facility comply with a Phase II NO_x Averaging Plan. During the Department's review, SO₂ allowances were obtained from EPA's Acid Rain Program Database as follows:

Calendar

Year	2012	2013	2014	2015	2016
Unit 1	12,740	12,740	12,740	12,740	12,740
Unit 2	14,094	14,094	14,094	14,094	14,094
Unit 3	14,498	14,498	14,498	14,498	14,498

At 6:30 pm, the Company and DEP will be available to present information and answer questions. The formal Public Hearing will commence at 7:30 pm. Those wishing to provide testimony during the Public Hearing portion of the evening should contact Mr. John Poister at (412) 442-4000 to reserve a time. Oral testimony will be limited to ten minutes for each presenter. Each group or organization is requested to designate one witness to present

testimony on its behalf. Commenters shall provide two written copies of their remarks at the time of the hearings. Requests to provide oral testimony must be submitted to DEP on or before October 31, 2012. Individuals in need of an accommodation as provided for in the Americans with Disabilities Act of 1990 should contact John Poister or make accommodations through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD).

Those who are unable to attend the Public Hearing, but wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the proposed TVOP-04-00235 renewal may submit the information to Barbara Hatch, Environmental Engineer Manager, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222 or bhatch@pa.gov. All written comments must be received on or before December 3, 2012. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (specify TVOP-04-00235) and concise statements regarding the relevancy of the information or objections to issuance of the proposed TVOP-04-00235.

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

Effluent Limits—The following range of effluent limits will apply to NPDES permits issued in conjunction with the associated coal mining activity permit and, in some cases, noncoal mining permits:

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH ¹		greater than 6.0; less than 9.0	
Alkalinity greater than acidity ¹			

¹The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; and mined areas backfilled and revegetated; and drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

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

56950702 and NPDES No. PA0214914. PBS Coals, Inc., (PO Box 260, Friedens, PA 15541). To renew the permit for the Cambria Refuse Disposal Area in Stonycreek Township, **Somerset County** and related NPDES permit. No additional discharges. The application was considered administratively complete on September 6, 2012. Application received July 9, 2012.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

07100801. Terry L. Long, 132 Dirt Pushing Drive, Martinsburg, PA 16662, commencement, operation and restoration of a small noncoal (industrial minerals) operation in North Woodbury Township, **Blair County**, affecting 2.0 acres. Receiving stream(s): unnamed tributary to Plum Creek. Application received August 10, 2010. Permit issued August 30, 2012.

07100801-GP104. T. L. Long Excavation, Inc., 132 Dirt Pushing Drive, Martinsburg, PA 16662. General NPDES Permit for stormwater discharges associated with

mining activities on Surface Mining Permit No. 07100801 in North Woodbury Township, **Blair County**. Receiving stream: Unnamed Tributary to Plum Creek classified for the following uses: WWF, MF. There are no potable water supplies located within 10 miles downstream. Notice of Intent for Coverage received September 2, 2011. Coverage Approved August 30, 2012.

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

48870301C10 and NPDES Permit No. PA0593893. Haines & Kibblehouse, Inc., (P. O. Box 196, Skippack, PA 19474), depth and boundary correction to an existing quarry operation to mine to 200 feet MSL and update the permit acreage from 291.24 to 292.56 acres, in Lower Mt. Bethel Township, **Northampton County**, receiving streams: Mud Run, classified for the following use: cold water fishes and Delaware River, classified for the following use: warm water fishes. Application received: August 13, 2012.

8074SM3C15 and NPDES Permit No. PA0118443. M & M Stone Company, (P. O. Box 189, Telford, PA 18969), correction to an existing quarry operation to modify the post-mining land use from water impoundment to approximate original contour by using clean fill in Lower Salford Township, **Montgomery County** affecting 43.4 acres, receiving stream: East Branch of Perkiomen Creek, classified for the following uses: trout stock fishes and migratory fishes. Application received: August 24, 2011.

64052801. Bucks Cove Rod & Gun Club, Inc., (P. O. Box 729, Honesdale, PA 18431), Stage I & II bond release of a quarry operation in Texas and Palmyra Townships, **Wayne County** affecting 5.0 acres on property owned by Bucks Cove Rod & Gun Club, Inc. Application received: August 28, 2012.

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 §§ 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-1084. Montgomery County, One Montgomery Plaza, Suite 201, 425 Swede Street, Norristown, PA 19401, Norristown Borough and Plymouth Township, **Montgomery County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activity associated with the improvement of the Lafayette Street extension and improvement project in the floodplain of the Schuylkill River (WWF/MF):

To modify, extend, and maintain the existing Lafayette Street (S.R. 9102) associated with its connection to Conshohocken Road (S.R. 3013). This work includes all the appurtenant work within the floodplain such as local road intersection modification, and proposed sidewalks.

The project will permanently impact approximately 0.96 acre of floodplain (1,550 cubic yards of net fill) The site commences at approximately 400 feet west of Danehower Bridge in the Borough of Norristown and runs east extending the Lafayette Street from its current terminal point at Ford Street to the Conshohocken Road in Plymouth Township. The project is located in Plymouth Township and Norristown Borough, Montgomery County (Norristown, PA USGS Quadrangle N: 19.88 inches; W: 11.53 inches).

E46-1083. Township of Cheltenham 8230 Old York Road, Cheltenham, PA, Cheltenham Township, **Montgomery County**, ACOE Philadelphia District

To perform the below water obstruction and encroachment activities associated with Streambank stabilization and improvement in Tookany Creek (WWF, MF) within the limits of the Ralph Morgan Park:

1) To construct and maintain approximately 1,146 linear feet of log crib-face vegetative streambank stabilization structures along the stream.

2) To remove a non-functional abutment and drainage structure that obstructs the stream channel.

3) To maintain the existing rip-rap along the stream the stream

The project commences at the intersection of Glenside and Greenwood Avenues and runs approximately 1,146 feet southwest terminating approximately 90 feet south of the SEPTA Parking Lot. The project is located in Cheltenham Township, Montgomery County (German-town, PA USGS Quadrangle N: 17.00 inches; W: 1.90 inches).

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

E49-322. PPL Services Corporation, 2 North 9th St., Allentown, PA 18101. Milton Manufacturing Gas Plant Clean Up, in Milton Borough, **Northumberland County**, ACOE Baltimore District (Milton, PA Quadrangle; Latitude: 41-1-2.4; Longitude: 76-51-10.4).

The applicant is proposing to remediate hazardous material from the overbanks and stream channel to prevent it from leaching into the water table. The application proposes to install a sheet pile cofferdam down the center of the existing channel for a length of 100 linear feet directly upstream of the Filbert Street bridge crossing. The cofferdam will allow flows of up to the 5 yr. storm event to be diverted to one side while work progresses on the other stream bank and bed. Once work

is completed and all grades are restored to the pre-existing contours, flow will be diverted to the side that was just remediated and the same process will proceed. Upon completion, all contours, grades and pre-existing bank materials will be restored. The application also proposes to excavate 40 linear feet of over bank on the right downstream bank downstream of the Filbert Street Bridge for remediation purposes and to restore the contours upon completion. This excavation will not require stream diversion since it is located 8 feet above the normal pool elevation for Limestone Run, which carries a water quality designation of Warm Water Fishery. This project is located at the Filbert Street Bridge crossing in the Borough of Milton, Northumberland County.

E49-323. Robert Feaster, PO Box 47, Northumberland, PA 17857. Feaster Farms Bank Stabilization in Point Township, **Northumberland County**, ACOE Baltimore district (Northumberland, PA Quadrangle Latitude: 40-54-25; Longitude: 76-45-47). The Feaster Bros. Farms LLC has applied for a Water Obstruction and Encroachment, Small Projects Permit to stabilize 2,800.0 linear feet of the Susquehanna River and Lithia Springs. The stabilization effort is intended to stabilize both the right and left bank of Lithia Springs and the right bank of the Susquehanna River from the downstream limit at the confluence of Lithia Springs and the Susquehanna River located in Northumberland, PA. The riprap is intended to be placed above the normal pool elevation and will create a bench along the existing slope that equipment shall work from to place the material. The intention is to preserve as much existing bank vegetation as possible; thus, only extending a maximum of 3.33 feet vertically up the bank. The project is not proposing to impact any wetlands. The Susquehanna River carries a water quality designation as Warm Water Fishery and Lithia Springs carries a water quality designation of Cold Water Fishery.

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

E30-242. Greene County Board of Commissioners, Greene County Office Building, 3rd Floor, 93 East Hight Street, Waynesburg, PA 15370 Jefferson and Morgan Townships, **Greene County**; ACOE Pittsburgh District.

The applicant is proposing to remove the County Bridge No. 99 and to construct and maintain a two-span bridge having normal clear spans of 61.57 feet and 61.86 feet and an underclearance of 17.72 feet across South Fork Ten mile Creek (WWF) located on T-860 in Jefferson and Morgan Townships, Greene County (Mather, PA Quadrangle; N: 17.1 inches; W: 6.9 inches; Latitude: 39° 58' 9"; Longitude: 80° 02' 57").

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

E10-479, PA DOT, District 10-0, 2550 Oakland Ave., PO Box 429, Indiana, PA 15701. S.R. 3017 Section 251 Myoma Road Bridge across Breakneck Creek, in Adams Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 40°, 43', 45"; W: -80°, 01', 42").

To remove the existing 68.5 foot normal clear two span open grate I-beam bridge and to construct and maintain a 109.50 foot normal clear two span multi-girder bridge with a center pier across Breakneck (WWF) within its floodplain and to permanently impact 180 feet of Breakneck Creek (WWF) widening tributary around structure and to permanently impact 215 feet of an unnamed tributary to Breakneck Creek relocating and realigning tributary to facilitate widening of roadway approaches and structure. Project also includes temporary public crossing to facilitate traffic during construction. Project located along S.R. 3017, Segment 0070, Offset 0422 approximately 2.4 miles Northwest of Mars, PA.

E42-08-008, Pennsylvania General Energy Company LLC, 120 Market Street, Warren, PA 16365. Heartwood 6" Pipeline, in Norwich and Liberty Townships, **McKean County**, Army Corps of Engineers Pittsburgh District and Baltimore District (Norwich, PA Quadrangle N: 41° 28' 30"; W: 79° 55' 21").

The applicant proposes to construct and maintain a 6" underground pipeline that will collect and convey natural gas from natural gas well sites in the area. The pipeline will be approximately 6.44 miles in length. There are also plans to construct a water line approximately 2.91 miles in length. A meter station that is approximately 30,000 square feet will also be constructed to monitor the flow of gas through the Heartwood 6" pipeline. The water obstructions and encroachments for the purpose of installing the natural gas pipeline are described below:

To construct and maintain:

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
1	One (1) — 6" flex steel gas pipeline crossing an UNT to Hamlin Run (HQ-CWF) having 83 linear feet of temporary stream impact.	41° 42' 17" -78° 19' 10"
2	One (1) — 6" flex steel gas pipeline crossing a ditch from a vernal pool having 60 linear feet of temporary stream impact.	41° 42' 13" -78° 18' 56"
3	Timber matting over a ditch to a wetland having 260 linear feet of temporary stream impact.	41° 41' 14" -78° 17' 13"
4	Two (2) — One 6" gas pipeline and one 6" water line crossing Parker Run (EV) having 112 linear feet of temporary stream impact.	41° 40' 39" -78° 16' 13"
5	One (1) — 6" water line crossing an UNT to Scaffold Lick Run (CWF) having 53 linear feet of temporary stream impact.	41° 41' 40" -78° 17' 10"
6	One (1) — 6" water line crossing an UNT to Scaffold Lick Run (CWF) having 61 linear feet of temporary stream impact.	41° 41' 41" -78° 17' 09"

The project will result in a total of 629 linear feet of temporary stream impacts from utility line and temporary road crossings. No impacts to wetlands are proposed.

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

E1829-002: Anadarko Marcellus Midstream, LLC, 33 West Third Street, Suite 200, Williamsport, PA 17701. Beech Creek and Noyes Townships, **Clinton County**, ACOE Baltimore District.

To construct, operate and maintain the COP 342 Pads A & D to COP 343 Pad C Valve Natural Gas Pipeline, which consists of two 6-inch flex steel gas lines and associated temporary construction accesses, with impacts as follows:

1. 12,221 square feet of permanent impacts to Exceptional Value (EV) Palustrine Forested (PFO) Wetlands via open cut trenching and temporary timber matting (Snow Shoe NE, PA Quadrangle, Latitude: N41°11'34.67", Longitude: W77°45'25.60");

2. 24.0 linear feet of temporary impacts to East Branch Big Run (EV, MF) via boring and temporary timber matting (Howard NW, PA Quadrangle, Latitude: N41°11'44.01", Longitude: W77°44'40.03");

3. 21 square feet of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands via open cut trenching and temporary timber matting (Howard NW, PA Quadrangle, Latitude: N41°11'52.10", Longitude: W77°44'22.08");

4. 392 square feet of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands via open cut trenching and temporary timber matting (Howard NW, PA Quadrangle, Latitude: N41°12'23.72", Longitude: W77°44'26.24");

5. 432 square feet of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands via open cut trenching and temporary timber matting (Howard NW, PA Quadrangle, Latitude: N41°12'50.66", Longitude: W77°44'42.54");

6. 760 square feet of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands via open cut trenching and temporary timber matting (Snow Shoe NE, PA Quadrangle, Latitude: N41°13'56.33", Longitude: W77°45'36.86"); and

7. 53.0 linear feet of temporary impacts to East Branch Big Run (EV, MF) via open cut trenching and temporary timber matting (Snow Shoe NE, PA Quadrangle, Latitude: N41°13'14.86", Longitude: W77°45'28.89").

The project will result in 77.0 linear feet of temporary stream impacts, 12,221 square feet (0.28 acre) of permanent impacts to Exceptional Value (EV) Palustrine Forested (PFO) Wetlands, and 1,605 square feet (0.04 acre) of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands, all for the purpose of installing two 6-inch, flex steel gas lines and associated temporary construction accesses for the development of the Marcellus Shale.

E4129-053: Anadarko Marcellus Midstream LLC, 33 West Third Street, Suite 200, Williamsport, PA 17701, Pine Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) two 6 inch gas lines, two 6 inch water lines, one 12 inch water line, one 24 inch gas line, electric/fiber optic line, and a timber mat crossing impacting 108 linear feet

of an unnamed tributary to Little Pine Creek (EV, MF) (English Center, PA Quadrangle 41°27'52"N 77°15'14"W);

2) two 6 inch gas lines, two 6 inch water lines, one 12 inch water line, one 24 inch gas line, and electric/fiber optic line impacting 134 linear feet of Little Pine Creek (EV, MF) (English Center, PA Quadrangle 41°28'00"N 77°15'17"W);

3) two 6 inch gas lines, two 6 inch water lines, one 12 inch water line, one 24 inch gas line, and electric/fiber optic line impacting 130 linear feet of an unnamed tributary to Little Pine Creek (EV, MF) (English Center, PA Quadrangle 41°28'14"N 77°15'21"W);

4) two 6 inch gas lines, two 6 inch water lines, one 12 inch water line, one 24 inch gas line, and electric/fiber optic line impacting 68 linear feet of an unnamed tributary to Little Pine Creek (EV, MF) (English Center, PA Quadrangle 41°28'15"N 77°15'21"W);

5) two 6 inch gas lines, two 6 inch water lines, one 12 inch water line, one 24 inch gas line, electric/fiber optic line, and a timber mat crossing impacting 35 square feet of palustrine forested (PFO) wetland (English Center, PA Quadrangle 41°28'17"N 77°15'24"W);

6) two 6 inch gas lines, two 6 inch water lines, one 12 inch water line, one 24 inch gas line, electric/fiber optic line, and a timber mat crossing impacting 3505 square feet of palustrine emergent (PEM) wetland (English Center, PA Quadrangle 41°28'54"N 77°16'32"W);

7) two 6 inch gas lines, two 6 inch water lines, one 12 inch water line, one 24 inch gas line, electric/fiber optic line, and a timber mat crossing impacting 398 square feet of palustrine forested (PFO) wetland (English Center, PA Quadrangle 41°28'56"N 77°16'35"W);

8) two 6 inch gas lines, two 6 inch water lines, one 12 inch water line, one 24 inch gas line, electric/fiber optic line, and a timber mat crossing impacting 127 linear feet of an unnamed tributary to Bonnell Run (EV, MF) (English Center, PA Quadrangle 41°28'56"N 77°16'37"W);

9) two 6 inch gas lines, two 6 inch water lines, one 12 inch water line, one 24 inch gas line, and electric/fiber optic line impacting 30 square feet of palustrine forested (PFO) wetland (English Center, PA Quadrangle 41°29'01"N 77°16'37"W).

The project will result in 567 linear feet of temporary stream impacts and 0.09 acre of temporary wetland impacts all for the purpose of installing natural gas and freshwater pipelines with associated roadways for Marcellus well development.

E4129-051: PVR NEPA Gas Gathering, LLC, 100 Penn Tower Square, Suite 201 & 202, 25 West Third Street, Williamsport, PA 17701, Shrewsbury & Plunketts Creek Townships, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

(1) one 12 inch natural gas pipeline and a timber mat bridge impacting 59 linear feet of an unnamed tributary to Roaring Run (EV, MF) (Picture Rocks Quadrangle 41°19'44"N 76°43'11"W);

(2) one 12 inch natural gas pipeline and a timber mat bridge impacting 83 linear feet of Roaring Run (EV, MF) (Picture Rocks Quadrangle 41°19'49"N 76°43'16"W);

(3) one 12 inch natural gas pipeline and a timber mat bridge impacting 151 linear feet of an unnamed tributary to Roaring Run (EV, MF) (Picture Rocks Quadrangle 41°19'56"N 76°43'18"W);

(4) one 12 inch natural gas pipeline and a timber mat bridge impacting 65 linear feet of an unnamed tributary to Big Run (EV, MF) (Picture Rocks Quadrangle 41° 20'31"N 76°43'16"W);

(5) one 12 inch natural gas pipeline and a timber mat bridge impacting 71 linear feet of an unnamed tributary to Big Run (EV, MF) (Picture Rocks Quadrangle 41° 20'31"N 76°43'16"W);

(6) one 12 inch natural gas pipeline and a timber mat bridge impacting 13 linear feet of an unnamed tributary to Big Run (EV, MF) (Picture Rocks Quadrangle 41° 20'34"N 76°43'14"W);

(7) one 12 inch natural gas pipeline impacting 25 linear feet of an unnamed tributary to Big Run (EV, MF) (Picture Rocks Quadrangle 41°20'35"N 76°43'12"W);

(8) one 12 inch natural gas pipeline and a timber mat bridge impacting 80 linear feet of an unnamed tributary to Big Run (EV, MF) (Picture Rocks Quadrangle 41°20'35"N 76°43'12"W);

(9) one 12 inch natural gas pipeline and a timber mat bridge impacting 71 linear feet of an unnamed tributary to Big Run (EV, MF) (Picture Rocks Quadrangle 41°20'40"N 76°42'55"W);

(10) one 12 inch natural gas pipeline and a timber mat bridge impacting 73 linear feet of an unnamed tributary to Big Run (EV, MF) (Picture Rocks Quadrangle 41°20'40"N 76°42'55"W);

(11) one 12 inch natural gas pipeline and a timber mat bridge impacting 159 linear feet of unnamed tributaries to South Fork Bear Creek (EV, MF) (Picture Rocks Quadrangle 41°21'31"N 76°42'30"W);

(12) one 12 inch natural gas pipeline impacting 15 linear feet of an unnamed tributary to South Fork Bear Creek (EV, MF) (Picture Rocks Quadrangle 41°21'33"N 76°42'30"W);

(13) one 12 inch natural gas pipeline and a timber mat bridge impacting 61 linear feet of an unnamed tributary to South Fork Bear Creek (EV, MF) (Picture Rocks Quadrangle 41°21'33"N 76°42'30"W);

(14) one 12 inch natural gas pipeline and a timber mat bridge impacting 61 linear feet of South Fork Bear Creek (EV, MF) (Picture Rocks Quadrangle 41°21'39"N 76°42'31"W);

(15) one 12 inch natural gas pipeline and a timber mat bridge impacting 65 linear feet of an unnamed tributary to South Fork Bear Creek (EV, MF) (Picture Rocks Quadrangle 41°21'39"N 76°42'31"W);

(16) one 12 inch natural gas pipeline and a timber mat bridge impacting 82 linear feet of an unnamed tributary to South Fork Bear Creek (EV, MF) (Picture Rocks Quadrangle 41°21'40"N 76°42'31"W);

(17) one 12 inch natural gas pipeline and a timber mat bridge impacting 31 linear feet Bear Creek (EV, MF) and 32 linear feet of an unnamed tributary to Bear Creek (EV, MF) (Picture Rocks Quadrangle 41°22'21"N 76°43'31"W);

(18) one 12 inch natural gas pipeline and a timber mat bridge impacting 31 linear feet of an unnamed tributary to Bear Creek (EV, MF) (Picture Rocks Quadrangle 41°22'29"N 76°43'41"W);

(19) one 12 inch natural gas pipeline and a timber mat bridge impacting 35 linear feet of an unnamed tributary to Bear Creek (EV, MF) (Picture Rocks Quadrangle 41°22'30"N 76°43'42"W).

The project will result in 1,263 linear feet of stream impacts all for the purpose of installing a natural gas gathering line with associated access roadways for Marcellus well development.

E0829-058: Angelina Gathering Company, LLC, 2350 N. Sam Houston Parkway Houston, TX 77032, Herrick Township, **Bradford County**, ACOE Baltimore District. To construct, operate and maintain:

1. Two 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 14,344 square feet of a Palustrine Scrub-Shrub Wetland (Le Raysville, PA Quadrangle, Latitude: 41° 48'00", Longitude: -76° 14'53");

2. Two 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 70 linear feet of an unnamed tributary to Cold Creek (CWF) (Le Raysville, PA Quadrangle, Latitude: 41°48'04", Longitude: -76° 14'53");

3. Two 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 13,291 square feet of a Palustrine Scrub-Shrub Wetland (Le Raysville, PA Quadrangle, Latitude: 41° 48'06", Longitude: -76° 14'53");

4. a 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 70 linear feet of an unnamed tributary to Cold Creek (CWF) and impacting 38,904 square feet of a Palustrine Scrub-Shrub Wetland (Le Raysville, PA Quadrangle, Latitude: 41°48'17", Longitude: -76°14'51");

5. Two 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 15,682 square feet of a Palustrine Emergent Wetland (Le Raysville, PA Quadrangle, Latitude: 41° 48'39", Longitude: -76° 14'52");

6. Two 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 6,016 square feet of a Palustrine Emergent Wetland (Le Raysville, PA Quadrangle, Latitude: 41° 48'43", Longitude: -76° 14'52");

7. a 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 70 linear feet of an unnamed tributary to Cold Creek (CWF) and impacting 4,704 square feet of a Palustrine Forested Wetland (Le Raysville, PA Quadrangle, Latitude: 41°48'49", Longitude: -76°14'56");

The project will result in 210 linear feet and 2,200 square feet of temporary stream impacts and 88,237 square feet (2.03 acres) of temporary PEM and PSS wetland impacts and 4,704 square feet (0.11 acre) of permanent impact to PFO wetlands all for the purpose of installing a natural gas pipeline and a water line with associated access roadways for Marcellus shale development. The permittee will provide 1.65 acres of wetland enhancement and 0.50 acre of Forested Riparian Buffer installation at the Hebda Property (Le Raysville, PA Quadrangle 41°45'05"N 76°10'28"W).

E0829-059: Angelina Gathering Company, LLC, 2350 N. Sam Houston Parkway Houston, TX 77032, Stevens Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. A 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 12,807 square feet of a Palustrine Emergent

Wetland (PEM) (Le Raysville, PA Quadrangle, Latitude: 41° 45'20", Longitude: -76° 10'39");

2. A 16 inch and a 12 inch diameter natural gas line, and a 16 inch diameter water line impacting 438 linear feet of Wyalusing Creek (WWF, MF) (Le Raysville, PA Quadrangle, Latitude: 41°45'26", Longitude: -76°10'48");

3. A 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 44 square feet of a Palustrine Emergent Wetland (PEM) (Le Raysville, PA Quadrangle, Latitude: 41° 45'30", Longitude: -76° 10'54");

4. A 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 5,532 square feet of a Palustrine Emergent Wetland (PEM) (Le Raysville, PA Quadrangle, Latitude: 41° 46'12", Longitude: -76° 11'20");

5. A 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 523 square feet of a Palustrine Emergent Wetland (PEM) (Le Raysville, PA Quadrangle, Latitude: 41° 46'17", Longitude: -76° 11'24");

The project will result in 438 linear feet and 4,818 square feet of temporary stream impacts and 18,906 square feet (0.43 acre) of temporary PEM wetland impacts all for the purpose of installing a natural gas pipeline and a water line with associated access roadways for Marcellus shale development.

E0829-033: Angelina Gathering Company, LLC, 2350 N. Sam Houston Parkway Houston, TX 77032, Herrick Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. Two 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 84 linear feet of Rummerfield Creek (WWF, MF) (Rome, PA Quadrangle, Latitude: 41°48'26", Longitude: -76°16'21");

The project will result in 84 linear feet and 1,680 square feet of temporary stream impacts all for the purpose of installing a natural gas pipeline and water line with associated access roadways. This is an additional impact to be included along with pipeline impacts previous published to the *Pennsylvania Bulletin* on 1/14/12.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0061433 (Sewage)	Bunker Hill Sewer Company Bunker Hill Subdivision Twp Road 471 Factoryville, PA 18419	Wyoming County Clinton Township	Unnamed Tributary to South Branch Tunkhannock Creek (4-F)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0083046 (IW)	Easco Hand Tools Inc. 10 Appletree Circle Wrightsville, PA 17368-9512	Lancaster County West Hempfield Township	UNT to West Branch Little Conestoga Creek / 7-J	Y
PA0087076 (GWCU)	Hersheypark Entertainment & Resort Company 300 Park Blvd., PO Box 860 Hershey, PA 17033	Dauphin County / Derry Township	Spring Creek / 7-D	Y
PAS213504 (Stormwater)	New Enterprise Stone & Lime Co., Inc. PO Box 77 New Enterprise, PA 16664-0077	Bedford County Snake Spring Township	Cove Creek / 11-C	Y
PA0029866 (Sew)	Cumberland Valley School District 6746 Carlisle Pike Mechanicsburg, PA 17050-1796	Cumberland County Silver Spring Township	UNT to Conodoguinet Creek / 7-B	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N
PA0217905	Industrial Waste Oakmont Municipal Authority 1201 Allegheny Avenue Oakmont, PA 15139	Allegheny County Oakmont Borough	Falling Springs Run	Y

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

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

NPDES Permit No. PA0055212, Sewage, **Concord Township Delaware County**, 43 Thornton Road, Glen Mills, PA 19342-1345, Concord Township, **Delaware County**.

The following notice reflects changes to the notice published in the March 10, 2012 edition of the *Pennsylvania Bulletin*:
The Phosphorus limit has been changed to 2 mg/l year round, based on the request from the Concord Township.

NPDES Permit No. PA0244571, Industrial Waste, **CRC Industries, Inc.**, 885 Louis Drive, Warminster, PA 18974.

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

Description of Proposed Action/Activity: Approval for an NPDES permit to discharge from a facility known as CRC Industries Warminster Facility GWCU to a Municipal Storm Sewer to an Unnamed Tributary of Little Neshaminy Creek in Watershed 2-F.

NPDES Permit No. PA0021512, Sewage, **Borough of Royersford**, 300 Main Street, Royersford, PA 19468.

This proposed facility is located in Upper Providence Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge 0.700 MGD of treated sewage from a facility known as Royersford Borough STP to Schuylkill River in Watershed 3-D.

NPDES Permit No. PA0244252, Industrial Waste, **Southco Inc.**, 210 North Brinton Lake Road, Concordville, PA 19331.

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

Description of Proposed Action/Activity: Approval for the issuance of an NPDES permit to discharge blowdown from non-contact cooling water towers and Stormwater from a facility known as Southco Concordville Facility to Unnamed Tributary to West Branch Chester Creek in Watershed 3-G.

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

NPDES Permit No. PA0254576, Sewage, **Frank J. Pelly, Jr.**, 10431 Perry Highway, Suite 100, Wexford, PA 15090

This proposed facility is located in New Sewickley Township, **Beaver County**

Description of Proposed Action/Activity: Permit issuance to discharge treated sewage.

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

PA0102326 A-1, Sewage, SIC Code 4952, 9223, **PA Department Of Corrections**, 801 Butler Pike, Mercer, PA 16137. Facility Name: Mercer State Corrections Institute.

This existing facility is located in Findley Township, **Mercer County**.

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

The receiving stream is, Neshannock Creek, located in State Water Plan watershed 20-A and classified for trout stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

PA0026387—Amendment No. 1, Sewage, SIC Code 4952, **Saint Marys Municipal Authority**, P O Box 1994, Saint Marys, PA 15857-1994. Facility Name: St Marys WWTP. This existing facility is located in Saint Marys, **Elk County**.

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

This amendment will change the final, water quality based zinc limit by applying the results of a chemical translator study. Additional whole effluent toxicity (WET) testing has also justified the removal of the permit limit and associated monitoring requirement.

The receiving stream, Elk Creek, is located in State Water Plan watershed 17-A and is classified for cold water fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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. 2305402, Sewage, **John Pantle**, 55 Mill Race Place, Glen Mills, PA 19342-1334.

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

Description of Action/Activity: Permit Transferred ownership with continued operation of single residence sewage treatment plant.

WQM Permit No. WQG02091203, Sewage, **Lower Makefield Township**, 1100 Edgewood Road, Yardley, PA 19067-1696.

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

Description of Action/Activity: Installation of a proposed gravity sanitary sewer extension for 29 homes along with a low pressure system for 3 homes.

WQM Permit No. 4684430, Sewage, **Pennsylvania Department of Corrections—Graterford**, P. O. Box 246, Graterford, PA 19426.

This proposed facility is located in Skippack Township, **Montgomery County**.

Description of Action/Activity: Renewal of permit for continued operation of a sewage treatment plant with spray irrigation system. The treatment plant is rated at 1.5 million gallons per day.

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

WQM Permit No. 2212403, Sewerage, **Shannon Williams, P.E., The Harrisburg Authority**, 212 Locust Street, Suite 302, Harrisburg, PA 17101-1510.

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

Description of Proposed Action/Activity: Permit approval for upgrades to the Harrisburg AWTF are proposed to increase the organic design capacity of the facility from 54,100 lbs. BOD/day (current) to 68,257 lbs. (proposed) and to introduce denitrification capabilities to the process. The design solids loading capacity of the facility was 78,289 lbs. TSS/day.

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

WQM Permit No. 1412402, Sewage Collection System, SIC Code 4952, **University Area Joint Authority**, 1576 Spring Valley Road, State College, PA 16801.

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

Description of Proposed Action/Activity: The proposed sewer extension project site is located in Ferguson Township, Centre County near the intersection of Blue Course Drive and Circleville Road in State College. The project entails a sewer extension to the existing University Area Joint Sewer Authority (UAJA) conveyance network. There will be a total of three (3) connections to the UAJA infrastructure that will collect sanitary sewer flows from approximately 392 EDUs. The entire project is comprised of approximately 8,152 LF of 8" diameter PVC SDR-35. There will be a total of 56 manholes associated with the project.

WQM Permit No. 02141201, Sewage, SIC Code 4952, **Howard Borough Sewer Authority**, P. O. Box 228, 146 Black Street, Howard, PA 16841.

This proposed facility is located in Howard Borough, **Centre County**.

Description of Proposed Action/Activity: Howard Borough Sewer Authority is proposing modifications to the existing East and West pump stations that include the installation of new pumps with VFD motors, flow meters, generators, East wet well, and construct new buildings at each pump station to house the suction lift pumps.

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

WQM Permit No. 3299404-A2, Sewerage, **Indiana County Municipal Services**, 602 Kolter Drive, Indiana, PA 15701

This existing facility is located in Washington Township, **Indiana County**

Description of Proposed Action/Activity: Permit amendment issuance for the construction and operation of a compost facility at the existing sewage treatment plant.

WQM Permit No. 0412402, Sewerage, **Frank J. Pelly, Jr.**, 10431 Perry Highway, Suite 100, Wexford, PA 15090

This proposed facility is located in New Sewickley Township, **Beaver County**

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a single residence sewage treatment facility.

WQM Permit No. 6576417-A4, Sewerage, **Unity Township Municipal Authority**, 370 Pleasant Unity Mutual Road, Greensburg, PA 15601

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

Description of Proposed Action/Activity: Permit amendment issuance for outfall expansion and pump station upgrade.

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI032211003	Lower Paxton Twp Authority 425 Prince St, Ste 139 Harrisburg, PA 17109	Dauphin	Lower Paxton Township	UNT to Slotznick Run (CWF, MF)
PAI033112002	Huntingdon Borough 530 Washington St PO Box 592 Huntingdon, PA 16652	Huntingdon	Huntingdon Borough	Standing Stone Creek (HQ-CWF, MF)
PAI033811001	Heidelberg Township 111 Mill Road, PO Box 188 Schaefferstown, PA 17088	Lebanon	Heidelberg and South Lebanon Townships	UNT to Quittapahilla Creek, UNT to Tulpehocken Creek, UNT to Mill Creek, UNT to Middle Creek, & Hammer Creek Basin

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

Lycoming County Conservation District: 542 County Farm Road Suite 202, Montoursville, PA 17754, (570) 433-3003

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI044111004(1)	Herman Logue George E Logue LLC 454 Mosteller Rd Trout Run PA 17771	Lycoming	Loyalsock Township	Loyalsock Creek EV

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI045912002	Terry Twist PO Box 101 Roaring Branch PA 17765	Tioga	Union Township	UNT to Lycoming Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI056512003	Colony Norwin, LLC 8954 Hill Drive Irwin, PA 15642	Westmoreland	North Huntingdon Township	Long-Run Watershed (HQ-TSF)
	Bob Massie Auto Sales, Inc. 1200 Long Run Road White Oak, PA 15131			
PAI056512006	Barry R. Sullivan 149 Fox Glove Lane Laughlintown, PA 15655	Westmoreland	Ligonier Township	UNT to Laughlintown Run (HQ-CWF), Laughlintown Run (HQ-CWF), and Zimmerman Run (CWF)

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 & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Lehigh Twp., Northampton County	PAG02004806009R	Walnutport Self Storage, Inc. Larry Anthony P. O. Box 592 Nazareth, PA 18064	Lehigh River, TSF, MF	Northampton Co. Cons. Dist. 610-746-1971
Lemon Twp., Wyoming County	PAG02006611002(1)	Southwestern Energy 917 SR 92 North Tunkhannock, PA 18657	Tunkhannock Creek, CWF, MF	Wyoming Co. Cons. Dist. 570-836-2589
Washington Twp., Schuylkill County	PAG02005407005R	High Builders Attn: Lloyd High 539 Woleber Road Myerstown, PA 17067	Lower Little Swatara Creek, CWF, MF	Schuylkill Co. Cons. Dist. 570-622-3742

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Hubley Twp., Schuylkill County	PAG02005412004	Mr. Keith E. Masser 19 Spud Lane PO Box 210 Sacramento, PA 17968	Deep Creek, Mahantango Creek, CWF, MF	Schuylkill Co. Cons. Dist. 570-622-3742
Middletown Twp. and Forest Lake Twp., Susquehanna County	PAG02005811004(1)	Pennsy Supply Inc. P. O. Box 3331 Harrisburg, Pa 17105	Unnamed Tributary to Middle Branch Wyalusing Creek, CWF, MF; Middle Branch Wyalusing Creek, CWF, MF	Susquehanna Co. Cons. Dist. 570-278-4600

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

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
McSherrystown Borough Adams County	PAG02000110008R	Dan Gebhart Thomas Land Investment, LP 180 Airport Road Hanover, PA 17331	Conewago Creek/ WWF	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636
Tulpehocken Twp. Berks County	PAG02000612030	Larry Hartranft 40 New Schaefferstown Road Bernville, PA 19506	Mill Creek/CWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Heidelberg Twp. & Robeson Boro. Berks County	PAG02000612026	Robert Wertz Clays Crossing, LLC 404 Clays Crossing Lebanon, PA 17042	Furnace Creek/ TSF, MF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Bern Township Berks County	PAG02000612027	Jeffrey Koppenheffer Five Oesterling Drive Reading, PA 19605	Schuylkill River/ WWF, MF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Tilden Township Berks County	PAG02000612017	Marcus Frasier 356 Luisa Court Shoemakersville, PA 19555	UNT to Mill Creek/TSF, MF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Hampden Twp. Cumberland Co.	PAG02002106039R	Paul Toburen Pinnacle Health Systems 409 South Second Street Harrisburg, PA 17105	Conodoguinet Creek/WWF	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
St. Thomas Twp. Franklin County	PAG02002806077R	Eric Gossard Hurst/Oberholzer Exit Realty 526 North Antrim Way Greencastle, PA 17225	UNT to Back Creek/WWF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Washington Twp. Franklin County	PAG02002806072R	Ronald Martin White Properties, LLC 1625 East Main Street Waynesboro, PA 17268	East Branch Antietam Creek/ CWF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Washington Twp. Franklin County	PAG02002812012	Guy Miller Pen Mar Properties PO Box 221 Waynesboro, PA 17268	West Branch Antietam Creek/ CWF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Guilford Twp. Franklin County	PAG02002812001	James Picking 5465 Molly Pitcher Hwy. South Marion, PA 17235	Conococheague Creek/CWF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Waynesboro Boro. Franklin County	PAG02002811024(1)	Kevin Grubbs PO Box 310 Waynesboro, PA 17268	East Branch of Antietam Creek/ CWF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Spruce Hill Twp. Juniata County	PAG02033412002	Pennsylvania Electric Company 2800 Pottsville Pike, PO Box 16001 Reading, PA 19612-6001	Tuscarora Creek/ CWF	Juniata Co. Conservations District 146 Stoney Creek Drive, Suite 4 Mifflintown, PA 17059 717.436.8953
Franklin Twp. York County	PAG02006712005	Gary Lebo Quality Greenhouses & Perennial Farm, Inc. 250 Union Church Road Dillsburg, PA 17019	North Branch Bermudian Creek/ WWF, MF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Windsor Twp. York County	PAG02006710031R	Stonebridge Bank 624 Willowbrook Lane West Chester, PA 19382	Cabin Creek/ WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
York Township York County	PAG02006705061R2	Timothy Pasch The Paddock 55, LP 2645 Carnegie Road York, PA 17402	Mill Creek/WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Jackson Township York County	PAG02006712024	Daniel Fuhrman 228 South Main Street Spring Grove, PA 17362	Codorus Creek/ WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
York Township York County	PAG02006712034	Carl Helman 830 Cherry Drive Hershey, PA 17033	Codorus Creek/ CWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
East Manchester Township York County	PAG02006703020(1)R	Craig Hasson 925 Log Cabin Road Leola, PA 17540	Codorus Creek/ WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Spring Grove Township York County	PAG02006710025R	Samuel Haldeman 510 Rohlers Church Road Dover, PA 17315	Codorus Creek/ WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430

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

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Athens Township Bradford County	PAG02000812032	Philip J Silvestri Silvestri Architects PC 1321 Millersport NY 14221	Chemung River WWF	Bradford County Conservation District Stoll Natural Resource Center 200 Lake Rd Ste E Towanda PA 18848 (570) 265-5539 X 120

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*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Potter Township Centre County	PAG02001410017R	Robert Poole Old Fort LP- Old Fort Rd Mgmt LLC 2121 Old Gatesburg Rd Ste 200 State College PA 16801	Potter Township	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte PA 16823 (814) 355-6817
Ramey Borough, Gulich & Woodward Townships Clearfield County	PAG02001711002	Jim Fry Servant's Heart Camp Ministries 1207 W Ridge Rd Elizabethtown PA 17022	Beaver Run CWF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield PA 16830 (814) 765-2629
Graham Township Clearfield County	PAG02001712013	Lynn Coudriet 175 April Ln Morrisdale PA 16858	Wilholm Run CWF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield PA 16830 (814) 765-2629
City of DuBois Clearfield County	PAG02001712014	City of DuBois 16 W Scribner Ave DuBois PA 15801	Reisinger Run CWF Sandy Lick Creek TSF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield PA 16830 (814) 765-2629
Brady Township Clearfield County	PAG02001712016	Martin Bellela 1143 Sunset Lake Rd Rockton PA 15856	UNT to Little Anderson Creek CWF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield PA 16830 (814) 765-2629
Fairfield Township Lycoming County	PAG02004112025	Edward Alberts RS Alberts Co Inc 60 Choate Cir Montoursville PA 17754	Bennetts Run WWF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville PA 17754 (570) 433-3003

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

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Brady's Bend Township Armstrong County	PAG02000310008R	Brady's Bend Township Water & Sewer Authority 697 State Route 8 East Brady, PA 16028	Allegheny River (WWF) Sugar Creek (WWF)	Armstrong County CD Armsdale Administration Building 124 Armsdale Road Kittanning, PA 16201 (724) 548-3435

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Franklin Township Greene County	PAG02003012006	Don Chappel Greene County Industrial Development, Inc. 300 Evergreen Drive Waynesburg, PA 15370	UNT to South Fork of Tenmile (WWF)	Greene County CD 19 South Washington Street Waynesburg, PA 15370 (724) 852-5278
Adams Township Butler County	PAG02001012014	Mars Area School District 545 Rt 228 Mars PA 16046	UNT Glade Run WWF	Butler County Conservation District 724-284-5270
Cranberry Township Butler County	PAG02001008003(1)R	Pinnacle Resources PO Box 445 Clarion PA 16214	UNT Brush Creek WWF	Butler County Conservation District 724-284-5270
Hayfield Township Crawford County	PAG02002012001	Greenleaf Corporation Attn: Marc Luczywek 18695 Greenleaf Drive Saegertown PA 16433	Wolf Run WWF	Crawford County Conservation District 814-763-5269
Millcreek Township	PAG02002512014	Erie Diocesan Cemeteries Calvary Cemetery & Museum	Millcreek WWF; MF	Erie County Conservation District 814-825-6403
Washington Township Jefferson County	PAG02003312002	DuBois Regional Airport 377 Aviation Way Reynoldsville PA 15851	UNT Keys Run CWF	Jefferson County Conservation District 814-849-7463
Armstrong County, Redbank Township	PAG2090312006	Bureau of Abandoned Mine Reclamation, Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Redbank Creek/TSF and Mudlick Creek/CWF	PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800
Washington County, Hanover Township	PAG2096312007	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Brush Run Watershed/WWF	PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800

General Permit Type—PAG-03

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant's Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Telephone No.</i>
City of Philadelphia Philadelphia County	PAR230068	Ardex Lab Inc. 2050 Byberry Road Philadelphia, PA 19116	Unnamed Tributary to Byberry Creek -3J	Southeast Region Clean Water Program 484.250.5970
Falls Township Bucks County	PAR230072	Air Liquide Electronics U.S., LP 19 Steel Road West Morrisville, PA 19067	Biles Creek -2E	Southeast Region Clean Water Program 484.250.5970
Pottstown Borough Montgomery County	PAR800010	Inergy Propane LLC 3115 State Road P. O. Box 389 Telford, PA 18969-1024	UNT to Manatawny Creek-2E	Southeast Region Clean Water Program 484.250.5970

NOTICES

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*Facility Location:
Municipality &
County*

Permit No.

*Applicant's Name &
Address*

*Receiving
Water / Use*

*Contact Office &
Telephone No.*

Muncy Creek
Township
Lycoming County

PAR234821

Integrity Ind Inc.
2710 E Corral
Kingsville, TX 78363

Wolf Run (CWF,
MF)

DEP Northcentral
Regional Office
Clean Water
Program
208 W Third Street
Suite 101,
Williamsport, PA
17701-6448
570.327.3664

Bald Eagle Township
Clinton County

PAR234814

Avery Dennison Performance
Polymers
171 Draketown Road
Mill Hall, PA 17751

Bald Eagle Creek
9-C

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

Beech Creek
Township
Clinton County

PAR804887

Ultra Petro LLC
554 Eagle Valley Road
Beech Creek, PA 16822

Unnamed Tributary
to Bald Eagle
Creek—9-C

DEP Northcentral
Regional Office
Clean Water
Program
208 W Third Street
Suite 101,
Williamsport, PA
17701-6448
570.327.3664

Williamsport City
Lycoming County

PAR504809

Lycoming County Transfer
Station
1475 W 3rd Street
Williamsport, PA 17701-6536

Lycoming
Creek—10-A

DEP Northcentral
Regional Office
Clean Water
Program
208 W Third Street
Suite 101,
Williamsport, PA
17701-6448
570.327.3664

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

*Facility Location:
Municipality &
County*

Permit No.

*Applicant Name &
Address*

*Receiving
Water / Use*

*Contact Office &
Phone No.*

Fairview Township
Erie County

PAR218316

Concrete Services Corporation
P. O. Box 930
Fairview, PA 16415-0930

Unnamed Tributary
to Lake Erie
15

DEP
NWRO
Water Management
230 Chestnut Street
Meadville, PA
16335-3481
814/332-6942

General Permit Type—PAG-4

*Facility Location:
Municipality &
County*

Permit No.

*Applicant Name &
Address*

*Receiving
Water / Use*

*Contact Office &
Phone No.*

Concord Township
Delaware County

PAG040028

John Pantle
55 Mill Race Place
Glen Mills, PA 19342-1334

West Branch
Chester Creek—3-G

Southeast Region
Clean Water
Program Manager
2 E. Main Street
Norristown, PA
19401
484-250-5970

*Facility Location:
Municipality &
County*North Fayette
Township
Allegheny County*Permit No.*
PAG046437*Applicant Name &
Address*
Ernest Buck
1601 North Road
McDonald, PA 15057-2159*Receiving
Water / Use*
UNT to Robinson
Run*Contact Office &
Phone No.*
Southwest Regional
Office:
Clean Water
Program Manager
400 Waterfront
Drive
Pittsburgh, PA
15222-4745
(412) 442-4000*General Permit Type—PAG-5**Facility Location:
Municipality &
County*Springfield
Township
Delaware County*Permit No.*
PAG050049*Applicant Name &
Address*
Motiva Ent. LLC
Attn. HSSE
One Shell Plaza
910 Louisiana Street
Houston, TX 77002*Receiving
Water / Use*
Unnamed Tributary
to Stony Creek 3-G*Contact Office &
Phone No.*
Southeast Region
Clean Water
Program
2 E. Main Street
Norristown, PA
19401
484-250-5970*General Permit Type-08—Site Suitability Notice**Facility:**Municipality &
County*
South Huntingdon
Township
Westmoreland
County*Applicant Name &
Address*
Synagro
PO Box 35
264 Prisani Street
Bovard, PA 15619*Site Name*
Triple C Recycling*Permit Number*
734169*Contact Office &
Phone No.*
Southwest Regional
Office:
Clean Water
Program Manager
400 Waterfront
Drive
Pittsburgh PA
15222-4745
(412) 442-4000*General Permit Type—PAG-10**Facility Location:
Municipality &
County*Washington
Township
Wyoming County*Permit No.*
PAG102252*Applicant Name &
Address*
Williams Field Services
Company, LLC
(Meshoppen Creek Gathering
System Project)
1605 Coraopolis Heights Road
Moon Township, PA 15108-4310*Receiving
Water / Use*
Meshoppen Creek,
Tagues Creek and
Unnamed Tributary
to Tagues
Creek—4-G*Contact Office &
Phone No.*
DEP Northeast
Regional Office
Clean Water
Program
2 Public Square,
Wilkes-Barre, PA
18701-1915
570.826.2553**STATE CONSERVATION COMMISSION****NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES
PERMITS FOR CAFOs**

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

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

of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

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

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

NUTRIENT MANAGEMENT PLAN PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Evergreen Farms Inc. Andy Harpster 3102 Evergreen Lane Spruce Creek, PA 16683	Huntingdon	4,314.2	6,849.08	Dairy	HQ	Approved
Terry Hershey 573 Strasburg Road Paradise, PA 17562	Lancaster	82	487.08	Swine	NA	Approved
Douglas E. Rohrer 1728 Bridge Road Lancaster, PA 17602	Lancaster	716.1	0.82	Layers	NA	Approved
J. Kevin Rohrer 2115 Rohrer Road Manheim, PA 17545	Lancaster	400	991.56	Swine/Beef	HQ	Approved
H. Lamar Zimmerman 1908 Ahumaker Road Manheim, PA 17545	Lancaster	100	373.97	Broilers	NA	Approved
Meadow Moo Farm Paul Katzmaier 521 Katzmaier Road Montoursville, PA 17754	Lycoming	151.5	375.25	Dairy	NA	Approved

PUBLIC WATER SUPPLY PERMITS

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under 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. 3612510 , Public Water Supply.	
Applicant	Millersville University
Municipality	Millersville Borough
County	Lancaster
Responsible Official	Kenneth E. Dearstyne, Assoc. VP for Finance and Administration PO Box 1002 Millersville, PA 17551
Type of Facility	Primary disinfection change from sodium hypochlorite to gas chlorine.
Consulting Engineer	J. Anthony Sauder, P.E. Pennoni Associates, Inc. 3001 Market Street Philadelphia, PA 19143
Permit to Construct Issued:	9/6/2012

Permit No. 0112507 MA, Minor Amendment, Public Water Supply.

Applicant **East Berlin Area Joint Authority**
 Municipality East Berlin Borough
 County **Adams**
 Responsible Official Gerald Mummert, Chairman
 PO Box 37
 East Berlin, PA 17316
 Type of Facility The installation of Well No. 6 with wellhouse, disinfection, approx. 2,500 ft of transmission main and GWR 4-log treatment for viruses. Approx. 1,750 ft of water main will also be replaced in the distribution system.

The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Department's review of the project and the information received in the Uniform Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department approved the Uniform Environmental Assessment on September 5, 2012.

Consulting Engineer Bruce Hulshizer, P.E.
 Buchart-Horn Inc.
 445 West Philadelphia Street
 York, PA 17401-3383

Permit to Construct Issued: 9/5/2012

Operations Permit issued to: **Saltillo Borough**, 4310026, Saltillo Borough, **Huntingdon County** on 8/28/2012 for the operation of facilities approved under Construction Permit No. 3111507 MA.

Operations Permit issued to: **Mr. Paul Miller**, 7670114, Hopewell Township, **York County** on 9/6/2012 for the operation of facilities submitted under Application No. 6712515 MA.

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

Permit No. 0812502—Construction Public Water Supply.

Applicant **Dandy Mini Mart #69—Burlington**
 [Township or Borough] Clymer Township
 County **Tioga**
 Responsible Official Ms. Barbara Bensley
 Dandy Mini Mart
 #69—Burlington
 32 Main Street
 Burlington, PA 18814

Type of Facility Public Water Supply
 Consulting Engineer Gregory Cummings, P.E.
 Larson Design Group
 1 West Market Street
 3rd Floor, Suite 401
 Corning, NY 14830
 Permit Issued September 7, 2012
 Description of Action Construction of a sodium hypochlorite disinfection system, two 270-gallon detention tanks connected in series, and iron, arsenic and hydrogen sulfide removal facilities at the Dandy Mini Mart #69.

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

Permit No. 5604502A2, Public Water Supply.

Applicant **Somerset County General Authority**
 300 North Center Avenue
 Suite 500
 Somerset, PA 15501
 [Borough or Township] Jenner Township
 County **Somerset**
 Type of Facility Water system
 Consulting Engineer Somerset Planning & Engineering Services, LLC
 222 West Main Street
 Suite 100
 Somerset, PA 15501
 Permit to Construct Issued August 30, 2012

Operations Permit issued to: **Municipal Authority of the Township of Robinson**, PO Box 15539, Pittsburgh, PA 15539, (PWSID #5020045) Robinson Township, **Allegheny County** on September 5, 2012 for the operation of facilities approved under Construction Permit # 0212518MA.

Operations Permit issued to: **Central City Water Authority**, 314 Central Avenue, Suite 203, Central City, PA 15926, (PWSID #4560045) Shade Township, **Somerset County** on September 5, 2012 for the operation of facilities approved under Construction Permit # 5610501.

Permit No. 5612505MA, Minor Amendment. Public Water Supply.

Applicant **Somerset Township Municipal Authority**
 PO Box 247
 Somerset, PA 15501
 [Borough or Township] Somerset Township
 County **Somerset**
 Type of Facility Water system
 Consulting Engineer Somerset Planning & Engineering Services, LLC
 222 West Main Street
 Suite 100
 Somerset, PA 15501
 Permit to Construct Issued September 5, 2012

Permit No. 6312502MA, Minor Amendment. Public Water Supply.

Applicant **Authority of the Borough of Charleroi**
3 McKean Avenue
PO Box 211
Charleroi, PA 15022

[Borough or Township] Donora Borough
County **Washington**
Type of Facility Donora #1 water storage tank
Consulting Engineer Chester Engineers
501 McKean Avenue
Third Floor
Charleroi, PA 15022

Permit to Construct September 5, 2012
Issued

Permit No. 6312503MA, Minor Amendment. Public Water Supply.

Applicant **Authority of the Borough of Charleroi**
3 McKean Avenue
PO Box 211
Charleroi, PA 15022

[Borough or Township] Donora Borough
County **Washington**
Type of Facility Donora #2 water storage tank
Consulting Engineer Chester Engineers
501 McKean Avenue
Third Floor
Charleroi, PA 15022

Permit to Construct September 5, 2012
Issued

Permit No. 6512502MA, Minor Amendment. Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
124 Park & Pool Road
New Stanton, PA 15672

[Borough or Township] Penn Township
County **Westmoreland**
Type of Facility Water system
Consulting Engineer
Permit to Construct September 6, 2012
Issued

Permit No. 6512507MA, Minor Amendment. Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
124 Park & Pool Road
New Stanton, PA 15672

[Borough or Township] Salem Township
County **Westmoreland**
Type of Facility Water system
Consulting Engineer
Permit to Construct September 5, 2012
Issued

Permit No. 6512508MA, Minor Amendment. Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
124 Park & Pool Road
New Stanton, PA 15672

[Borough or Township] Ligonier Township
County **Westmoreland**
Type of Facility Water system
Consulting Engineer
Permit to Construct September 5, 2012
Issued

Permit No. 6512501MA, Minor Amendment. Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
124 Park & Pool Road
New Stanton, PA 15672

[Borough or Township] Unity Township
County **Westmoreland**
Type of Facility Water system
Consulting Engineer
Permit to Construct September 5, 2012
Issued

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

Permit No. 6212501 Public Water Supply

Applicant **Aqua Pennsylvania Incorporated**

Township or Borough Clarendon Borough
County **Warren**
Type of Facility Public Water Supply
Consulting Engineer William A. LaDieu, P.E.
CET Engineering Services-GHD
1240 N. Mountain Road
Harrisburg, PA 17112

Permit to Construct September 6, 2012
Issued

Transfer of Operation Permit issued to MHP Ventures, LLC, PWSID #6370015, Pulaski Township, Lawrence County on September 6, 2012. Action is for change in ownership; the potable water supplier will do business as Hyland Mobile Home Park. The new permit number is 3788501-T1.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

Borough or Township	Borough or Township Address	County
Chambersburg Borough	100 South 2nd Street, Chambersburg, PA 17201	Franklin

Plan Description: The approved plan provides for the expansion of 800 feet of the Plant Approach Interceptor to 48 inches, 2,600 feet of the East Conococheague Interceptor to 36 inches and continued infiltration and inflow investigations. 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.

Petronio Residence, 306 Clearview Road, Bushkill Township, **Northampton County**, Thomas Hippensteal, Envirosearch Consultants, Inc., have submitted a Final Report on behalf of their client, Mary Petronio, 1114 Winnie Way, Latrobe, PA 15650, concerning the remedia-

tion of soil from No. 2 fuel oil as a result from a leaking underground storage tank. The report was submitted to document attainment of the Residential Statewide Health Standard for soil. A public notice regarding the submission of the Final Report was published in *The Express Times* on August 23, 2012.

Purcaro Residence, 258 Silver Lake Road, Delaware Township, **Pike County**. John C. Lydzinski, Marshall Miller & Associates, Inc., 2 Gunpowder Road, Mechanicsburg, PA 17050 has submitted a Final Report (on behalf of his client, Patricia Purcaro, 258 Silver Lake Road, Dingmans Ferry, PA 18328) concerning the remediation of soil found to have been impacted by No. 2 fuel oil as the result of an accidental spill during the delivery of the fuel oil to one of two 275-gallon aboveground storage tanks. The report was submitted to document attainment of the Residential Statewide Health Standard for soil. A public notice regarding the submission of the Final Report was published in the *Pike County Dispatch* on August 30, 2012.

Compton Property (Compton Farm), 4662 Route 590/Hamlin Highway, Jefferson Township, **Lackawanna County**. Robert M. Byer, Jr., Sovereign Consulting, Inc., 50 West Welsh Pool Road, Suite 6, Exton, PA 19341 has submitted a Final Report (on behalf of his client, Forrest Compton, 4662 Route 590, Hamlin Highway, Moscow, PA 18444), concerning the remediation of soil found to have been impacted by a petroleum product as a result of a release from an unregulated farm 1,000-gallon aboveground storage tank. The report was submitted to document attainment of the Residential Statewide Health Standard for soil. A summary of the Final Report is expected to be published in *Moscow Villager* on September 12, 2012.

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

Route 41 Diner, 42 Route 41, Gap, PA 17527, Sadsbury Township, **Lancaster County**. Hafer Environmental Services, PO Box 4418, Reading, PA 19606, on behalf of the Estate of A. Charles Artinian, 725 Street Road, Cochranville, PA 19330, submitted a Remedial Investigation Report for site soils and groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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.

Toussaint Property, 156 Water Street, Thompson Borough, **Susquehanna County**, Sandra Szempruch-Koza, has submitted a Final Report on behalf of their client, Andrew Toussaint, 540 Schoolhouse Lane, Willow Grove, PA 19090, concerning the remediation of soil and groundwater found to have been impacted by No. 2 fuel oil as a result from the removal of a 500 gallon underground heating oil tank. The report documented attainment of the Residential Statewide Health Standard for soil and groundwater was approved on September 7, 2012.

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

Former Goggle Works Apartments, 100 North Second Street, City of Reading, **Berks County**. Synergy Environmental, Inc., 155 Railroad Plaza, Suite 1, Royersford, PA 19468, on behalf of City of Reading Community & Economic Development, 815 Washington Street, Reading, PA 19601, submitted a Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with benzene, lead and mercury from historical industrial use of the property. The combined report demonstrated attainment of a

combination of Residential Statewide Health and Site-Specific standards, and was approved by the Department on September 7, 2012.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Waste Management, Division of Hazardous Waste Management, PO Box 8471, Harrisburg, PA 17105-8471

Hazardous Waste Transporter License Issued

Waste Management of West Virginia, P. O. Box 500, Bridgeport, WV 26330. License No. PA-AH 0795. Effective June 8, 2012.

Clean Earth of North Jersey, Inc., 115 Jacobus Avenue, South Kearny, NJ 07032. License No. PA-AH 0797. Effective June 21, 2012.

IWT Transport, Inc., 306 Ramapo Valley Road, Suite 2, Oakland, NJ 07346. License No. PA-AH 0798. Effective August 2, 2012.

J & J Environmental, Inc., P. O. Box 370, Blue Bell, PA 19422. License No. PA-AH 0800. Effective August 21, 2012.

Hazardous Waste Transporter License Renewed

Earth Technology II, LLC., P. O. Box 338, North Haven, CT 06473. License No. PA-AH 0691. Effective May 4, 2012.

Siemens Industry, Inc., 170 Wood Avenue South, Iselin, NJ 08830. License No. PA-AH 0722. Effective May 9, 2012.

Moran Environmental Recovery, LLC, 75D York Avenue, Randolph, MA 02368. License No. PA-AH 0744. Effective May 15, 2012.

U.S. Industrial Technologies, Inc., 13075 Newburgh Road, Livonia, MI 48150. License No. PA-AH 0747. Effective May 22, 2012.

David J. Winning Company, 5610 Aiken Road, Mckees Rocks, PA 15136. License No. PA-AH S100. Effective May 23, 2012.

South Park Motor Lines, Inc., 9850 Havana Street, Henderson, CO 80640. License No. PA-AH 0755. Effective June 4, 2012.

Pioneer Tank Lines, Inc., 12501 Hudson Road South, Afton, MN 55001-9751. License No. PA-AH 0600. Effective June 4, 2012.

G. Tresch Transportation, Inc., 630 South Evergreen Avenue, Woodbury, NJ 08097. License No. PA-AH 0380. Effective June 6, 2012.

Op-Tech Environmental Services, Inc., 1 Adler Drive, East Syracuse, NY 13057. License No. PA-AH 0599. Effective June 7, 2012.

National Waste Clean, Inc., 304 Pulaski Street, South Plainfield, NJ 07080. License No. PA-AH 0528. Effective June 7, 2012.

West Central Environmental Corporation, P. O. Box 83, Rensselaer, NY 12144-0083. License No. PA-AH 0422. Effective June 11, 2012.

Better Management Corporation, P. O. Box 130, Columbiana, OH 44408. License No. PA-AH 0773. Effective June 12, 2012.

Allstate Power Vac, Inc., 928 East Hazelwood Avenue, Rahway, NJ 07065. License No. PA-AH 0339. Effective June 25, 2012.

Maumee Express, Inc., 297 Zimmerman Lane, Langhorne, PA 19047. License No. PA-AH 0420. Effective June 26, 2012.

Page E.T.C., Inc., P. O. Box 1290, Weedsport, NY 13166. License No. PA-AH 0338. Effective July 2, 2012.

Disposal Consultant Services, Inc., 50 Howard Street, Piscataway, NJ 08854. License No. PA-AH 0754. Effective July 24, 2012.

Enpro Services, Inc., 12 Mulliken Way, Newburyport, MA 01950. License No. PA-AH 0696. Effective August 7, 2012.

Suttles Truck Leasing, Inc., P. O. Box 129, Demopolis, AL 36723. License No. PA-AH 0332. Effective August 7, 2012.

Radiac Research Corporation, 261 Kent Avenue, Brooklyn, NY 11211. License No. PA-AH S007. Effective August 24, 2012.

Gary W. Gray Trucking, Inc., P. O. Box 48, Delaware, NJ 07833. License No. PA-AH 0474. Effective August 24, 2012.

Eldredge, Inc., 898 Fern Hill Road, West Chester, PA 19380. License No. PA-AH 0056. Effective August 24, 2012.

Biomedical Waste Services, Inc., 7610 Energy Parkway, Baltimore, MD 21226. License No. PA-AH 0753. Effective September 4, 2012.

Cemco-Custom Environmental Management, P. O. Box 212, Hainesport, NJ 08036. License No. PA-AH 0776. Effective September 5, 2012.

Hazardous Waste Transporter License, actions taken under the Solid Waste Management Act and regulations to transport hazardous waste.

Central Office: Bureau of Waste Management, Division of Hazardous Waste Management, PO Box 8471, Harrisburg, PA 17105-8471

Hazardous Waste Transporter License Voluntarily Terminated

Edward Armstrong & Sons, Inc., 205 Greenfield Road, Lancaster, PA 17601. License No. PA-AH 0027. Effective June 29, 2012.

Chemical Solvents, Inc., 3751 Jennings Road, Cleveland, OH 44109-2858. License No. PA-AH 0049. Effective August 20, 2012.

Hazardous Waste Transporter License Expired

Summit Transport & Environmental, Inc., 150C John Street, Weston, WV 26452. License No. PA-AH 0737. Effective May 31, 2012.

Transport TFI4 S.E.C., 570 President-Kennedy Route, Pintendre, QC G6C 1M9 Canada. License No. PA-AH 0720. Effective July 31, 2012.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

Actions on applications for Infectious and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act and Act 93 of June 28, 1988 (P. L. 525, No. 93) and regulations to transport infectious and chemotherapeutic waste.

Central Office: Bureau of Waste Management, Division of Hazardous Waste Management, PO Box 8471, Harrisburg, PA 17105-8471

Infectious and Chemotherapeutic Waste Transporter License Renewed

Coast Medical Supply, Inc., 20 Meridian Drive, Unit 2, Eatontown, NJ 07724. License No. PA-HC 0214. Effective May 31, 2012.

Advant-Edge Solutions of Middle Atlantic, Inc., 1 Shea Way, Newark, DE 19713. License No. PA-AH 0220. Effective June 6, 2012.

Environmental Waste Minimization, Inc., 14 Brick Kiln Court, Northampton, PA 18067-9784. License No. PA-AH 0219. Effective June 22, 2012.

Veolia ES Technical Solutions, LLC., 1 Eden Lane, Flanders, NJ 07836-8950. License No. PA-AH 0221. Effective August 3, 2012.

Cole Care, Inc., 1001 East Second Street, Coudersport, PA 16915. License No. PA-AH 0178. Effective August 13, 2012.

Environmental Transport Group, Inc., P. O. Box 296, Flanders, NJ 07836. License No. PA-AH 0023. Effective August 29, 2012.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit No. 101313. The Quarry Center, LP (G/P The Llanerch Quarry Center LLC), 116 West Township Line Road, Haverford, PA 19041. This permit has been revoked in response to the permittee's request for final closure certification and revocation of permit 101313

for the former Llanerch Quarry, a Class I Demolition Waste Landfill currently owned by the Quarry Center, LP and located at 116 West Township Line Road in Haverford Township, **Delaware County**. Final closure certification and revocation of permit was approved in the Southeast Regional Office on August 31, 2012.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

GP9-15-0017: Endo Pharmaceuticals (1401 Atwater Drive, Malvern, PA 19355) on September 5, 2012, to operate two (2) diesel #2 fuel-fired internal combustion engines(s) in East Whiteland Township, **Chester County**.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790 Contact: Ray Kempa, New Source Review Chief - Telephone: 570-826-2507

58-399-047GP5: Williams Field Services LLC (51 Warren Street, Tunkhannock, PA 18657) on August 30, 2012, to construct and operate three (3) IC Engines, one (1) Emergency Generator and two (2) dehy/reboilers at their Shaskas natural gas compressor station site to in Jessup Township, **Susquehanna County**.

58-399-048GP5: Williams Field Services LLC (51 Warren Street, Tunkhannock, PA 18657) on August 30, 2012, to construct and operate six (6) IC Engines, one (1) Emergency Generator and four (4) dehy/reboilers at their Fraser natural gas compressor station site in Forest Lake Township, **Susquehanna County**.

66-399-018GP5: Williams Field Services LLC (51 Warren Street, Tunkhannock, PA 18657) on August 30, 2012, to construct and operate six (6) IC Engines, one (1) Emergency Generator and three (3) dehy/reboilers at their Sickler natural gas compressor station site in Washington Township, **Wyoming County**.

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

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

GP3-08-362B: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on September 5, 2012, to construct and operate a portable nonmetallic mineral processing plant with associated water spray dust suppression system pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their Newton Facility in Terry Township, **Bradford County**.

GP11-08-362B: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on September 5, 2012, to construct and operate one 130 brake horsepower,

CAT model 3054C diesel-fired engine pursuant to the General Plan Approval And/Or General Operating Permit (BAQ-GPA/GP-11): Nonroad Engine(s) at their Newton Facility in Terry Township, **Bradford County**.

GP5-41-01D: PVR NEPA Gas Gathering, L.L.C. (100 Penn Tower, Suite 201 & 202, 25 West Third Street, Williamsport, PA 17701) on September 5, 2012, to construct and operate a 35 million standard cubic feet per day glycol dehydrator with 0.75 MMBtu/hr reboiler under the General Plan Approval for Natural Gas, Coal Bed Methane Or Gob Gas Production Or Recovery Facilities (BAQ-GPA-5) at their Canoe Run Compressor Station in Mifflin Township, **Lycoming County**.

GP5-08-366: Angelina Gathering Co., LLC (2350 North Sam Houston Parkway E, Suite 125, Houston, TX 77032) on August 28, 2012, to construct and operate twelve (12) Caterpillar model G3516B lean-burn natural gas-fired compressor engines each rated at 1,380 brake horsepower to be equipped with Powertherm Company, Inc. model 201 VO-3-200-7114 oxidation catalyst, four (4) 80 million cubic foot per day, Exterran tri-ethylene glycol dehydrators and a 155 brake horsepower, Kohler model 100ERESB, natural gas-fired emergency generator pursuant to the General Plan Approval and General Operating Permit for Natural Gas Production Facilities (BAQ-GPA/GP-5) at the White CPF#1 Compressor Station in Stevens Township, **Bradford County**.

GP9-41-414: Lycoming County Resource Management Services (PO Box 187, Montgomery, PA 17752) on July 31, 2012, to construct and operate one 110 brake horsepower, Perkins model 1104D-E44T diesel-fired engine pursuant to the General Plan Approval And/Or General Operating Permit (BAQ-GPA/GP-9): Diesel or #2 Fuel-fired Internal Combustion Engine(s) at the Lycoming County Landfill in Brady Township, **Lycoming County**.

GP3-41-414: Lycoming County Resource Management Services (PO Box 187, Montgomery, PA 17752) on July 31, 2012, to construct and operate a portable nonmetallic mineral processing plant with associated water spray dust suppression system pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their Lycoming County Landfill in Brady Township, **Lycoming County**.

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

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

GP5-03-00252A: Snyder Brothers Inc. (90 Glade Drive, Kittanning, PA 16201) on September 5, 2012, to allow the replacement of the natural gas-fired compressor engine and the installation of two (2) additional produced fluids storage tanks at the Hogback Compressor Station, located in Wayne Township, **Armstrong County**.

GP5-63-00946D: Chevron Appalachia, LLC (Chevron Appalachia, LLC, 600 Corporate Center Drive, PO Box 611, Moon Township, PA 15108-0611) on August 31, 2012, received authorization for construction and operation of sources and controls associated with a natural gas production facility at the Deemston Compressor Station located in Deemston Borough, **Washington County**.

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

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

GP5-43-351A: South Mercer Pipeline, LLC—South Mercer Compressor 1 (24 School Rock Road, Greenville, PA 16125) on September 1, 2012, to operate one (1) rich burn, 4 stroke natural gas engine, Caterpillar Model No. G379NA-HC rated 330 bhp at 1,200 rpm, and one (1) 4,000 gallon produced water/residual compressor oil storage tank (BAG/GPA/GP-5), in Delaware Township, **Mercer County**.

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

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

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

09-0007E: Waste Management Disposal Services of Pennsylvania, Inc.—WMDSPI (1000 New Ford Mill Road, Morrisville, PA 19067) on September 5, 2012, to install two (2) propane fired crystallizers of 3 MMBtu/hr and 5 MMBtu/hr rated capacity at their Geological Reclamation Operations and Waste Systems (GROWS) landfill in Falls Township, **Bucks County**. The crystallizers will be used within a new and upgraded leachate treatment system at the facility to reduce the aqueous volume from a reverse osmosis unit. The GROWS landfill is a Title V facility. The crystallizers will result in an increase of emissions of the following pollutants on a 12-month rolling basis: particulate matter (PM/PM₁₀/PM_{2.5}) 0.50 tons/year, sulfur oxides 0.60 tons/year, nitrogen oxides (NO_x) 5.50 tons/year, carbon monoxide (CO) 3.00 tons/year, volatile organic compounds (VOC) 0.500 tons/year and ammonia (NH₃) 13.9 tons/year. Emissions will be minimized by use of Best Available Technology (BAT) to include the design features of the combustion chambers of the crystallizers which produce high combustion efficiency and by the use of propane, a clean burning fuel. A mist eliminator will further minimize particulate emissions due to drift. The crystallizer installation is subject to the emissions offset requirements of 25 Pa. Code, Chapter 127, Subchapter E (relating to nonattainment new source review) for the aggregated emissions in the contemporaneous time period. Emissions that are required to be offset are: 29.7 tons of NO_x and 25.8 tons of VOC. The Department has authorized and WMDSPI has provided the required ERCs under Plan Approval 09-0007F. Plan Approval 09-0007E will contain monitoring, recordkeeping and testing requirements designed to keep the facility operating within the allowable emissions limits and all applicable air quality requirements.

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

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

01-05022B: Knouse Foods Cooperative, Inc. (800 Peach Glen, Idaville Road, Peach Glen, PA 17375) on August 31, 2012, to install and temporarily operate a Solar Saturn 10-1300 Series Turbine, Version 1301 and a Deltak waste heat boiler, at the apple processing facility in Hamiltonban Township, **Adams County**.

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

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

49-00002: ConAgra Grocery Products Co. (30 Marr Street Milton, PA 17847) on July 24, 2012, to construct six flour storage silos at their facility in Milton Borough, **Northumberland County**. The plan approval contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

62-141G: National Fuel Gas—Roystone Station (1878 US Route 6, Sheffield, PA 16347) on September 4, 2012, to replace four (4) existing natural gas-fired compressor engines with two (2) new 840 bhp natural gas-fired compressor engines and associated NSCR control devices at their facility in Sheffield Township, **Warren County**. This is a Title V facility.

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.

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

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

59-00005G: Dominion Transmission, Inc. (501 Martindale Street, Suite 400, Pittsburgh, PA 15212-5817) on September 5, 2012, to extend the authorization for construction of a 2370 horsepower, natural-gas fired reciprocating internal combustion compressor engine controlled by a prechambered combustion system, an LE-54C air/fuel ratio controller and an EAS model EN4YE28 oxidation catalyst, for the construction of a 5810 horsepower (49.98 million Btu per hour heat input), natural-gas fired compressor turbine, controlled by a dry low NO_x (SoLoNO_x) combustion system and a Universal Silencer oxidation catalyst and for the construction of eight 65 kilowatt model C65 NG Low NO_x Capstone Micro-Turbines, at their Sabinville Station in Clymer Township, **Tioga County** until March 7, 2013. The plan approval has been extended.

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

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

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

09-00030: Brightsmith LLC. (120 Enterprise Avenue, Morrisville, PA 19067-3703) on September 5, 2012, to renew the Title V Operating Permit in Falls Township, **Bucks County**. The facility is primarily involved in metal (steel, aluminum, and galvanized steel) coil coating. The coated metal is rewound and wrapped for shipment to end producers. Brightsmith operates space heaters, paint bake ovens, prime oven oxidizers, coil coating cleanup and a laminator/embosser. No changes have taken place at this facility that were not previously permitted. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting. The sources at this facility are not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64.

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

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

36-05082: Clark Filter (3649 Hempland Road, Lancaster, PA 17601) on August 13, 2012, for their diesel locomotive filter manufacturing facility in West Hempfield Township, **Lancaster County**. The Title V permit was renewed.

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

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

49-00002: ConAgra Grocery Products Co. (30 Marr Street Milton, PA 17847) on July 3, 2012, to issue a renewal Title V Operating Permit to operate their food manufacturing facility in Milton Borough, **Northumberland County**. This Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

04-00013: Jewel Acquisition, LLC (100 River Road, Brackenridge, PA 15014) on September 6, 2012, for a Title V Operating Permit (TVOP) renewal to authorize the continued operation of a stainless steel sheets, strips and plates manufacturing facility in Midland Boro, **Beaver County**. The facility consists of two electric arc furnaces, one argon-oxygen decarburization unit, continuous caster, a hot annealing and pickling line, a cold annealing and pickling line, two Sendzimir cold reduction mills, a DRAP line, emission control equipment such as baghouses, scrubbers and other miscellaneous equipment associated with this type of operations.

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

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

24-00120: Dominion Transmission, Inc.—Ardell Compressor Station (389 Crissman Road, Weedville, PA 15868) on September 10, 2012, to issue an administrative amendment to the Title V Operating Permit to incorporate the transfer of 55.75 Tons of NO_x Emission Reduc-

tion Credits (ERCs) previously received from Corning Incorporated (College Township, Center County, PA) as a Federally Enforceable Condition in the Ardell Station's Title V Operating Permit. The ERCs were transferred as required under condition No. 001 in Section C of plan approval 24-120C for the facility in Benezette Township, **Elk County**.

33-00140: Dominion Transmission, Inc.—Punxsutawney Compressor Station (88 Lasko Road, Punxsutawney, PA 15767) on September 10, 2012, to issue an administrative amendment to the Title V Operating Permit to incorporate the transfer of 58.16 Tons of NO_x Emission Reduction Credits (ERCs) previously received from Corning Incorporated (College Township, Center County, PA) as a Federally Enforceable Condition in the Punxsutawney Station's Title V Operating Permit. The ERCs were transferred as required under condition #001 in Section C of plan approval 33-140B for the facility in Perry Township, **Jefferson County**.

61-00147: PA DPW Mental Retardation Center—Polk Center (Route 62, Polk, PA 16342) on September 6, 2012, to renew a Title V Permit to operate a small Psychiatric Hospital in Polk Borough, **Venango County**. Polk Center is a small psychiatric hospital. The facility's major emission sources include, 1) Boiler 600 HP, 2) Boiler 600 HOP, 3) Boiler 600 HP, 4) Miscellaneous combustion units (2.5 MMBTU/Hr), 5) Existing emergency or stand by generators, 6) Degreaser Unit and 7) Kohler 1880 HP, Diesel Generator in at substation.

The potential emissions of the pollutants from the facility are, NO_x: 95.8 TPY (tons per year), VOC: 34.4, SO_x: 997.9, PM-10: 250.5 and CO: 105.5. Thus, the permit became Title V. The natural gas and diesel fuel electric generators (Source ID #101) and Kohler, 1880 HP, Diesel powered electric generator (Source ID #103) are subject to 40 CFR Part 63, Subpart ZZZZ and 40 CFR Part 60, Subpart IIII respectively.

62-00018: Warren State Hospital (33 Main Drive, North Warren, PA 16365-5001) on September 6, 2012, to re-issue a Title V Operating Permit to operate this State Hospital Facility, in Conewango Township, **Warren County**. The significant sources at this facility are a wood fired boiler, two (2) natural gas fired boilers, various small space and water heaters, and nine (9) emergency power generators. The conditions of the previous plan approvals and operating permit were incorporated into the renewal permit. The wood fired boiler is subject to 40 CFR 63, Subpart JJJJJJ pertaining to NESHAPs for Industrial, Commercial, and Institutional Boilers at Area Sources of HAP emissions. The newer emergency power generators are subject to 40 CFR 60, Subpart IIII. The potential emissions from this facility are as follows: 93.2 TPY PM₁₀; 53.5 TPY NO_x; 1.5 TPY SO₂; 168.5 TPY CO; and 17.4 TPY VOC.

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

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

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

09-00056: GE Betz, Inc. (4636 Somerton Road, Trevoise, PA 19053) on September 6, 2012, for renewal of a State Only Operating Permit in Bensalem Township, **Bucks County**. The renewal permits is for several combustion sources including boilers and generators, and a pilot plant. The facility no longer operates its Pilot Coil Coating Unit (Source ID 104), and therefore, has been removed from the list sources. No new sources have been added and there have been no changes to any of the existing sources. GE Betz, Inc. is categorized as a synthetic minor facility for NO_x emissions. The permit includes monitoring, record keeping and reporting requirements designed to address 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

39-00042: Chelsea Sandwich, LLC (P. O. Box 459, Shippers Road, Macungie, PA 18062) on September 20, 2012, to renew a State-only Synthetic Minor Operating Permit to operate a gasoline loading rack in Lower Macungie Township, **Lehigh County**. The issued State-only Operating Permit contains applicable requirements for emissions limitations, monitoring, recordkeeping, reporting and work practice standards designed to ensure facility compliance with Federal and State air pollution regulations.

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

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

33-00085: Symmco, Inc. (101 South Park Street, Sykesville, PA 15865) on September 6, 2012, for renewal of the Natural Minor Permit to operate an iron, bronze and brass powder metal products manufacturing facility. The facility's major emission sources include, 1) 20" Iron-sintering furnace, 2) 12" Bronze / Brass sintering furnace, 3) 24" Iron sintering furnace, 4) 24" iron sintering furnace, 5) Pusher type heat treat furnace, 6) Degreaser units (3) and, 7) Miscellaneous natural gas usage. The facility is located in Sykesville Borough, **Jefferson County**. The emission of the pollutants from the facility is less than Title V threshold limits. Thus, the

facility is natural minor. The potential emissions statement from the facility: NO_x: 1.811 tons per year (TPY), CO: 1.017 TPY, VOC: 0.104 TPY, SO_x: 0.146 TPY, PM (total): 2.772 TPY, PM (condensable): 0.074 TPY, PM (filterable): 0.025 TPY. The facility is not subject to 40 CFR Part 63, Subpart XXXXXX because the facility is not performing any machining operation as stated in § 63.11514 (b) (1) to (5).

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

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

S12-008: Girard College Power Plant (2101 S. College Avenue, Philadelphia, PA 19121) on September 5, 2012, to operate a school in the City of Philadelphia, **Philadelphia County**. S00-002: The facility's air emission sources include three (3) 744 HP boilers that can burn No #2 fuel oil, #4 fuel oil, or natural gas and one (1) 300 HP boiler that can burn #2 fuel oil or natural gas.

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

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

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

16-00124: Peoples Natural Gas Co. (1201 Pitt Street, Pittsburgh, PA 16224) at their Truittsburg Compressor Station in Redbank Township, **Clarion County**. The authorized De minimis emission increase is for installation of one 40 MMscf/day JW Williams natural gas dehydrator and one 0.375 MMBtu/hr reboiler. The dehydrator/reboiler will be controlled by a condenser and one 0.030 MMBtu/hr VOC combustor. The efficiency of the combined two control devices is estimated to be 98% or more. This dehydrator is subject to 40 CFR 63 Subpart HH. This source is exempt from plan approval as it complies with 25 Pa. Code § 127.449. The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 PA Code 127.449(i). This is the only De minimis emission increase which has occurred since their current State Only Operating Permit (16-00124) was issued on December 17, 2007.

<i>Date</i>	<i>Source</i>	<i>PM₁₀ (tons)</i>	<i>SO_x (tons)</i>	<i>NO_x (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
08/22/2012	Dehydrator and Reboiler w/ VOC Combustor	0.013	0.001	0.166	0.736	0.139
Total Reported Increases		0.013	0.001	0.166	0.736	0.139
Allowable		0.6 tons/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

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

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

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

46-00053: Superior Metal Products Co., Inc. (166 Berks Street, Pottstown, PA 19464) on September 6, 2012, for revocation of the State Only Operating Permit due to conversion of operations from solvent surface coating to powder coating at the plant in Pottstown Borough, **Montgomery County**.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

56111301 and NPDES No. PA0236071. LCT Energy, LP, (938 Mt. Airy Drive, Suite 200, Johnstown, PA 15905). To operate the Cass #1 Mine in Summit Township and Garrett Borough, **Somerset County** a new underground mine and related NPDES permit. Surface Acres Proposed 141.7, Underground Acres Proposed 521.1, Subsidence Control Plan Acres Proposed 521.1. Receiving stream: Bigby Creek, classified for the following use: CWF. The application was considered administratively complete on August 25, 2011. Application received February 1, 2011. Permit issued September 4, 2012.

30841316 and NPDES No. PA0213535. Consol Pennsylvania Coal Company, LLC, (PO Box J, 1525 Pleasant Grove Road, Claysville, PA 15323). To revise the permit for the Bailey Mine & Prep Plant in Morris Township, **Greene County** and related NPDES permit to add Outfall 032 for the 7 North 1 Shaft and Portal. Receiving stream: Patterson Creek, classified for the following use: HQ-WWF. The application was considered administratively complete on January 12, 2012. Application received November 30, 2010. Permit issued September 5, 2012.

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

49100101. Fox Coal Company, Inc., (212 West Cherry Street, Mt. Carmel, PA 17851), commencement,

operation and restoration of an anthracite surface mine operation in Zerbe Township, **Northumberland County** affecting 885.0 acres, receiving streams: Zerbe Run or Bear Valley Branch. Application received: April 13, 2010. Permit issued: September 6, 2012

49100101GP104. Fox Coal Company, Inc., (212 West Cherry Street, Mt. Carmel, PA 17851), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 49100101 in Zerbe Township, **Northumberland County**, receiving streams: Zerbe Run or Bear Valley Branch. Application received: March 31, 2011. Permit issued: September 6, 2012.

13890201T and NPDES Permit No. PA0594580. Panther Creek Permitting, LLC, (67 Park Place East, Norristown, NJ 07960), transfer of an existing anthracite coal refuse reprocessing, refuse disposal and prep plant operation in Nesquehoning Borough, **Carbon County** affecting 400.0 acres, receiving streams: First Hollow Run and Nesquehoning Creek. Application received: May 15, 2012. Transfer issued: September 6, 2012.

Noncoal Permits Actions

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

58110305 and NPDES Permit No. PA0225142. Powers Stone, Inc., (15324 SR 3001, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Middletown Township, **Susquehanna County** affecting 95.4 acres, receiving stream: unnamed tributary to Middle Branch Wyalusing Creek. Application received: October 11, 2011. Permit issued: September 5, 2012.

58112511. David P. Compton, (909 Glenwood Road, Hop Bottom, PA 18824), commencement, operation and restoration of a quarry operation in Apolacoon Township, **Susquehanna County** affecting 7.0 acres, receiving stream: Apalachin Creek. Application received June 13, 2011. Permit issued September 10, 2012.

58112511GP104. David P. Compton, (909 Glenwood Road, Hop Bottom, PA 18824), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58112511 in Apolacoon Township, **Susquehanna County**, receiving stream: Apalachin Creek. Application received June 13, 2011. Permit issued September 10, 2012.

66122501. Tunnel Hill Quarry, LLC, (449 Milwaukee Avenue, Old Forge, PA 18518), commencement, operation and restoration of a quarry operation in Clinton Township, **Wyoming County** affecting 10.0 acres, receiving stream: unnamed tributary to Tunkhannock Creek. Application received March 27, 2012. Permit issued September 10, 2012.

66122501GP104. Tunnel Hill Quarry, LLC, (449 Milwaukee Avenue, Old Forge, PA 18518), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 66122501 in Clinton Township, **Wyoming County**, receiving stream: unnamed tributary to Tunkhannock Creek. Application received March 27, 2012. Permit issued September 10, 2012.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Actions

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

08124003. John Brainard, Brainard Explosives LLC (3978 SR 2073, Kingsley, PA 18826-0980). Blasting for construction of well pad and entrance road located in Wyalusing Township, **Bradford County**. Permit issued August 31, 2012. Permit expires: December 31, 2012.

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

48124103. Schlouch, Inc., (PO Box 69, Blandon, PA 19510), construction blasting for William Penn Commons in Bethlehem Township, **Northampton County** with an expiration date of August 31, 2013. Permit issued: September 5, 2012.

36124151. Maine Drilling & Blasting, Inc., (PO Box 1140, Gardiner, ME 04345), construction blasting for Hometown Square in Clay Township, **Lancaster County** with an expiration date of September 5, 2013. Permit issued: September 6, 2012.

36124152. Maine Drilling & Blasting, Inc., (PO Box 1140, Gardiner, ME 04345), construction blasting for Clearview Gardens in Clay Township, **Lancaster County** with an expiration date of September 5, 2013. Permit issued: September 6, 2012.

38124119. Newville Construction Services, Inc., (408 Mohawk Road, Newville, PA 17241), construction blasting for Heidelberg Township Sewer Project in Heidelberg Township, **Lebanon County** with an expiration date of October 1, 2013. Permit issued: September 6, 2012.

64124105. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for a day care center in Palmyra Township, **Wayne County** with an expiration date of September 1, 2013. Permit issued: September 7, 2012.

40124117. Maine Drilling & Blasting, Inc., (PO Box 1140, Gardiner, ME 04345), construction blasting for Center Point in Jenkins and Pittston Township, **Luzerne County** with an expiration date of September 30, 2013. Permit issued: September 10, 2012.

45124103. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Castle Rock Acres in Middle Smithfield Township, **Monroe County** with an expiration date of September 30, 2013. Permit issued: September 10, 2012.

66124105. Meshoppen Blasting, Inc., (PO Box 127, Meshoppen, PA 18630), construction blasting for Macialek Well Site in Washington Township, **Wyoming County** with an expiration date of December 31, 2012. Permit issued: September 10, 2012.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Envi-

ronmental 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

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

E22-585: The Harrisburg Authority, 212 Locust Street, Suite 302, Harrisburg, Pennsylvania 17101, in Swatara Township, **Dauphin County**, ACOE Baltimore District

To construct and maintain: 1) a 5,082.0-square foot Aerobic Tank; 2) a 12,376.0-square foot Post Anoxic Tank; 3) a 1,100.0-square foot Methanol storage facility; and 4) a 616.0-square foot NaOH storage facility, all in the floodplains of the Spring Creek (CWF, MF) and the Susquehanna River (WWF, MF). The purpose of the project is to improve the treatment capability of the existing plant. The project is located immediately west of the intersection of Gibson Street and SR 230 (Steelton, PA Quadrangle; N: 20.98 inches, W: 14.92 inches; Lati-

tude: 40°40'26"N, Longitude: -76°51'25"W) in Swatara Township, Dauphin County. No wetlands will be impacted by this project.

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

E41-633. Michelle H. Costagliolia and Randy W. Lantz. 2012 Hays Lane, Williamsport, PA 17701-1002. Swimming Pool in Floodway along Lycoming Creek, Loyalsock Township, **Lycoming County**, ACOE Baltimore District (Cogan Station, PA Quadrangle Latitude: 41° 16' 28.2"; Longitude: 77° 03' 17.6").

The applicant proposes to construct, operate and maintain an above ground swimming pool that is located in the 100-year floodway of Lycoming Creek. Construction of the swimming pool shall not include any fill placement above existing ground elevations to ensure flood storage capacity and water surface elevations are unaltered. The project is located along the northern right-of-way of Hays Lane approximately 1140-feet west of Lycoming Creek Road and SR Hays Lane intersection. This permit was issued under Section 105.13(e) "Small Projects."

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

E02-1661. Municipality of Mt. Lebanon, 710 Washington Road, Pittsburgh, PA 15228, Mount Lebanon Township; ACOE Pittsburgh District.

Has been given consent to construct and maintain a retaining wall approximately 100.0 feet long and 7.5 feet high in the channel and along the banks of Scrubgrass Run (WWF) and to operate, maintain and extend the existing 60-inch diameter culvert under Scrubgrass Road for the purpose of preventing erosion to the existing streambanks. The project is located along Scrubgrass Road, approximately 400.0 feet northeast from the intersection of Scrubgrass Road and Swallow Hill Road (Pittsburgh West Pa Quadrangle N: 1.8 inches; W: 9.4 inches; Latitude: 40°-23'-06"; Longitude: 80°-04'-03") the Municipality of Mount Lebanon, Allegheny County and will impact approximately 111.0 linear feet of stream channel.

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

E4129-031: Southwestern Energy Company, 917 State Route 92 North, Tunkhannock, PA 18657, Cogan House Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) one 18 inch culvert impacting 55 linear feet of an unnamed tributary to Flicks Run (EV) (White Pine PA Quadrangle 41°27'00"N 77°09'24"W);

2) one 88x48 inch open bottom arch culvert impacting 90 linear feet of Flicks Run (EV) and 125 square feet of adjacent palustrine forested (PFO) wetland (White Pine PA Quadrangle 41°27'17"N 77°09'33"W);

3) one 30 inch culvert impacting 60 linear feet of an unnamed tributary to Flicks Run (EV) (White Pine PA Quadrangle 41°27'21"N 77°09'32"W);

4) one 42 inch culvert impacting 75 linear feet of an unnamed tributary to Flicks Run (EV) (White Pine PA Quadrangle 41°27'31"N 77°09'44"W);

5) one 30 inch culvert impacting 70 linear feet of an unnamed tributary to Flicks Run (EV) (White Pine PA Quadrangle 41°27'34"N 77°09'50"W);

6) one 54 inch culvert impacting 75 linear feet of an unnamed tributary to Flicks Run (EV) (White Pine PA Quadrangle 41°27'38"N 77°09'53"W);

7) one 42 inch culvert impacting 75 linear feet of an unnamed tributary to Flicks Run (EV) (White Pine PA Quadrangle 41°27'39"N 77°09'56"W);

8) one 24 inch culvert impacting 65 linear feet of an unnamed tributary to Flicks Run (EV) (White Pine PA Quadrangle 41°27'44"N 77°10'05"W);

9) one 30 inch culvert impacting 355 linear feet of an unnamed tributary to Flicks Run (EV) (White Pine PA Quadrangle 41°28'06"N 77°10'15"W);

10) one 42 inch culvert impacting 115 linear feet of an unnamed tributary to Flicks Run (EV) (White Pine PA Quadrangle 41°28'08"N 77°10'18"W);

11) one 30 inch culvert impacting 110 linear feet of an unnamed tributary to Flicks Run (EV) (White Pine PA Quadrangle 41°28'15"N 77°09'50"W);

12) fill from a permanent access road impacting 550 square feet of a palustrine emergent (PEM) wetland (White Pine PA Quadrangle 41°28'12"N 77°09'14"W).

The project will result in 1145 linear feet of stream impacts and 0.02 acre of wetland impacts all for the purpose of installing an access road to multiple Marcellus well sites.

E0829-049: Chesapeake Appalachia, LLC, 101 North Main Street, Athens, PA 18810, Ulster and North Towanda Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 12 inch diameter waterline and a temporary timber mat bridge impacting 1,576 square feet of a Palustrine Emergent Wetland (Ulster, PA Quadrangle, Latitude: 41°49'43", Longitude: -76°32'28");

2. a 12 inch diameter waterline and a temporary timber mat bridge impacting 3,685 square feet of a Palustrine Emergent Wetland (Ulster, PA Quadrangle, Latitude: 41°49'42", Longitude: -76°32'28");

3. a 12 inch diameter waterline impacting 3 linear feet of an unnamed tributary to Hemlock Run (WWF) (Ulster, PA Quadrangle Latitude: 41°49'18", Longitude: -76°32'13");

4. a 12 inch diameter waterline impacting 3 linear feet of an unnamed tributary to Hemlock Run (WWF) (Ulster, PA Quadrangle Latitude: 41°49'17", Longitude: -76°32'13");

5. a 12 inch diameter waterline impacting 3 linear feet of an unnamed tributary to Hemlock Run (WWF) and impacting 67 square feet of an adjacent Palustrine Emergent Wetland and Palustrine Forested Wetland (Ulster, PA Quadrangle, Latitude: 41°49'15", Longitude: -76°32'13");

6. a 12 inch diameter waterline impacting 30 square feet of a Palustrine Emergent Wetland and Palustrine Forested Wetland (Ulster, PA Quadrangle, Latitude: 41°49'14", Longitude: -76°32'13");

7. a 12 inch diameter waterline impacting 7 linear feet of an unnamed tributary to Hemlock Run (WWF) (Ulster, PA Quadrangle Latitude: 41°49'12", Longitude: -76°32'12");

8. a 12 inch diameter waterline impacting 20 linear feet of an unnamed tributary to Hemlock Run (WWF) and impacting 209 square feet of an adjacent Palustrine

Emergent Wetland and Palustrine Forested Wetland (Ulster, PA Quadrangle, Latitude: 41°49'11", Longitude: -76°32'12");

9. a 12 inch diameter waterline impacting 3 linear feet of an unnamed tributary to Hemlock Run (WWF) and impacting 105 square feet of an adjacent Palustrine Emergent Wetland and Palustrine Forested Wetland (Ulster, PA Quadrangle, Latitude: 41°49'09", Longitude: -76°32'12");

10. a 12 inch diameter waterline and a timber mat bridge impacting 42 linear feet of an unnamed tributary to Sugar Creek (WWF) and impacting 3,176 square feet of an adjacent Palustrine Emergent Wetland and Palustrine Scrub-Shrub Wetland (Ulster, PA Quadrangle, Latitude: 41°48'49", Longitude: -76°32'11");

11. a 12 inch diameter waterline and a temporary timber mat bridge impacting 1,339 square feet of a Palustrine Emergent Wetland (Ulster, PA Quadrangle, Latitude: 41°48'31", Longitude: -76°32'04");

12. a 12 inch diameter waterline and a temporary timber mat bridge impacting 7,447 square feet of a Palustrine Emergent Wetland (Ulster, PA Quadrangle, Latitude: 41°48'23", Longitude: -76°31'58");

13. a 12 inch diameter waterline and a temporary timber mat bridge impacting 2,018 square feet of a Palustrine Emergent Wetland (Ulster, PA Quadrangle, Latitude: 41°48'21", Longitude: -76°31'55");

14. a 12 inch diameter waterline and a temporary timber mat bridge impacting 1,092 square feet of a Palustrine Emergent Wetland (Ulster, PA Quadrangle, Latitude: 41°48'18", Longitude: -76°31'49");

15. a 12 inch diameter waterline and a temporary timber mat bridge impacting 52 linear feet of an unnamed tributary to Sugar Creek (WWF) (Ulster, PA Quadrangle Latitude: 41°48'13", Longitude: -76°31'41");

16. a 12 inch diameter waterline and a temporary timber mat bridge impacting 49 linear feet of an unnamed tributary to Sugar Creek (WWF) (Ulster, PA Quadrangle Latitude: 41°48'11", Longitude: -76°31'38");

17. a 12 inch diameter waterline and a temporary timber mat bridge impacting 51 linear feet of an unnamed tributary to Sugar Creek (WWF) (Ulster, PA Quadrangle Latitude: 41°48'00", Longitude: -76°31'18");

18. a 12 inch diameter waterline and a temporary timber mat bridge impacting 45 linear feet of an unnamed tributary to Sugar Creek (WWF) (Ulster, PA Quadrangle Latitude: 41°47'53", Longitude: -76°30'56");

The project will result in 278 linear feet and 1,143 square feet of temporary stream impacts and 20,744 square feet (0.48 acre) of temporary PEM, PSS and PFO wetland impacts from a waterline and timber mat bridge crossings all for the purpose of establishing a water supply for Marcellus well development.

E0829-050: Chesapeake Appalachia, LLC, 101 North Main Street, Athens, PA 18810, Albany Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. two 16 inch temporary waterlines and a timber mat bridge impacting 747 square feet of a Palustrine Emergent Wetland (EV) (Dushore, PA Quadrangle, Latitude: 41°33'48", Longitude: -76°25'32");

2. two 16 inch diameter temporary waterlines and a timber mat bridge impacting 3 linear feet of an unnamed

tributary to Lick Creek (EV) (Dushore, PA Quadrangle Latitude: 41°33'49", Longitude: -76°25'48");

3. two 16 inch temporary waterlines and a timber mat bridge impacting 1,126 square feet of a Palustrine Emergent Wetland and Palustrine Scrub-Shrub Wetland (EV) (Dushore, PA Quadrangle, Latitude: 41°33'50", Longitude: -76°25'50");

4. two 16 inch diameter temporary waterlines and a timber mat bridge impacting 25 linear feet of an unnamed tributary to Lick Creek (EV) (Dushore, PA Quadrangle Latitude: 41°33'47", Longitude: -76°26'01");

5. two 16 inch temporary waterlines and a timber mat bridge impacting 23 linear feet of an unnamed tributary to Lick Creek (EV) and impacting 52 square feet of an adjacent Palustrine Emergent Wetland and Palustrine Forested Wetland (EV) (Dushore, PA Quadrangle, Latitude: 41°33'46", Longitude: -76°26'01");

6. two 16 inch diameter temporary waterlines and a timber mat bridge impacting 27 linear feet of an unnamed tributary to Lick Creek (EV) (Dushore, PA Quadrangle Latitude: 41°33'37", Longitude: -76°26'12");

The project will result in 78 linear feet and 413 square feet of temporary stream impacts and 1,925 square feet (0.04 acre) of temporary PEM, PSS and PFO wetland impacts from temporary waterlines and timber mat bridge crossings all for the purpose of establishing a temporary water supply for Marcellus well development.

E0829-051: Appalachia Midstream, LLC, 100 IST Center, Horseheads, NY 14845, Wilmot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. one 6 inch diameter natural gas line and a temporary timber mat bridge impacting 1,852 square feet of a Palustrine Emergent Wetland (Colley, PA Quadrangle, Latitude: 41°36'55", Longitude: -76°17'26");

The project will result in 1,852 square feet (.04 acre) of PEM wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development.

ENVIRONMENTAL ASSESSMENTS

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

EA20-051, Pneumo Abex, LLC c/o Integra Management Company, LLC, 604 Spring Hill Drive Suite 110, Spring, TX 77386-6032. U.S. Bronze Foundry and Machine, Inc., in Woodcock Township, **Crawford County**, ACOE Pittsburgh District (Meadville, PA Quadrangle N: 41°, 41', 25"; W: -80°, 9', 56").

Restoration plan provided pursuant to Section 105.12(a)(16) for remediation of an industrial site involving excavation of contaminated soils/sediments impacting approximately 1.0 acre of wetlands and approximately 700 feet of the bed and banks of an unnamed tributary (WWF) to French Creek. All excavated areas will be returned to original contours and revegetated with native plantings.

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 # ESX12-131-0020
Applicant Name Chief Oil & Gas, LLC
Contact Person Jeffrey Deegan
Address 6051 Wallace Road Ext., Suite 300
City, State, Zip Wexford, PA 15090
County Wyoming County
Township(s) Lemon Township
Receiving Stream(s) and Classification(s) Oxbow Inlet (CWF/MF);
Secondary: Tunkhannock Creek (TSF/MF)

ESCGP-1 # ESX12-115-0141
Applicant Name Williams Field Services, LLC
Contact Person Kristy Flavin
Address 1605 Coraopolis Heights Road
City, State, Zip Moon Township, PA 15108-4310
County Susquehanna County
Township(s) Forest Lake and Jessup Townships
Receiving Stream(s) and Classification(s) 5 UNT's to Forest Lake Creek;
Secondary: Forest Lake Creek (in the East Branch Wyalusing Creek Basin) (Other)

ESCGP-1 # ESX12-081-0113
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 Lycoming County
Township(s) Cogan House Township
Receiving Stream(s) and Classification(s) Flicks Run (EV)

ESCGP-1 # ESX12-115-0129
Applicant Name Williams Field Services, LLC
Contact Person Kristy Flavin
Address 1605 Coraopolis Heights Road
City, State, Zip Moon Township, PA 15108-4310
County Susquehanna County
Township(s) Gibson Township
Receiving Stream(s) and Classification(s) Tunkhannock Creek and Bear Swamp Creek/Upper Susquehanna—Tunkhannock Watershed (Other)

ESCGP-1 # ESX12-081-0117
Applicant Name Range Resources—Appalachia, LLC
Contact Person Mary C. Patton
Address 100 Throckmorton Street, Suite 1200
City, State, Zip Ft. Worth, TX 76102
County Lycoming County
Township(s) Cogan House Township
Receiving Stream(s) and Classification(s) UNT to Big Sandy Run (EV), UNT to Hoagland Run (EV), Hoagland Run (EV);
Secondary: Lycoming Creek

ESCGP-1 # ESX12-115-0140
Applicant Name Williams Field Services, LLC
Contact Person Kristy Flavin
Address 1605 Coraopolis Heights Road
City, State, Zip Moon Township, PA 15108-4310
County Susquehanna County
Township(s) Jessup Township
Receiving Stream(s) and Classification(s) Roe Creek, 2 UNTs to Roe Creek, UNT to East Branch Wyalusing Creek, UNT to Snell Creek;
Secondary: East Branch Wyalusing Creek (Other)

ESCGP-1 # ESX12-115-0148
Applicant Name Williams Field Services, LLC
Contact Person Kristy Flavin
Address 1605 Coraopolis Heights Road
City, State, Zip Moon Township, PA 15108-4310
County Susquehanna County
Township(s) Lenox Township
Receiving Stream(s) and Classification(s) Tower Branch Creek/Upper Susquehanna—Tunkhannock Watershed (EV)

ESCGP-1 # ESX11-115-0180 (01)
Applicant Name Williams Field Services, LLC
Contact Person Kristy Flavin
Address 1605 Coraopolis Heights Road
City, State, Zip Moon Township, PA 15108-4310
County Susquehanna County
Township(s) Brooklyn Township
Receiving Stream(s) and Classification(s) Hop Bottom Creek and UNT to Hop Bottom Creek/Upper Susquehanna—Tunkhannock Watershed (Other)

ESCGP-1 # ESX12-113-0031
Applicant Name Chesapeake Appalachia, LLC
Contact Person Eric Haskins
Address 101 North Main Street
City, State, Zip Athens, PA 18810
County Sullivan County
Township(s) Fox Township
Receiving Stream(s) and Classification(s) UNT to Hoagland (Elk Creek Basin) and UNT to Schrader Creek (HQ/EV);
Secondary: Hoagland Branch and Schrader Creek

ESCGP-1 # ESX12-015-0170
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) Herrick and Orwell Townships
Receiving Stream(s) and Classification(s) UNT to Johnsons & South Creek (CWF/MF), UNT to Rummerfield Creek (WWF/MF)

ESCGP-1 # ESX12-115-0145
Applicant Name Williams Field Services, LLC
Contact Person Kristy Flavin
Address 1605 Coraopolis Heights Road

City, State, Zip Moon Township, PA 15108-4310
 County Susquehanna County
 Township(s) Bridgewater Township
 Receiving Stream(s) and Classification(s) UNT to East Branch Wyalusing Creek and East Branch Wyalusing Creek/Upper Susquehanna—Tunkhannock and Upper Susquehanna—New York Watershed (Other)

ESCGP-1 # ESX12-081-0121
 Applicant Name PVR NEPA Gas Gathering, LLC
 Contact Person Nicholas Bryan
 Address 100 Penn Tower, Suite 201-202, 25 W. Third Street
 City, State, Zip Williamsport, PA 17701
 County Lycoming and Sullivan Counties
 Township(s) Shrewsbury Townships
 Receiving Stream(s) and Classification(s) UNT to Lake Run and Lake Run (Both HQ-CWF/MF)

ESCGP-1 # ESX12-015-0172
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford County
 Township(s) Wilmot Township
 Receiving Stream(s) and Classification(s) UNT to Wolf Run which is trib. To North Branch Mehoopany Creek (CWF/MF);
 Secondary: North Branch Mehoopany Creek (CWF/MF)

ESCGP-1 # ESX12-081-0118
 Applicant Name Anadarko E&P Company, EP
 Contact Person Nathan S. Bennett
 Address 33 W. Third Street, Suite 200
 City, State, Zip Williamsport, PA 17701
 County Lycoming County
 Township(s) Cogan House and Pine Townships
 Receiving Stream(s) and Classification(s) UNT Lick Run, Lick Run, UNT Bear Run, Thurston Draft (UNT Bear Run), Bear Run (All EV), UNT Wendell Run (HQ-CWF/MF);
 Secondary: Lick Run, Little Pine Creek, Bear Run (All EV), Wendell Run (HQ-CWF/MF)

ESCGP-1 # ESX12-117-0075
 Applicant Name Anadarko E&P Company, EP
 Contact Person Nathan S. Bennett
 Address 33 W. Third Street, Suite 200
 City, State, Zip Williamsport, PA 17701
 County Tioga County
 Township(s) Morris Township
 Receiving Stream(s) and Classification(s) Three Springs Run, UNT Zimmerman Creek, and Zimmerman Creek (All EV/MF);
 Secondary: Zimmerman Creek, Texas Creek (EV/MF)

ESCGP-1 # ESX12-115-0152
 Applicant Name Carrizo (Marcellus), LLC
 Contact Person Gary Byron
 Address 251 Drain Lick Road
 City, State, Zip Drifting, PA 16834
 County Susquehanna County
 Township(s) Jessup Township
 Receiving Stream(s) and Classification(s) Tombs Run, Canoe Run (HQ-CWF/EV), Stewards Run (WWF)

ESCGP-1 # ESX12-081-0122
 Applicant Name PVR NEPA Gas Gathering, LLC
 Contact Person Nicholas Bryan
 Address 100 Penn Tower, Suite 201-202, 25 W. Third Street
 City, State, Zip Williamsport, PA 17701

County Lycoming County
 Township(s) Franklin Township
 Receiving Stream(s) and Classification(s) UNT to German Run, UNT to Laurel Run (CWF/MF)

ESCGP-1 # ESX12-081-0115
 Applicant Name Atlas Resources, LLC
 Contact Person Carla Suszkowski
 Address 1000 Commerce Drive, Suite 400
 City, State, Zip Pittsburgh, PA 15275-1033
 County Lycoming County
 Township(s) Gamble Township
 Receiving Stream(s) and Classification(s) Joe Gray Run, UNT to Roaring Run (Both EV);
 Secondary: Wallis Run

ESCGP-1 # ESX12-115-0037 (01)
 Applicant Name Susquehanna Gathering Company 1, LLC
 Contact Person John Miller
 Address P. O. Box 839 1299 Oliver Road
 City, State, Zip New Milford, PA 18834
 County Susquehanna County
 Township(s) New Milford Township
 Receiving Stream(s) and Classification(s) UNT Meylert Creek, Meylert Creek, Meylert Creek Watershed;
 Secondary: Salt Lick Creek (HQ-CWF/MF)

ESCGP-1 # ESX12-131-0021
 Applicant Name Appalachia Midstream Services, LLC
 Contact Person Patrick Myers, Jr.
 Address 100 Ist Center
 City, State, Zip Horseheads, NY 14845
 County Wyoming County
 Township(s) Forkston, Mehoopany, North Branch and Windham Townships
 Receiving Stream(s) and Classification(s) Little Mehoopany Creek, Farr Hollow, Fox Hollow (CWF/MF)

ESCGP-1 # ESX12-015-0178
 Applicant Name PVR NEPA Gas Gathering, LLC
 Contact Person Nicholas Bryan
 Address 100 Penn Tower, Suite 201-202, 25 W. Third Street
 City, State, Zip Williamsport, PA 17701
 County Bradford County
 Township(s) Franklin Township
 Receiving Stream(s) and Classification(s) UNT to Towanda Creek (CWF, MF) Towanda Creek (CWF, TSF)

ESCGP-1 # ESX11-115-0174 (02)
 Applicant Name Kristy Flavin
 Contact Person 1605 Coraopolis Heights Road
 Address Moon Township, PA 15108-4310
 City, State, Zip Susquehanna County
 County Susquehanna County
 Township(s) Springville, Dimock, Bridgewater and Brooklyn Townships
 Receiving Stream(s) and Classification(s) Meshoppen, White and Stevens Creek/Upper Susquehanna—Tunkhannock Watershed (other)

ESCGP-1 # ESX12-015-0177
 Applicant Name Appalachia Midstream Services, LLC
 Contact Person Patrick Myers, Jr.
 Address 100 Ist Center
 City, State, Zip Horseheads, NY 14845
 County Bradford County
 Township(s) Wyalusing and Tuscarora Townships
 Receiving Stream(s) and Classification(s) Little Tuscarora Creek, Trib 29604 to Wyalusing Creek, Trib 29506 to Susquehanna River (All CWF/MF)

ESCGP-1 # ESX12-015-0159
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford County
 Township(s) Tuscarora Township
 Receiving Stream(s) and Classification(s) UNT to Fargo
 Creek; Fargo Creek (Other)

ESCGP-1 # ESX12-131-0023
 Applicant Name Appalachia Midstream Services, LLC
 Contact Person Patrick Myers, Jr.
 Address 100 Ist Center
 City, State, Zip Horseheads, NY 14845
 County Wyoming County
 Township(s) Meshoppen Township
 Receiving Stream(s) and Classification(s) Trib to 29358 to
 Meshoppen Creek, Meshoppen Creek (Both CWF/MF)

ESCGP-1 # ESX12-115-0176
 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) Herrick and Wyalusing Township
 Receiving Stream(s) and Classification(s) UNT to Rum-
 merfield Creek, UNT to Susquehanna River, UNT to
 Billings Creek, Brewer Creek (WWF/MF)

ESCGP-1 # ESX12-115-0155
 Applicant Name Williams Field Services Company, LLC
 Contact Person Scott Gregory
 Address 6 Wyoming Sand Lane
 City, State, Zip Tunkhannock, PA 18657
 County Susquehanna County
 Township(s) Bridgewater
 Receiving Stream(s) and Classification(s) UNT to Hop
 Bottom, UNT to Meshoppen Creek (Both CWF/MF);
 Secondary: Hope Bottom Creek, Meshoppen Creek

ESCGP-1 # ESG12-115-0061 (01)
 Applicant Name Susquehanna Gathering Company 1,
 LLC
 Contact Person John Miller
 Address P. O. Box 839 1299 Oliver Road
 City, State, Zip New Milford, PA 18834
 County Susquehanna County
 Township(s) New Milford Township
 Receiving Stream(s) and Classification(s) UNT to
 Wellman's Creek;
 Secondary: Wellman's Creek Trib to Salt Lake Creek
 (HQ-Other)

ESCGP-1 # ESX12-081-0120
 Applicant Name PVR Marcellus Gas Gathering, LLC
 Contact Person Nicholas Bryan
 Address 100 Penn Tower, Suite 201-202, 25 W. Third
 Street
 City, State, Zip Williamsport, PA 17701
 County Lycoming County
 Township(s) Cogan House Township
 Receiving Stream(s) and Classification(s) Larry's Creek,
 Trib 21101, Crayton Hollow Run (EV/MF) Hoagland
 Run (HQ-CWF/MF), Roaring Run (EV/MF)

ESCGP-1 # ESX12-131-0017
 Applicant Name PVR Marcellus Gas Gathering, LLC
 Contact Person Jeffrey Searfoss
 Address 100 Penn Tower, Suite 201-202, 25 W. Third
 Street
 City, State, Zip Williamsport, PA 17701
 County Wyoming County
 Township(s) Washington and Tunkhannock Townships
 Receiving Stream(s) and Classification(s) Taques Creek,
 UNT to Taques Creek and UNT to Susquehanna River;
 Secondary: Susquehanna River

*Northwest Region: Waterways and Wetlands Program
 Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

<i>ESCGP -1 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
1012803	Mountain Gathering LLC 810 Houston Street Fort Worth TX 76102	Butler	Clinton Township and Jefferson Township	Thorn Creek CWF
2512801	National Fuel Gas Corporation 1100 State Street PO Box 2081 Erie PA 16512	Butler	City of Corry	Hare Creek; Other

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

ESCGP-1 #ESG12-123-0019—Holly Lease
 Applicant Chestnut Oil, LLC
 Contact Mr. William Fehr
 Address 53 Anderson Lane
 City Clarendon State PA Zip Code 16313
 County Warren Township(s) Glade(s)
 Receiving Stream(s) and Classification(s) U.N.T. Glade
 Run—CWF, U.N.T. Allegheny River—CWF

ESCGP-1 #ESX12-083-0068—WT 2426 Unit 1409
 Applicant SWEPI LP
 Contact Mr. James Sewell
 Address 190 Thorn Hill Road
 City Warrendale State PA Zip Code 15086
 County McKean Township(s) Sergeant(s)

Receiving Stream(s) and Classification(s) Rocky Run /
 Clarion River Basin / Little Sicily Run

*Southwest Region: Oil & Gas Program Mgr. 400 Water-
 front Dr. Pittsburgh PA*

8/8/12
 ESCGP-1 No: ESX12-059-0040
 Applicant Name: APPALACHIA MIDSTREAM SERVICE
 LLC
 Contact Person MR ERIC N STEWART
 Address: 179 CHESAPEAKE DRIVE
 City: JANE LEW State: WV Zip Code: 26378
 County: GREENE Township: ALEPPO AND SPRING-
 HILL
 Receiving Stream (s) And Classifications: HARTS RUN
 AND UNT TO HARTS RUN—WWF; OTHER

7/16/12

ESCGP-1 No.: ESX12-059-0036

Applicant Name: VANTAGE ENERGY APPALACHIA LLC

Contact Person: MR NICK MONGELLUZZO

Address: 226 ELM DRIVE SUITE 102

City: WAYNESBURG State: PA Zip Code: 15370

County: GREENE Township(s): GILMORE

Receiving Stream(s) and Classifications: TAYLOR RUN (WWF), UNT TO GARRISON FORK, UNT TO PENNSYLVANIA FORK DUNKARD CREEK; OTHER

6/11/12

ESCGP-1 No.: ESX12-059-0031

Applicant Name: APPALACHIA MIDSTREAM SERVICES LLC

Contact Person: CHRIS FORINASH

Address: 179 CHESAPEAKE DRIVE

City: JANE LEW State: WV Zip Code: 26378

County: GREENE Township(s): CENTER

Receiving Stream(s) and Classifications: SEE APPENDIX A—RECEIVING WATERS; HQ; EXCEPTIONAL VALUE

6/22/12

ESCGP-1 No.: ESX12-059-0034

Applicant Name: PVR NEPA GAS GATHERING LLC

Contact Person: MR NICHOLAS J BRYAN

Address: 100 PENN TOWER SUITE 201 & 202 25 WEST THIRD ST

City: WILLIAMSPORT State: PA Zip Code: 17701

County: GREENE Township(s): CENTER

Receiving Stream(s) and Classifications: UNT TO PURSLEY CREEK / PURLSEY CREEK; HQ

7/25/12

ESCGP-1 No.: ESX11-051-0024 MAJOR REVISION

Applicant Name: LAUREL MOUNTAIN MIDSTREAM LLC

Contact Person: MR FRANK CANNETO

Address: 1605 CORAOPOLIS HEIGHTS ROAD

City: MOON TOWNSHIP State: PA Zip Code: 15108

COUNTY FAYETTE Township(s): GERMAN & NICHOLSON

Receiving Stream(s) and Classifications: UNT TO DUNLAP CREEK (WWF), UNT TO NORTH BRANCH BROWNS RUN (WWF), NORTH BRANCH BROWNS RUN (WWF), UNT's TO SOUTH BRANCH BROWNS RUNS (WWF), SOUTH BRANCH BROWNS RUN (WWF), UNT's TO JACOBS CREEK (WWF); OTHER

4/11/12

ESCGP-1 No.: ESG12-059-0002

Applicant Name: ALPHA SHALE RESOURCES

Contact Person: MR TOBY RICE

Address: PO BOX 1020 158 PORTAL ROAD

City: WAYNESBURG State: PA Zip Code: 15370

County: GREENE Township(s): CENTER

Receiving Stream(s) and Classifications: UNTs TO TURKEY HOLLOW (HQ-WWF), UNTs TO PURSLEY CREEK (HQ-WWF); TURKEY HOLLOW HQ-WWF); PURSLEY CREEK (HQ-WWF); UNTs TO MAPLE RUN (HQ-WWF); MAPLE RUN (HQ-WWF); WITHIN THE TENMILE CREEK WATERSHED; HQ; OTHER

7/30/12

ESCGP-1 No.: ESX12-059-0038

Applicant Name: CHESAPEAKE APPALACHIA LLC

Contact Person: MR ERIC W HASKINS

Address: 101 NORTH MAIN STREET

City: ATHENS State: PA Zip Code 18810

County: GREENE Township(s): SPRINGHILL

Receiving Stream(s) and Classifications: KNOB RUN-WWF, PENNSYLVANIA FORK FISH CREEK WWF; OTHER

7/20/12

ESCGP-1 No.: ESX12-125-0089

Applicant Name: MARKWEST LIBERTY MIDSTREAM & RESOURCES LLC

Contact Person: MR RICK LOWRY

Address: 601 TECHNOLOGY DRIVE SUITE 300

City: CANONSBURG State: PA Zip Code: 15317

County: WASHINGTON Township(s): BLAINE, DONEGAL & INDEPENDENCE

Receiving Stream(s) and Classifications: BRUSH RUN / WHEELING-BUFFALO CREEK; HQ

7/30/12

ESCGP-1 No.: ESX12-125-0087

Applicant Name: MARKWEST LIBERTY MIDSTREAM & RESOURCES LLC

Contact Person: MR RICK LOWRY

Address: 601 TECHNOLOGY DRIVE SUITE 300

City: CANONSBURG State: PA Zip Code: 15317

County: WASHINGTON Township(s): INDEPENDENCE

Receiving Stream(s) and Classifications: BRUSH RUN/WHEELING-BUFFALO CREEK; HQ

6/4/12

ESCGP-1 NO.: ESX12-125-0068

Applicant Name: MARKWEST LIBERTY MIDSTREAM & RESOURCES LLC

CONTACT PERSON: MR RICK LOWRY

ADDRESS: 824 MORGANZA ROAD

City: CANONSBURG State: PA Zip Code: 15317

County: WASHINGTON Township(s): AMWELL, NORTH FRANKLIN, SOUTH FRANKLIN

Receiving Stream(s) and Classifications: UNTs TO RESERVOIR #3 (HQ-WWF), UNTs TO RESERVOIR #4 (HQ-WWF), UNTs TO LITTLE TENMILE CREEK (TSF); HQ; OTHER

5/22/12

ESCGP-1 NO.: ESX12-005-0008

Applicant Name: CHEVRON APPALACHIA LLC

CONTACT: MR JEREMY HIRTZ

ADDRESS: 800 MOUNTAIN VIEW DRIVE

City: SMITHFIELD State: PA Zip Code: 15478

County: ARMSTRONG Township(s): SOUTH BEND

Receiving Stream(s) and Classifications: UNT TO BIG RUN (CWF) & UNT TO WHISKY RUN (CWF); OTHER

7/30/12

ESCGP-1 NO.: ESX11-059-0073 MAJOR REVISION

Applicant Name: LAUREL MOUNTAIN MIDSTREAM LLC

CONTACT: MR FRANK CANNETO

ADDRESS: 1605 CORAOPOLIS HEIGHTS ROAD

City: MOON TOWNSHIP State: PA Zip Code: 15108

County: GREENE Township(s): MORGAN

Receiving Stream(s) and Classifications: WISECARVER RUN (HQ-WWF), UNT TO WISECARVER RUN (HQ-WWF), TRIBUTARY 40495 TO WISECARVER RUN (HQ-WWF), PURMAN RUN (WWF), UNTs TO TRIBUTARY 40458 TO PURMAN RUN (WWF), GRIMES RUN (HQ-WWF), UNT TO GRIMES RUN (HQ-WWF) UNTs TO TRIBUTARY 40429 TO GRIMES RUN (HQ-WWF), RUFF CREEK (WWF), TRIBUTARY 40362 TO RUFF CREEK (WWF), TRIBUTARY 40363 TO RUFF CREEK (WWF), UNT TO TRIBUTARY 40362 TO RUFF CREEK (WWF), UNT TO TRIBUTARY 40363 TO RUFF CREEK (WWF), UNTs TO CASTILE RUN (WWF), PATTERSON RUN (TSF), TRIBUTARY 40811 TO PATTERSON RUN (TSF), UNTs TO TRIBUTARY

40811 TO PATTERSON RUN (TSF), UNTs TO PATTERSON RUN (TSF), TENMILE CREEK (TSF), UNT TO TENMILE CREEK (TSF), TRIBUTARY 40812 TO TENMILE CREEK (TSF), UNTs TO TRIBUTARY 40812 TO TEN MILE CREEK, UNT TO HORN RUN (TSF), UNT TO TRIBUTARY 40805 TO HORN RUN (TSF)/LOWER MONONGAHELA WATERSHED (HUC 05020005); HQ; OTHER

7/2/12

ESCGP-1 NO.: ESX09-059-0035 MAJOR REVISION
 Applicant Name: EQT GATHERING LLC
 CONTACT: MS HANNA E MCCOY
 ADDRESS: 625 LIBERTY AVENUE SUITE 1700
 City: PITTSBURGH State: PA Zip Code: 15222
 County: GREENE Township(s): CENTER AND MORRIS
 Receiving Stream(s) and Classifications: PATTERSON CREEK (HQ-WWF); HQ; OTHER

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 #: 015-22244-00-00
 Well Farm Name Marcucci Jones 4H
 Applicant Name: Southwestern Energy Production Co.
 Contact Person: John Nicholas
 Address: 2350 N. Sam Houston PKWY East, Suite 125, Houston, TX 77032
 County: Bradford
 Municipality Stevens 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: Le-Raysville, Tributary to the Wyalusing Creek

Well Permit #: 015-22262-00-00
 Well Farm Name Simplex BRA 2H
 Applicant Name: Chesapeake Appalachia, LLC.
 Contact Person: Eric Haskins
 Address: 101 North Main Street, Athens, PA 18810
 County: Bradford

Municipality Standing Stone 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: Wyalusing, Unnamed tributary of the Susquehanna River and the Susquehanna River

Well Permit #: 015-22261-00-00
 Well Farm Name Rosa Acres S BRA 2H
 Applicant Name: Chesapeake Appalachia LLC.
 Contact Person: Eric Haskins
 Address: 101 North Main Street, Athens, PA 18810
 County: Bradford

Municipality Warren 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: Little Meadows, Stream Cold Water Fishes (CWF)

Well Permit #: 131-20243-00-00
 Well Farm Name Cappucci N WYO 3H
 Applicant Name: Chesapeake Appalachia LLC
 Contact Person: Eric Haskins
 Address: 101 North Main Street, Athens, PA 18810
 County: Wyoming

Municipality Mehoopany Township:
 Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Meshoppen, Tributary to the Mehoopany Creek, a Cold Water Fishery/Migratory Fish

STORAGE TANKS

SITE-SPECTIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8762, Harrisburg, PA 17105-8762.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
12-25-003	Lake Erie Biofuels d/b/a Hero BX 1540 East Lake Road Erie, PA 16511 Attn: Scott Newell	Erie	City of Erie	3 ASTs storing non-petroleum oils and biodiesel	1,250,000 gallons total

[Pa.B. Doc. No. 12-1865. Filed for public inspection September 21, 2012, 9:00 a.m.]

Nutrient Credit Trading Program; Action

The Department of Environmental Protection (Department) provides notice of the following action under the Nutrient Credit Trading Program (Trading Program). This action was taken under 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed), published in 40 Pa.B. 5790 (October 9, 2010).

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

Persons aggrieved by an action may appeal, 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), 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, (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 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, 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.

For further information about this action or the Trading Program, contact Brian Schlauderer, Bureau of Point and Non-Point Source Regulation, Department of Environmental Protection, P. O. Box 8774, Harrisburg, PA 17105-8774, (717) 772-5620, bschlauderpa.gov or visit the Department's web site at www.dep.state.pa.us (DEP Keywords: "Nutrient Trading").

The following certification request has been approved by the Department. The approval of this request is considered a final action of the Department.

Entech Engineering on behalf of Lititz Sewer Authority (Lancaster County). This approval is applicable to nitrogen and phosphorus credits to be generated from the pollutant reduction activity of Lititz Sewer Authority's installed treatment Process. This approval includes a verification plan and authorizes the generation of: 18,354 nitrogen reduction credits for the 2012 Compliance Year; 2,179 phosphorus reduction credits for the 2012 Compliance Year; 18,268 nitrogen reduction credits for the 2013 Compliance Year; 2,175 phosphorus reduction credits for the 2013 Compliance Year; 17,979 nitrogen reduction credits for the 2014 Compliance Year; 2,164 phosphorus reduction credits for the 2014 Compliance Year; 17,889 nitrogen reduction credits for the 2015 Compliance Year; 2,161 phosphorus reduction credits for the 2015 Compliance Year; 17,680 nitrogen reduction credits for the 2016 Compliance Year; and 2,152 phosphorus reduction credits for the 2016 Compliance Year. This certification is valid until September 30, 2016, as long as the pollution reduction activities are implemented, maintained and verified under the terms and conditions contained in the certification. After September 30, 2016, credits for the pollution reduction activities may only be generated if renewal or recertification, which will be based on the program requirements in place on the date of the renewal or recertification submission, is obtained. Notice of the certification request was published for comment at 42 Pa.B. 5295 (August 11, 2012).

MICHAEL L. KRANCER,
Secretary

[Pa.B. Doc. No. 12-1866. Filed for public inspection September 21, 2012, 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):

Madlyn and Leonard Abramson Center for Jewish Life
1425 Horsham Road
North Wales, PA 19454
FAC ID 09130200

Wesbury United Methodist Community
31 North Park Avenue Extension
Meadville, PA 16335-9430
FAC ID 990902

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(h) (relating to bathing facilities):

Jameson Memorial Hospital Transitional Care Unit
1211 Wilmington Avenue
New Castle, PA 16105

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).

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

[Pa.B. Doc. No. 12-1867. Filed for public inspection September 21, 2012, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Current Prevailing Wage Act Debarments

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these contractors, or either one of them, or any firms, corporations or partnerships in which either one of these contractors has an interest, shall be awarded no contract for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Adelphia Fire Protection, Inc. and Edward Zimmerman, individually FEIN No. 20-0345194	HC1 1375 Switz-gable Road Broadheadsville, PA 18322	9/5/2012

JULIA K. HEARTHWAY,
Secretary

[Pa.B. Doc. No. 12-1868. Filed for public inspection September 21, 2012, 9:00 a.m.]

Current Prevailing Wage Act Debarments

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-1—165-17). This notice is published for the information and convenience of public

bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these contractors, or either one of them, or any firms, corporations or partnerships in which either one of these contractors has an interest, shall be awarded no contract for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Bushey and Son Drywall and Edward Bushey, individually	40 Fox Hollow Road Shermansdale, PA 17090	9/7/2012

JULIA K. HEARTHWAY,
Secretary

[Pa.B. Doc. No. 12-1869. Filed for public inspection September 21, 2012, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Disproportionate Share Hospital Payments

The Department of Public Welfare (Department) is announcing its intent to allocate funding for several classes of disproportionate share hospital (DSH) payments made to qualifying Medical Assistance (MA) enrolled acute care general hospitals.

Background

The Department intends to allocate funding for certain classes of DSH payments to qualifying acute care general hospitals for Fiscal Year (FY) 2012-2013. Specifically, these classes of payment include DSH payments to Critical Access and Qualifying Rural Hospitals, DSH payments for Obstetrical and Neonatal Intensive Care services, Trauma DSH payments, DSH payments to certain Burn Centers, DSH payments to hospitals providing Enhanced Access to Care, DSH payments to hospitals providing a high volume of acute care and psychiatric services, DSH payments to hospitals providing a high volume of services to MA and low income populations and DSH payments to certain Academic Medical Centers. The intended funding allocation for these classes of DSH payments will remain at the same levels as FY 2011-2012. There is no change in the current qualifying criteria or methodology for determining eligibility for these payments.

Funding Allocations

The funds for these DSH payments are allocated from the Commonwealth's FY 2012-2013 budget.

DSH Payments to Critical Access Hospitals and Qualifying Rural Hospitals

For FY 2012-2013, the Department intends to allocate \$8.915 million (\$4.076 million in State general funds and \$4.839 million in Federal funds upon approval by the Centers for Medicare and Medicaid Services (CMS)) for DSH payments to Critical Access and Qualifying Rural Hospitals. The Department does not intend to change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

DSH Payments to Qualifying Acute Care General Hospitals for Obstetrical and Neonatal Intensive Care Services

For FY 2012-2013, the Department intends to allocate \$8.051 million (\$3.681 million in State general funds and

\$4.370 million in Federal funds upon approval by the CMS) for DSH payments to Qualifying Hospitals providing obstetrical and neonatal intensive care services. The Department does not intend to change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

Trauma DSH Payments

For FY 2012-2013, the Department intends to allocate \$18.933 million (\$8.656 million in State general funds and \$10.277 million in Federal funds upon approval by the CMS) for Trauma DSH payments. The Department does not intend to change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

DSH Payments to Qualified Acute Care General Hospital Burn Centers

For FY 2012-2013, the Department intends to allocate \$8.272 million (\$3.782 million in State general funds and \$4.490 million in Federal funds upon approval by the CMS) for this DSH payment to Qualified Burn Centers. The Department does not intend to change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

DSH Payments to Qualifying Acute Care General Hospitals that Provide Enhanced Access to Multiple Types of Medical Care in Economically Distressed Areas of this Commonwealth

For FY 2012-2013, the Department intends to allocate \$15.993 million (\$7.312 million in State general funds and \$8.681 million in Federal funds upon approval by the CMS) for this DSH payment for qualified hospitals providing enhanced access in economically distressed areas. The Department does not intend to change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

DSH Payments to Qualifying Acute Care General Hospitals that Provide a High Volume of MA Acute Care and Psychiatric Services and Incur Significant and Uncompensated Care Costs

For FY 2012-2013, the Department intends to allocate \$1.640 million (\$0.750 million in State general funds and \$0.890 million in Federal funds upon approval by the CMS) for this DSH payment to qualified hospitals providing a high volume of MA acute care and psychiatric services.

The Department does not intend to change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

DSH Payments to Qualifying Acute Care General Hospitals that Provide a High Volume of Services to MA Eligible and Low-Income Populations

For FY 2012-2013, the Department intends to allocate \$1.733 million (\$0.792 million in State general funds and \$0.941 million in Federal funds upon approval by the CMS) for this DSH payment to qualified hospitals providing a high volume of services to MA and low income populations. The Department does not intend to change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

Payments to Certain Academic Medical Centers

For FY 2012-2013, the Department intends to allocate \$27.718 million (\$12.618 million in State general funds and \$15.100 million in Federal funds upon approval by

the CMS) for this payment to Academic Medical Centers. The Department does not intend to change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

Fiscal Impact

The FY 2012-2013 fiscal impact, as a result of these payments, is \$91.256 million (\$41.667 million in State general funds and \$49.588 million in Federal funds upon approval by the CMS).

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision to this notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5988 (voice users).

GARY D. ALEXANDER,
Secretary

Fiscal Note: 14-NOT-794. (1) General Fund;

(7) MA—Critical Access Hospitals; (2) Implementing Year 2012-13 is \$4,076,000; (3) 1st Succeeding Year 2013-14 through 5th Succeeding Year 2017-18 is \$0; (4) 2011-12 Program—\$3,218,000; 2010-11 Program—\$4,677,000; 2009-10 Program—\$4,378,000;

(7) MA—Obstetric and Neonatal Services; (2) Implementing Year 2012-13 is \$3,681,000; (3) 1st Succeeding Year 2013-14 through 5th Succeeding Year 2017-18 is \$0; (4) 2011-12 Program—\$3,313,000; 2010-11 Program—\$4,815,000; 2009-10 Program—\$4,500,000;

(7) Trauma Centers; (2) Implementing Year 2012-13 is \$8,656,000; (3) 1st Succeeding Year 2013-14 through 5th Succeeding Year 2017-18 is \$0; (4) 2011-12 Program—\$7,790,000; 2010-11 Program—\$11,322,000; 2009-10 Program—\$10,387,000;

(7) Hospital Based Burn Centers; (2) Implementing Year 2012-13 is \$3,782,000; (3) 1st Succeeding Year 2013-14 through 5th Succeeding Year 2017-18 is \$0; (4) 2011-12 Program—\$3,404,000; 2010-11 Program—\$4,946,000; 2009-10 Program—\$4,630,000;

(7) MA—State-Related Academic Medical Centers; (2) Implementing Year 2012-13 is \$12,618,000; (3) 1st Succeeding Year 2013-14 through 5th Succeeding Year 2017-18 is \$0; (4) 2011-12 Program—\$12,618,000; 2010-11 Program—\$18,871,000; 2009-10 Program—\$20,140,000;

(7) MA—Inpatient; (2) Implementing Year 2012-13 is \$8,854,000; (3) 1st Succeeding Year 2013-14 through 5th Succeeding Year 2017-18 is \$0; (4) 2011-12 Program—\$325,685,000; 2010-11 Program—\$243,809,000; 2009-10 Program—\$371,515,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 12-1870. Filed for public inspection September 21, 2012, 9:00 a.m.]

Disproportionate Share and Supplemental Hospital Payments

The Department of Public Welfare (Department) is announcing its intent to allocate funding for Fiscal Year (FY) 2012-2013 for several disproportionate share hospital (DSH) and supplemental hospital payments made to qualifying Medical Assistance (MA) enrolled hospitals.

Background

During FY 2010-2011, the Department implemented modifications to certain existing DSH and supplemental payments and established several new DSH and supplemental payments to hospitals using revenues from the Quality Care Assessment Account. Specifically, the Department modified its payment methodologies for inpatient DSH and outpatient DSH supplemental and Direct Medical Education (DME) payments. In addition the Department implemented a new class of DSH payments for small and sole community hospitals and new classes of supplemental payments consisting of MA Dependency payments, MA Rehabilitation adjustment payments, MA Stability payments and Enhanced payments to certain DSHs. The Department is announcing its intended funding allocations for the inpatient DSH and supplemental payment for FY 2012-2013.

Funding Allocations

The funds for these DSH and supplemental payments are allocated from the Commonwealth's FY 2012-2013 budget and the anticipated revenues from the Quality Care Assessment.

Inpatient DSH

For FY 2012-2013, the Department intends to allocate \$40.410 million in State general funds for inpatient DSH with the aggregate amount of inpatient DSH payments not to exceed \$88.769 million in total funds. This intended allocation maintains funding at the same level of funding for inpatient DSH payments as allocated in FYs 2010-2011 and 2011-2012. The Department does not intend to change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these DSH payments.

Outpatient Disproportionate Share Supplemental Payments

For FY 2012-2013, the Department intends to allocate \$27.489 million in State general funds for outpatient disproportionate share supplemental payments with the aggregate amount of outpatient disproportionate share supplemental payments not to exceed \$60.386 million in total funds. This intended allocation maintains funding for this payment at the same level of funding allocated to these payments for FYs 2010-2011 and 2011-2012. The Department does not intend to change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

DME Payments

For FY 2012-2013, the Department intends to allocate \$55.348 million in State general funds for DME payments with the aggregate amount of the DME payments not to exceed \$121.585 million in total funds. This intended allocation maintains DME funding at the same level of funding allocated to DME payments for FYs 2010-2011 and 2011-2012. The Department does not intend to change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these supplemental payments.

MA Stability Payments

For FY 2012-2013, the Department intends to allocate \$151.444 million (\$69.240 million in State general funds) for these supplemental payments. This intended allocation maintains funding for this payment at the same level of funding allocated to MA Stability payments for FYs 2010-2011 and 2011-2012. The Department does not intend to change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these supplemental payments.

MA Dependency Payments

For FY 2012-2013, the Department intends to allocate \$11.564 million (\$5.287 million in State general funds) for these supplemental payments. This intended allocation maintains funding for MA Dependency payments at the same level of funding allocated to these payments for FYs 2010-2011 and 2011-2012. The Department does not intend to change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these supplemental payments.

MA Rehabilitation Adjustment Payments

For FY 2012-2013, the Department intends to allocate \$18.619 million (\$8.513 million in State general funds) for these supplemental payments. This intended allocation maintains funding for this payment at the same level of funding allocated to the MA Rehabilitation Adjustment Payments for FYs 2010-2011 and 2011-2012. The Department does not intend to change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these supplemental payments.

DSH Payments to Small and Sole Community Hospitals

For FY 2012-2013, the Department intends to allocate \$58.893 million (\$26.926 million in State general funds) for these DSH payments. This intended allocation maintains funding for this payment at the same level of funding allocated to DSH payments to Small and Sole Community Hospitals for FYs 2010-2011 and 2011-2012. The Department does not intend to change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these DSH payments.

Enhanced Payments to Certain DSHs

For FY 2012-2013, the Department intends to allocate \$24.661 million (\$11.275 million in State general funds) for these supplemental payments. This intended allocation maintains funding for these enhanced payments at the same level of funding allocated for these payments for FYs 2010-2011 and 2011-2012. The Department does not intend to change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these supplemental payments.

Fiscal Impact

The FY 2012-2013 fiscal impact, as a result of these payments, is \$535.922 million (\$244.489 million in State general funds and \$291.433 million in Federal funds upon approval by the Centers for Medicare and Medicaid Services).

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision to this notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5988 (voice users).

GARY D. ALEXANDER,
Secretary

Fiscal Note: 14-NOT-793. (1) General Fund:

	MA—Inpatient	MA—Outpatient
(2) Implementing Year 2012-13 is	\$217,000,000	\$27,489,000
(3) 1st Succeeding Year 2013-14 is	\$0	\$0
2nd Succeeding Year 2014-15 is	\$0	\$0
3rd Succeeding Year 2015-16 is	\$0	\$0
4th Succeeding Year 2016-17 is	\$0	\$0
5th Succeeding Year 2017-18 is	\$0	\$0
(4) 2011-12 Program—	\$325,685,000	\$645,095,000
2010-11 Program—	\$243,809,000	\$467,929,000
2009-10 Program—	\$371,515,000	\$435,939,000

(7) MA—Inpatient and MA—Outpatient; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 12-1871. Filed for public inspection September 21, 2012, 9:00 a.m.]

Income and Resource Limits for a Spouse Living in the Community When the Other Spouse is Institutionalized or Receiving Home and Community Based Services

The Department of Public Welfare increased the income and resource limits described in 55 Pa. Code §§ 178.124(a)(3)(i) and (ii) and 181.452(d)(2)(ii) and (iv) (relating to resource eligibility for the institutionalized spouse; and posteligibility determination of income available from an MA eligible person toward the cost of care). These regulations establish the basis for determining the Community Spouse Monthly Maintenance Need Amount and the minimum and maximum Community Spouse Resource Standard for Categorically Needy Nonmoney Payment and Medically Needy Only Medical Assistance. These standards are required to be published annually in the *Pennsylvania Bulletin*, and are available to the public upon request at the local County Assistance Offices.

The following limits became effective January 1, 2012, as required by 42 U.S.C.A. § 1396r-5:

Maximum Community Spouse Resource Standard	\$113,640
Minimum Community Spouse Resource Standard	\$22,728
Maximum Monthly Maintenance Needs Allowance	\$2,841

The following limits became effective July 1, 2012, as required by 42 U.S.C.A. § 1396r-5:

Excess Monthly Shelter Standard	\$568.00
Minimum Monthly Maintenance Needs Allowance	\$1,892.00
Dependent Living with Community Spouse Allowance	\$1,892.00

Fiscal Impact

The fiscal impact of this change is estimated at \$6,828,660 in State funds in Fiscal Year 2012 and has been included in the Medical Assistance (MA) Long-Term Care appropriation.

Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding this information to the Department of Public Welfare, Office of Income Maintenance, Edward J. Zogby, Director, Bureau of Policy, Room 431, Health and Welfare Building, Harrisburg, PA 17120.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

GARY D. ALEXANDER,
Secretary

Fiscal Note: 14-NOT-789. (1) General Fund; (2) Implementing Year 2011-12 is \$3,414,000; (3) 1st Succeeding Year 2012-13 is \$6,829,000; 2nd Succeeding Year 2013-14 is \$6,829,000; 3rd Succeeding Year 2014-15 is \$6,829,000; 4th Succeeding Year 2015-16 is \$6,829,000; 5th Succeeding Year 2016-17 is \$6,829,000; (4) 2010-11 Program—\$728,907,000; 2009-10 Program—\$540,266,000; 2008-09 Program—\$672,597,000; (7) MA—Inpatient; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 12-1872. Filed for public inspection September 21, 2012, 9:00 a.m.]

Inpatient Hospital Services and Disproportionate Share and Supplemental Hospital Payments

The Department of Public Welfare (Department) is providing final notice of implementation of its revised Medical Assistance (MA) payment methodology for inpatient hospital services provided, on a fee-for-service (FFS) basis, in acute care general hospitals. Additionally, the Department is giving final notice of its amended qualifying criteria and payment methodology for inpatient disproportionate share hospital (DSH), outpatient DSH supplemental and direct medical education (DME) payments and allocated funding for Fiscal Year (FY) 2010-2011 for these payments. The Department is also providing final notice of the establishment of additional types of DSH and supplemental payments.

Background

The General Assembly enacted the act of July 9, 2010 (P. L. 336, No. 49) (Act 49). Among other things, Act 49 added Article VIII-G to the Public Welfare Code (62 P. S. §§ 801-G—816-G) authorizing the Department to impose a monetary assessment on the net operating revenue of certain Commonwealth licensed hospitals. Consistent with Act 49, the funds from the hospital assessment are to be used to update the MA FFS payment system for inpatient services, modify some existing DSH and supplemental payments and create several new DSH and supplemental payments for MA hospital providers.

Inpatient Hospital Services

The Department published notice of its intent to implement a revised MA payment methodology for inpatient hospital services provided on a FFS basis in acute care

general hospitals at 40 Pa.B. 3620 (June 26, 2010). The Department received no public comments during the 30-day comment period and implemented the changes as described in its notice of intent, with the exceptions of low cost outliers for FY 2010-2011, and observation rates.

For discharges prior to July 1, 2010, under its FFS Program, the Department paid for acute care inpatient hospital services under a prospective Diagnosis-Related Group (DRG) payment system. The Department computed a relative value for each DRG to reflect the relative costliness of that DRG. In addition, the Department established a DRG base payment rate for each hospital. To determine the DRG payment amount for an inpatient stay, the Department multiplied the hospital's DRG base payment rate by the relative value of the DRG into which the patient's stay had been classified. The DRG payment was considered to be payment in full unless the stay qualified as either a day or cost outlier, in which case the Department made an additional payment.

All Patient Related DRG Classification System

The DRG classification system used by the Department for claims prior to July 1, 2010, was developed and maintained by the United States Department of Health and Human Services (HHS). In 2007, HHS adopted a new classification system called Medicare Severity Diagnosis-Related Groups (MS-DRGs). Since the implementation of MS-DRGs, HHS has stopped maintaining and updating the DRG classification system.

The Department anticipated it would be increasingly difficult to maintain the current DRG classification system given that it is no longer supported by HHS. As a result, and in accordance with Act 49 and its intent notice, the Department uses the All Patient Related (APR) DRG system for the classification of inpatient stays for dates of discharge on or after July 1, 2010. The APR DRG system follows the basic DRG logic for classification of patients based on diagnoses, procedures performed, sex, age and discharge status. APR DRG uses four severity-of-illness levels within each DRG to evaluate the interactions of multiple complications, age, procedures and principal diagnosis. The APR DRG system was designed for use with all patient populations and reflects the cross-section of patients seen in an inpatient acute care setting.

Calculation of DRG Base Rates and Relative Values

In addition to implementing APR DRG payment methodology, the Department updated the relative values used in the APR DRG system, and modified the manner in which it determines a hospital's DRG base payment rate.

To determine a hospital's DRG base payment rate, the Department first determined a statewide average of MA FFS cost per discharge, standardized for case mix. In determining this Statewide average, the Department used the most currently available hospital cost and statistical data. After it determined the Statewide average cost, the Department adjusted this average to reflect hospital characteristics that may significantly impact the costs that a hospital incurs in delivering inpatient services. These adjustments took into account regional labor costs, teaching status, capital and MA dependency patient levels.

The Department announced its intent to establish an observation rate for hospital cases for which an inpatient admission is not medically necessary, but medical observation of a patient is required. The Department, however, did not establish observation rates due to the Commonwealth's budget constraints.

Outlier Payments

Prior to July 1, 2010, the Department recognized two categories of outlier cases for which it made payments in addition to DRG payments: day outliers for lengthy inpatient hospital stays; and cost outlier payments for expensive burn and neonatal inpatient stays.

The Department revised its outlier policies by eliminating day outlier payments and by authorizing cost outlier payments for all DRGs when certain conditions are met. These changes provide stop loss coverage for hospitals, making the Department's outlier policies more consistent with those of other health care payers and insurance carriers.

The Department now pays 100% of costs for an inpatient stay that exceeds a predetermined, universal cost outlier threshold for qualified burn, transplant and neonatal inpatient cases after considering the DRG base payment. For all other qualifying cases, the Department pays 80% of costs for an inpatient stay that exceeds a predetermined, universal cost outlier threshold, after considering the DRG base payment.

The Department announced its intent to implement low cost outliers for cases where the DRG payment exceeds the hospital's cost of providing treatment by a predetermined universal low cost outlier threshold.

Disproportionate Share and Supplemental Hospital Payments

The Department published notice of its intent to amend the qualifying criteria and payment methodology for inpatient DSH, outpatient DSH supplemental and DME payments; and to allocate funding for FY 2010-2011 for these payments. Additionally, the Department announced its intent to establish an additional class of DSH payments, two additional classes of supplemental payments for acute care general hospitals and a new supplemental payment for freestanding rehabilitation hospitals at 40 Pa.B. 5536 (September 25, 2010). The Department received no public comments during the 30-day comment period and implemented the changes as described in its notice of intent. Subsequent to CMS approval of its State Plan Amendment, the Department implemented modification to certain DSH and supplemental payments.

Changes to and Funding Allocation for DSH Payments Inpatient DSH Payments

As described in its intent notice, the Department is providing an additional way for a hospital to qualify for inpatient DSH payments. Specifically, the Department now makes inpatient DSH payments to an MA-enrolled acute care general hospital that meets the eligibility criteria in effect as of July 1, 2010, or the following criteria:

(1) The hospital is located in a county that is ranked above the 96th percentile for all counties in this Commonwealth as determined using data contained in the Department's December 2009 report of Unduplicated Number of Persons Eligible for MA by County based on either of the following:

- (i) The percentile rank of the county's percent of population eligible for MA.
- (ii) The percentile rank of the county's total number of persons eligible for MA.

(2) The hospital has a ratio of total MA acute inpatient days to total acute inpatient days which exceeds the average ratio of MA acute inpatient days to total hospital acute inpatient days of all hospitals within that county

based on data from the FY 2007-2008 MA hospital cost report (MA 336) available to the Department as of July 2010.

In addition to providing another way to qualify for inpatient DSH payments, the Department amended its method of calculating inpatient DSH payments for FYs 2010-2011, 2011-2012 and 2012-2013. Specifically, in calculating this payment:

(1) The Department used the FY 2007-2008 MA hospital cost report data available to the Department as of July 2010.

(2) For FY 2010-2011, a qualifying hospital's inpatient DSH payment amount is the higher of either of the following:

(i) The payment amount calculated under (1).

(ii) The inpatient DSH payment amount the hospital received for FY 2009-2010.

(3) For FY 2011-2012, unless a qualifying hospital meets the conditions specified in (5), the hospital's inpatient DSH payment amount will be the higher of either of the following:

(i) The payment amount calculated under (1).

(ii) The payment amount calculated under (1) plus one half of the difference between the inpatient DSH payment amount the hospital received for FY 2009-2010 and the payment amount calculated under (1), if the FY 2009-2010 payment amount is greater than the amount calculated under (1).

(4) For FY 2012-2013, unless a qualifying hospital meets the conditions specified in (5), the hospital's inpatient DSH payment amount will equal the payment amount calculated under (1).

(5) For FY 2011-2012 and FY 2012-2013, using the FY 2007-2008 MA hospital cost report available to the Department as of July 2010, if a qualifying acute care general hospital has a ratio of MA days to total days (FFS and managed care organization (MCO) days) that exceeds 40% as calculated by determining its ratio of Title XIX and General Assistance inpatient days to total inpatient days; and has greater than 20,000 MA days total (FFS and MCO days) as calculated by determining its ratio of Title XIX and General Assistance inpatient days to total inpatient days; and has a low income utilization rate that exceeds 40% as reported on its MA hospital cost report computation of low income utilization rate worksheet, the hospital's inpatient DSH payment will be the higher of either of the following:

(i) The payment amount calculated under (1).

(ii) The inpatient DSH payment amount the hospital received for FY 2009-2010.

For FY 2010-2011, the Department allocated \$42.372 million in State general funds for inpatient DSH with the aggregate amount of inpatient DSH payments not to exceed \$95.149 million in total funds, a portion of which is adjusted to reflect the reconciliation factor described in the State Plan.

New Small and Sole-Community Hospital DSH Payments

In addition to the intent public notice published at 40 Pa.B. 5536, the Department published an intent notice at 41 Pa.B. 3161 (June 18, 2011) and a final notice at 42 Pa.B. 1003 (February 18, 2012) modifying the approved State Plan for the small and sole community hospital DSH payment.

Under the current approved State Plan, the Department established an additional class of DSH payments for qualifying small hospitals and sole community hospitals participating in the MA Program that meet any one of the following criteria:

(1) As of July 1, 2010, the hospital meets the Medicare definition of a sole community hospital in 42 CFR 412.92 (relating to special treatment: sole community hospitals).

(2) As of July 1, 2010, the hospital only:

(i) Received a DSH payment for hospitals that incur significant uncompensated care costs or that experience a high volume of inpatient cases, the cost of which exceeds twice the hospital's average cost per stay for all patients as provided in page 21b of Attachment 4.19A of the State Plan; and/or

(ii) Is scheduled to receive a DSH payment for hospitals that qualify as a trauma center for FY 2008-2009 as provided in page 21c of Attachment 4.19A of the State Plan.

(3) The hospital has 150 set up/staffed hospital beds or less as reported on the hospital's FY 2007-2008 MA hospital cost report available to the Department as of July 2010 and is identified by the Department as experiencing an estimated annual loss of over \$1.0 million under the revised hospital payment system effective July 1, 2010.

Hospitals eligible for this DSH payment receive quarterly payments, adjusted to reflect the aggregate amount equal to the payment amount as follows:

(1) Hospitals that meet the criteria in previous (1) will receive a payment of \$200,000 annually.

(2) Hospitals that meet the criteria in previous (2) will receive a proportionate amount of the remaining funds allocated to this payment after reducing the allocated amount by payments made under (1) and (3) of this section. A hospital's proportionate amount is determined by dividing the qualifying hospital's calculated DSH OBRA 1993 limit by the total calculated DSH OBRA 1993 limits for all hospitals meeting the criteria for previous (2). For purposes of this calculation, the hospital's DSH OBRA 1993 limit will be calculated using FY 2007-2008 MA cost report data available to the Department as of July 2010 as reduced by all MA payments the Department calculated the hospital to receive as of September 30, 2010.

(3) Hospitals that meet the criteria in previous (3) will receive a payment equal to 40% of the hospital's calculated DSH OBRA 1993 limit (as estimated using the FY 2007-2008 MA cost report data available to the Department as of July 2010) as reduced by all MA payments the Department calculated the hospital to receive as of September 30, 2010.

(4) Hospitals that meet the criteria in both (1) and (2) or in both (1) and (3) of the eligibility criteria will receive the sum of those two payment amounts.

For FY 2010-2011, the Department allocated \$58.893 million (\$26.125 million in State general funds) for this additional class of DSH payments, adjusted to reflect the reconciliation factor described in the State Plan.

Changes to Hospital Supplemental Payments

Enhanced Payments to Certain DSHs

In its intent notice, the Department described certain changes to its outpatient DSH supplemental payment; the Department did not implement the described changes, but

rather established a new type of supplemental payment, known as Enhanced Payments to Certain DSHs. In establishing this supplemental payment, the Department used the changes to the qualifying criteria and payment methodology for outpatient DSH supplemental payment, announced in its September 25, 2010, notice.

The Department makes a supplemental enhanced payment to MA acute care general hospitals that:

- (1) Qualify for inpatient DSH payments.
- (2) Have a FY 2007-2008 MA hospital cost reports available to the Department as of July 2010.
- (3) Have a percentage of MA FFS and managed care outpatient charges to total hospital outpatient charges greater than the Statewide average percentage of charges as determined using data from all FY 2007-2008 MA acute care general hospital cost reports available to the Department as of July 2010.
- (4) Do not receive an enhanced payment under page 4 of Attachment 4.19B of the State Plan.

The Department calculates the enhanced payment amounts as follows:

- (1) The Department identifies all MA acute care hospitals that meet the conditions specified in previous (1)—(3).
- (2) For each identified hospital, the Department determines the ratio of the hospital's MA FFS and managed care outpatient revenue to the total MA outpatient revenue for all identified hospitals.
- (3) The Department then multiplies each identified hospital's ratio by the sum of the outpatient FFS supplemental payments for FY 2008-2009 that were made to hospitals which were in operation as of July 1, 2010.

For FY 2010-2011, the Department allocated an annualized amount of \$24.661 million (\$9.170 million in State general funds) for this enhanced payment, adjusted to reflect the reconciliation factor described in the State Plan.

Outpatient DSH Supplemental Payment

For FY 2010-2011, the Department allocated \$23.075 million in State general funds for outpatient supplemental payments to certain DSHs with the aggregate amount of outpatient supplemental payments to certain DSHs not to exceed \$65.028 million in total funds.

Modification to DME Payments

Prior to July 1, 2010, the Department only made DME payments to MA acute care general hospitals with DME costs allowable under Medicare cost principles in effect as of June 30, 1985. The Department changed its qualifying criteria for DME payments which allows additional hospitals with DME costs to qualify for these payments. In addition, the Department adopted a new payment methodology for DME payments.

The Department reimburses hospitals having DME costs a percentage of their total MA DME costs. The Department adds the hospital's MA FFS DME costs as reported on the hospital's FY 2007-2008 MA cost report available to the Department as of July 2010 to the hospital's estimated MA managed care DME costs. To estimate the hospital's MA managed care DME costs, the Department calculates the ratio of the hospital's MA FFS acute care days to MA managed care acute care days and applies this ratio to the MA FFS DME costs. The hospital's payment amount is equal to 75% of the hospital's total MA DME costs.

For hospitals that received DME payments in FY 2008-2009, the Department implemented a 3-year phase-in for the new payment methodology.

For FY 2010-2011, hospitals that received DME payments in FY 2008-2009 received the greater of the payment which the hospital would receive under the payment methodology in effect as of June 30, 2009; or the payment which the hospital would receive under the new payment methodology. Eligible hospitals that did not receive DME payments in FY 2008-2009 received DME payments using the new payment methodology.

For FY 2011-2012, all eligible hospitals receive a DME payment based on the new payment methodology. If a hospital received DME payments in FY 2008-2009 and receives a DME payment under the new payment methodology that is lower than the payment amount the hospital would have received under the payment methodology in effect as of June 30, 2009, the hospital's DME payment is increased by an amount equal to half the difference between the payment the hospital would have received under the June 30, 2009, payment methodology and the hospital's new DME payment amount.

For FY 2012-2013, all eligible hospitals receive DME payments determined under the new payment methodology.

For FY 2010-2011, the Department allocated \$45.405 million in State general funds for DME payments with the aggregate amount of DME payments not to exceed \$125.950 million in total funds.

New MA Stability Payments

To ensure a smooth transition to the new MA FFS payment system, the Department established supplemental payments for all acute care general hospitals enrolled in the MA Program as of July 1, 2010, that have submitted a FY 2007-2008 MA hospital cost report to the Department as of July 2010. These payments are calculated as follows:

The Department determines a per diem amount by dividing all Commonwealth MA FFS days for all eligible hospitals into the amount allocated for these payments. Each qualifying hospital's annual payment amount is equal to this per diem amount, multiplied by the hospital's Commonwealth MA FFS days, using the FY 2007-2008 MA cost report data available to the Department as of July 2010. The Department distributes quarterly payments to qualifying hospitals, adjusted to reflect the total amount allocated for this payment.

For FY 2010-2011, the Department allocated \$151.444 million (\$59.031 million in State general funds) for these supplemental payments adjusted to reflect the reconciliation factor described in the State Plan.

New MA Dependency Payments

The Department established supplemental payments for acute care general hospitals that are highly dependent upon MA Program payment for their financial stability, and have a reduced ability to offset the costs with revenue from private insurers and other sources.

To qualify for these supplemental payments, an acute care general hospital must provide at least 50,000 FFS and managed care acute care days of inpatient care to Commonwealth MA recipients as identified in the hospital's FY 2007-2008 MA cost report data available to the Department as of July 2010.

The Department determines a qualifying hospital's annual payment amount by multiplying the number of

the hospital's Commonwealth MA FFS acute care inpatient days, as identified in the FY 2007-2008 MA cost report data available to the Department as of July 2010, by \$230. The Department distributes quarterly payments to qualifying hospitals, adjusted to reflect the total amount allocated for this payment.

For FY 2010-2011, the Department allocated \$11.564 million (\$4.300 million in State general funds) for these supplemental payments adjusted to reflect the reconciliation factor described in the State Plan.

New MA Rehabilitation Adjustment Payments

After publication of the intent notice at 40 Pa.B. 5536, an intent notice published at 41 Pa.B. 3161 and a final notice published at 42 Pa.B. 1003 modified the payment distribution methodology originally proposed and subsequently approved by CMS.

As announced in its intent notice, the Department established a supplemental payment to freestanding rehabilitation hospitals enrolled in the MA Program as an inpatient rehabilitation hospital provider as of July 1, 2010.

Under its currently approved State Plan, the Department calculates an annual payment amount for qualifying freestanding rehabilitation hospitals equal to 116% of the total inpatient FFS MA amount paid to the hospital as reported in its FY 2007-2008 MA cost report data available to the Department as of July 2010. The Department distributes quarterly payments to qualifying hospitals, adjusted to reflect the total amount allocated payment. The Department may adjust this payment amount to reflect available funding.

For FY 2010-2011, the Department allocated \$18.619 million (\$6.923 million in State general funds) for these supplemental payments adjusted to reflect the reconciliation factor described in the State Plan.

Fiscal Impact

The FY 2010-2011 impact is \$803.049 million (\$313.635 million in State general funds). The increase to State fund costs associated with the changes outlined in this notice are offset by the hospital assessment revenue.

GARY D. ALEXANDER,
Secretary

Fiscal Note: 14-NOT-790. (1) General Fund:

	<i>MA—Inpatient</i>	<i>MA—Outpatient</i>
(2) Implementing Year 2010-11 is	\$290,560,000	\$23,075,000
(3) 1st Succeeding Year 2011-12 is	\$0	\$0
2nd Succeeding Year 2012-13 is	\$0	\$0
3rd Succeeding Year 2013-14 is	\$0	\$0
4th Succeeding Year 2014-15 is	\$0	\$0
5th Succeeding Year 2015-16 is	\$0	\$0
(4) 2009-10 Program—	\$371,515,000	\$435,939,000
2008-09 Program—	\$426,822,000	\$555,085,000
2007-08 Program—	\$468,589,000	\$593,992,000
(7) MA—Inpatient and MA—Outpatient; (8) recommends adoption. Funds have been included in the budget to cover this increase.		

[Pa.B. Doc. No. 12-1873. Filed for public inspection September 21, 2012, 9:00 a.m.]

Payments for Burn Center Services

The Department of Public Welfare (Department) is providing final notice of a decrease to the funding allocation for Fiscal Year (FY) 2011-2012 disproportionate share hospital (DSH) payments to certain qualifying Medical Assistance acute care general hospital burn centers. This decrease in funding is required to be consistent with the FY 2011-2012 appropriated amount for inpatient hospital services. There is no change in the current qualifying criteria or methodology for determining eligibility for these payments.

The Department published notice of its intent to decrease the funding allocation for these DSH payments to qualifying hospitals at 42 Pa.B. 2111 (April 14, 2012). The Department received no public comments during the 30-day comment period and will implement the changes described in its notice of intent.

Fiscal Impact

The FY 2011-2012 fiscal impact, as a result of this change to this class of DSH payments, is \$7.576 million (\$3.404 million in State general funds and \$4.172 million in Federal funds).

GARY D. ALEXANDER,
Secretary

Fiscal Note: 14-NOT-792. (1) General Fund; (2) Implementing Year 2011-12 is \$3,404,000; 1st Succeeding Year 2012-13 is \$0; 2nd Succeeding Year 2013-14 is \$0; 3rd Succeeding Year 2014-15 is \$0; 4th Succeeding Year 2015-16 is \$0; 5th Succeeding Year 2016-17 is \$0; (4) 2010-11 Program—\$4,946,000; 2009-10 Program—\$4,630,000; 2008-09 Program—\$5,170,000; (7) Hospital Based Burn Centers; (8) recommends adoption. Funds have been included in the budget to cover these payments.

[Pa.B. Doc. No. 12-1874. Filed for public inspection September 21, 2012, 9:00 a.m.]

Trauma Disproportionate Share Payments

The Department of Public Welfare (Department) is providing final notice of a decrease to the funding allocation for Fiscal Year (FY) 2011-2012 disproportionate share hospital (DSH) payments to hospitals that qualify as trauma centers for the purpose of improving access to readily available and coordinated trauma care for the citizens of this Commonwealth. This decrease in funding is required to be consistent with the Fiscal Year 2011-2012 amount appropriated for this DSH payment. There is no change in the current qualifying criteria or methodology for determining eligibility for these payments.

The Department published notice of its intent to decrease the funding allocation for these DSH payments to qualifying hospitals at 42 Pa.B. 1932 (April 7, 2012). The Department received no public comments during the 30-day comment period and will implement the change described in its notice of intent.

Fiscal Impact

The FY 2011-2012 fiscal impact, as a result of this additional class of DSH payments, is \$17.338 million (\$7.790 million in State general funds and \$9.548 in Federal funds).

GARY D. ALEXANDER,
Secretary

Fiscal Note: 14-NOT-791. (1) General Fund; (2) Implementing Year 2011-12 is \$7,790,000; (3) 1st Succeeding Year 2012-13 is \$0; 2nd Succeeding Year 2013-14 is \$0; 3rd Succeeding Year 2014-15 is \$0; 4th Succeeding Year 2015-16 is \$0; 5th Succeeding Year 2016-17 is \$0; (4) 2010-11 Program—\$11,322,000; 2009-10 Program—

\$10,387,000; 2008-09 Program—\$11,597,000; (7) Trauma Centers; (8) recommends adoption. Funds have been included in the budget to cover these payments.

[Pa.B. Doc. No. 12-1875. Filed for public inspection September 21, 2012, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
12-91	Department of Labor and Industry Prohibition of Excessive Overtime in Health Care Act Regulations 42 Pa.B. 4468 (July 14, 2012)	7/16/12	9/12/12

Department of Labor and Industry Regulation #12-91 (IRRC #2957)

Prohibition of Excessive Overtime in Health Care Act Regulations

September 12, 2012

We submit for your consideration the following comments on the proposed rulemaking published in the July 14, 2012 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b) (RRA). Section 5.1(a) of the RRA (71 P. S. § 745.5a(a)) directs the Department of Labor and Industry (Department) to respond to all comments received from us or any other source.

1. Determination of whether the regulation is in the public interest; Fiscal impact; Feasibility and reasonableness of the regulation; Implementation procedures.

Preamble and the Regulatory Analysis Form (RAF)

Section 5.2 of the RRA directs the Independent Regulatory Review Commission (IRRC) to determine whether a regulation is in the public interest. 71 P. S. § 745.5b. When making this determination, IRRC considers criteria such as feasibility and reasonableness of the regulation. To make that determination, IRRC must analyze the text of the Preamble and proposed regulation and the reasons for the new or amended language. IRRC also considers the information a promulgating agency is required to provide in the RAF pursuant to Section 5(a) of the RRA. 71 P. S. § 745.5(a).

This regulation implements the Prohibition of Excessive Overtime in Health Care Act (Act). 43 P. S. §§ 932.1 et. seq. According to Section 225.1, the purpose of the regulation is to establish complaint and investigation procedures for alleged violations of the Act, as well as administrative penalty provisions for violations of the Act. The Preamble and the information in the RAF do not explain why the Department is choosing to implement the administrative procedures portion of the Act only. Com-

mentators point out that the regulation does not address the Act's prohibition of retaliation. The Department does not provide an explanation this omission. The Department also fails to explain why the regulation does not address the Act's general prohibition of mandatory overtime.

In addition, the Preamble and the RAF do not address why certain administrative and judicial processes in the regulation are appropriate. For example, the Department does not explain why the aggrieved employee does not have a right to a hearing to contest an adverse administrative decision.

Without a detailed description of these issues, it is difficult to determine whether the requirements in the rulemaking are reasonable or feasible.

In the final-form regulation submittal, the Preamble and the RAF should include a more detailed description of the basis for the amendments proposed in each section of the regulation. We will review the Department's response as part of our determination of whether the final-form regulation is in the public interest.

Fiscal impact

According to the Preamble, the Department anticipates costs associated with implementation of this regulation. However, the Department states that it "does not have adequate experience with complaints, violations and appeals to make any estimate of costs" (RAF #14, 15) and as a result, the RAF provides no estimate for the fiscal savings and costs (RAF #17). A fiscal impact analysis is required under the RRA. 71 P. S. § 745.5b(b)(1). Given that the Department has been enforcing the Act since July 2009, we recommend it use this experience to estimate the costs of implementing the regulation. We further recommend that the Department include the results of the fiscal impact analysis in the final-form RAF and Preamble.

Recommendation for an Advanced Notice of Final-Form Rulemaking

According to the RAF (RAF #19), in 2009 the Department held a public stakeholders meeting and several organizations presented testimony and submitted comments. The Department also reviewed this proposed rulemaking with the Commonwealth agencies affected.

We commend the Department for providing these stakeholders with an advanced opportunity to comment on the issues relating to the proposed regulation. We strongly encourage the Department to continue this dialogue as it develops the final-form regulation. Additionally, we recommend that the Department publish an Advanced Notice of Final Rulemaking to allow the opportunity to review and resolve any remaining issues prior to submission of a final-form regulation.

2. Legislative comments.

On September 6, 2012, Representative William F. Keller, Democratic Chairman of the House Labor and Industry Committee, submitted comments on behalf of the Committee's Democratic members that address the following:

- Employees must be provided adequate time to file or correct complaint forms, and obstacles to completing complaint forms must be avoided.
- Criteria for assessing penalties for violations should largely focus on aggravating factors and severity of violations.
- Complainants must receive notices of administrative decisions, penalties, or other enforcement actions related to their complaints.
- Determinations where no violation is found should include statements of the reason or the applicable exception under the Act.
- Complainants must have an opportunity to appeal an adverse decision, similar to the appeal process provided to employers by the proposed regulations.
- The hearing process must guarantee claimants the opportunity to participate and ensure that the burden of proof is carried by the appropriate party.
- The regulations do not address several items, including: investigative powers of the Bureau and targeted timeframes for investigations and determinations; the inclusion of an employee's representative throughout the complaint and enforcement process; complainants' protections from retaliation and related penalties; and enforcement of the Act against other state agencies.

These comments also include an extensive list of concerns pertaining to enforcement of the Act and the proposed regulation.

We will review the Department's responses to all of these issues in our determination of whether the final-form regulation is in the public interest.

3. Section 225.1.—Purpose and scope.—Consistency with the statute; Clarity.

This section states that this proposed chapter implements “the complaint and investigation procedures *in the act* . . .” (Emphasis added.) However, the Act does not appear to directly reference complaints and investigations. Therefore, the Department should explain what statutory provisions it is referring to and cross-reference those provisions in the final-form regulation.

4. Section 225.2.—Definitions.—Consistency with the statute; Reasonableness; Clarity.

Employer

According to the regulation, in addition to being a health care facility, an employer can be the “Commonwealth, a political subdivision or an instrumentality of the Commonwealth engaged in *direct patient care activities* or clinically-related services.” (Emphasis added.) However, under the Act, a health care facility only provides “clinically-related health services.” See 43 P.S. § 932.2. The Department should explain under what circumstances would employers, other than a health care facility, be engaged in “direct patient care activities.”

Commentators suggest that the word “health” be added to the phrase “clinically-related services.” The Act references “clinically-related *health* services.” See 43 P.S. § 932.2. (Emphasis added.) Therefore, to maintain consistency with the statute, we recommend that the word “health” be added to the final-form regulation.

5. Section 225.3.—Complaint and investigation procedure.—Reasonableness; Need; Implementation procedures; Clarity.

Subsection (b)

Subsection (b) establishes a 60-day deadline for aggrieved employees to file a complaint against the health care facility for an alleged violation of the Act. We address three areas of concern.

First, commentators object to this deadline and argue that it does not provide the employee with enough time to bring forth a grievance. The Department should explain why this 60-day deadline is reasonable.

Second, this subsection states that “an aggrieved employee who believes there is a violation of this act against him *by a health care facility* . . .” (Emphasis added) may file a complaint with the Department. However, under Subsections (a), (d), (e) and (f), the Bureau is responsible for processing complaints. Therefore, we recommend that the final-form regulation replace the term “Department” with “Bureau.” In addition, Sections 225.4, 225.5, 225.6, 225.7, and 225.8 all reference violations by “the health care facility or employer.” To maintain consistency between sections, the Department should add “or employer” to Subsection (b) in the final-form regulation.

Finally, Subsection (b) does not include timeframes within which the Bureau will investigate complaints. The Department should explain why such timeframes are not set forth in the regulation.

Subsection (c)

Subsection (c) lists the necessary information an aggrieved employee must include in a complaint. Subsection (c)(3) requires a complaint to contain a statement of facts forming the basis for or conclusion that there has been “a” violation of the Act. Commentators indicate that this provision would require employees to file multiple complaints for every violation alleged against a health care facility or employer. The Department should clarify whether a single complaint can include multiple violations.

Subsection (c)(4) requires the aggrieved employee to provide the names of “witnesses” in the complaint. However, the term “witness” is not defined in the regulation. Furthermore, it is unclear what role a witness would have in the complaint proceeding once identified by the aggrieved employee. Is a witness limited to answering questions on the complaint, or would a witness testify at

an administrative hearing? We recommend the Department define and clarify the term “witness.”

Additionally, commentators raise the concern that the inclusion of the names of witnesses in the complaint will impact employees’ willingness to report violations of the Act by the health care facility or employer. Public commentators suggest that witness names be provided confidentially to the investigator after the complaint is filed. We recommend that the Department explain the reason for including the identities of witnesses in the initial complaint.

Subsection (f)

This subsection establishes procedures for an aggrieved employee to correct a deficient complaint. However, the regulation does not specify the timeframe within which the Bureau will review complaints. We recommend that the final-form regulation include the timeframe for the Bureau to conduct an initial review to assess whether the complaint meets the requirements of Subsection (c).

Should the complaint fail to meet the requirements of Subsection (c), Subsection (f) also states that the Bureau will send a letter to the aggrieved employee to amend their deficient complaint within 15 days of the letter. We question whether 15 days provides an aggrieved employee with sufficient time to amend the complaint. The Department should explain how this timeframe is reasonable.

Finally, Subsection (f) requires the Bureau to notify the aggrieved employee if the deficiencies in the complaint result in its dismissal. We recommend that the final-form regulation state that the Bureau will provide the employee with the specific reasons why the complaint fails to conform with the requirements of Subsection (c).

6. Section 225.4.—Administrative penalties.—Consistency with the statute; Reasonableness; Implementation procedures; Clarity.

Subsection (a)

Subsection (a) addresses the administrative penalties the Department can impose for violations of the Act. We raise three issues.

First, Subsection (a)(1) states that a “violation” is comprised of “each discrete time that a health care facility or employer does not comply with the act or this chapter.” Section 225.4 is not the first time this term is used in the regulation, as it appears in Section 225.3 and is used throughout the regulation. To improve clarity, we recommend that the Department move the part of this subsection that defines “violation” to Section 225.2 of the final-form regulation.

Second, in Subsection (a)(1), what does the Department mean by each “discrete time” a health-care facility or employer does not comply with the Act? The final-form regulation should define or further clarify this term.

Finally, Subsection (a)(2) lists actions that may be ordered by the Department as part of the penalties imposed on the health care facility or employer, including the issuance of “nonretaliation orders.” The Department should define “nonretaliation orders” in the final-form regulation. Commentators also recommend that the regulation include retaliation provisions similar to those contained in the Act. See 43 P. S. § 932.3(b). We agree and

recommend that the final-form regulation either include a definitive prohibition against retaliation or contain a cross-reference to the Act.

Subsection (b)

Subsection (b) lists the factors on which the Department will base the imposition of administrative penalties on a health care facility or employer. We raise four issues.

First, the Department should explain why these factors establish an appropriate basis for imposing penalties.

Second, Subsection (b)(1) states that the Department will take into consideration the “number of employees of the health care facility.” Because an employer could own multiple sites, the Department should clarify whether this number amounts to those employees who were onsite where the violation occurred or whether it includes the total number of persons employed by the health care facility.

Third, Subsection (b)(2) allows the Department to consider the number of assessed violations in a preceding 12-month period. The Department should provide an explanation for why the 12-month period is appropriate.

Finally, Subsections (b)(1) and (2) make no references to the “employer.” To be consistent with other sections, we recommend that both these subsections include the phrase “health care facility or employer” in the final-form regulation.

7. Section 225.5.—Administrative notice of violation and proposed penalty.—Reasonableness; Implementation procedures; Clarity.

This section pertains to the issuance of an administrative decision and penalties once the Bureau determines whether a violation has occurred. We raise three issues.

First, in Subsection (b), the Department should explain why the Bureau serves a copy of the administrative decision on the health care facility or employer, but not on the aggrieved employee who filed the initial complaint.

Second, Subsection (d) pertains to requests for reduction in the penalty amount. The Department should explain the basis for the 10-day timeframe within which the Bureau will act on a request for reduction of a penalty.

Finally, Subsection (e) states that once the Bureau concludes that a violation did not occur, the Bureau will provide written notice to the complainant that the investigation has been closed. We recommend that the final-form regulation state that the written notice will contain the findings that are the basis for closing the investigation.

8. Section 225.6.—Contesting an administrative decision and proposed penalty.—Reasonableness; Need; Implementation procedures; Clarity.

This section permits the health care facility or employer to contest the administrative decision and proposed penalty. As a result, it is unclear what recourse is available to aggrieved employees who receive an unfavorable decision on their complaint. The Department should provide a clear justification for why the regulation does not afford the aggrieved employee the same opportunity as the health care facility or employer to contest an administrative decision and proposed penalty.

9. Section 225.7.—Hearing—Consistency with the statute; Reasonableness; Need; Implementation procedures; Clarity.

This section explains the procedures necessary for conducting hearings on contested administrative decisions. We raise four issues.

First, Subsection (a) provides that the parties receive “reasonable notice” of the hearing date, time, and place. The Department should establish how much time constitutes “reasonable notice.” The Department should also specify what forms of communication (i.e., telephone, correspondence, e-mail) provide “reasonable notice” to the parties.

Second, in Subsection (b), the Department expects the hearing “will be conducted in a manner to provide parties the opportunity to be heard.” The final-form regulation should establish more specific hearing procedures. In addition, the Department should clarify what it considers “reasonable examination and cross-examination” of witnesses.

Third, Subsection (c) permits parties to be represented by legal counsel, but states that “legal representation” is not required. Commentators also suggest that union representatives should be permitted to represent aggrieved union employees at these hearings. Has the Department considered this option? We recommend that the final-form regulation define the term “legal representation.”

Finally, Subsection (f) allows the Bureau and the health care facility or employer to be the parties at the hearing. Commentators object to the omission of aggrieved employees as parties in the hearing, and argue this omission violates their due process rights. Representative Keller suggests that the aggrieved employee “should be notified of hearings as well as guaranteed the opportunity to participate.” The Department should explain why an

aggrieved employee is not a party in hearings on these matters. As part of this explanation, the Department should establish how it can reconcile excluding the aggrieved employee from participating in the hearing with affording the employee the opportunity to be heard on any adverse issues pertaining to the complaint.

10. Section 225.8.—Petition to intervene.—Reasonableness; Need; Implementation procedures; Clarity.

This section explains the process to petition for intervention in a hearing. Commentators assert that the regulation should include certain intervention provisions already contained in the General Rules of Administrative Practice and Procedure (GRAPP). See 1 Pa. Code §§ 35.28(a)(2) and (a)(3). Unlike Section 225.7, this section makes no reference to GRAPP. The Department should explain the reason these rules do not apply to the regulation’s intervention process. The Department should also explain why the provisions suggested by commentators should not be included in the final-form regulation.

11. Section 225.10.—Appeal rights.—Reasonableness; Need; Clarity.

This section states that a “party” aggrieved by an adjudication may appeal to Commonwealth Court. The Department should explain why aggrieved interveners are not afforded the right to appeal. This section also states that an appeal may be filed within 30 days “as prescribed by law or rule of court.” This phrase is vague and the final-form regulation should cross-reference the relevant law or rule of court that establishes this 30-day requirement.

SILVAN B. LUTKEWITTE,
Chairperson

[Pa.B. Doc. No. 12-1876. Filed for public inspection September 21, 2012, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained from www.irrc.state.pa.us.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-48	Bureau of Professional and Occupational Affairs Schedule of Civil Penalties—Accounting	9/12/12	10/18/12

SILVAN B. LUTKEWITTE,
Chairperson

[Pa.B. Doc. No. 12-1877. Filed for public inspection September 21, 2012, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Acquire Control of Coventry Health Care of Pennsylvania, Inc., HealthAssurance Pennsylvania, Inc. and HealthAmerica Pennsylvania, Inc.

Aetna, Inc. has filed an application to acquire control of Coventry Health Care of Pennsylvania, Inc., a Pennsylvania domiciled health maintenance organization (HMO), HealthAssurance Pennsylvania, Inc., a Pennsylvania domiciled risk assuming preferred provider that is not a

licensed insurance company, and HealthAmerica Pennsylvania, Inc., a Pennsylvania domiciled HMO. The filing was made under Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413).

Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 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 and relevant facts

to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or rbrackbill@pa.gov.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 12-1878. Filed for public inspection September 21, 2012, 9:00 a.m.]

Independence Blue Cross Filing 8-P-12; Request for Approval to Increase Rates for the Non-Group Special Care Hospital Program; Rate Filing

Independence Blue Cross is requesting a 9.9% increase for the Non-Group Special Care Hospital Program that will affect 7,000 contracts and generate an additional \$83,000 per month in premium. The requested effective date of the change is January 1, 2013.

Unless formal administrative action is taken prior to December 6, 2012, 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. Under the tab "How to Find . . ." click on the link "PA Bulletin."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 12-1879. Filed for public inspection September 21, 2012, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insured's automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by an appellant to appear at the 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 Yvonne Folk; file no. 12-115-122973; American Fire and Casualty Company; Doc. No. P12-08-023; October 18, 2012, 9:30 a.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 12-1880. Filed for public inspection September 21, 2012, 9:00 a.m.]

MILK MARKETING BOARD

Hearing and Presubmission Schedule; Milk Marketing Area No. 2

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 2 on November 7, 2012, at 10 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 2. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the second quarters of calendar years 2011 and 2012; skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; monthly adjustments to in-store handling costs; and a reasonable rate of return to milk

dealers and stores. In accordance with OGO A-937, evidence and testimony will be considered regarding the heating fuel adjuster in Area 2. In accordance with OGO A-939, evidence and testimony will be considered regarding the diesel fuel cost adjuster in Area 2.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 3 p.m. on October 4, 2012, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 3 p.m. on October 4, 2012, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to deberly@pa.gov.

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 3 p.m. on October 12, 2012, Board staff shall file with the Board, in person or by mail, one original and four single-sided copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 3 p.m. on October 26, 2012, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 3 p.m. on November 2, 2012, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 1 p.m. on October 29, 2012.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

TIM MOYER,
Secretary

[Pa.B. Doc. No. 12-1881. Filed for public inspection September 21, 2012, 9:00 a.m.]

Hearing and Presubmission Schedule; Milk Marketing Area No. 4

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 4 on November 7, 2012, at 10:30 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 4. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the second quarters of calendar years 2011 and 2012; skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; monthly adjustments to in-store handling costs; and a reasonable rate of return to milk dealers and stores. In accordance with OGO A-937, evidence and testimony will be considered regarding the heating fuel adjuster in Area 4. In accordance with OGO A-939, evidence and testimony will be considered regarding the diesel fuel cost adjuster in Area 4.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 3 p.m. on October 4, 2012, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 3 p.m. on October 4, 2012, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to deberly@pa.gov.

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 3 p.m. on October 12, 2012, Board staff shall file with the Board, in person or by mail, one original and four single-sided copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 3 p.m. on October 26, 2012, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 3 p.m. on November 2, 2012, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other

proceedings before the Board or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 1 p.m. on October 31, 2011.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

TIM MOYER,
Secretary

[Pa.B. Doc. No. 12-1882. Filed for public inspection September 21, 2012, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition for Finding

P-2012-2322863. PPL Electric Utilities Corporation. Petition of PPL Electric Utilities Corporation for a finding that a building to shelter control equipment at the West Hershey 69-13 kV substation to be constructed in Derry Township, Dauphin County is reasonably necessary for the convenience or welfare of the public.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before October 9, 2012. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: PPL Electric Utilities Corporation

Through and By Counsel: Paul E. Russell, Associate General Counsel, PPL Services Corporation, Two North Ninth Street, Allentown, PA 18106

John H. Isom, Esquire, Jessica R. Rogers, Esquire, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 12-1883. Filed for public inspection September 21, 2012, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene

must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by October 9, 2012. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-2012-2304405. Allen H. Kreider (633 Mulberry Street, Elizabethtown, Lancaster County, PA 17022)—for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

A-2012-2306029. Thomas Shanafelter (200 Old State Road, Shermans Dale, Perry County, PA 17090)—for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Perry County, to points in Pennsylvania, and return.

A-2012-2309345. Instant Response, Inc. (111 Buck Road, Building 600, Huntingdon Valley, Montgomery County, PA 19006)—for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Bucks, Chester, Delaware, Montgomery and Philadelphia, to points in Pennsylvania, and return.

A-2012-2310563. Etsel L. Maidens, Jr. and Jodi L. Maidens, Tenants By Entirety, t/a Maidens Taxi Service (1322 Washington Street, Huntingdon, Huntingdon County, PA 16652)—persons, upon call or demand, in Huntingdon County.

A-2012-2310677. Steven Nolt, t/a Nolt's Van Service (389 North Hoover Avenue, New Holland, Lancaster County, PA 17557)—for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

A-2012-2311223. Robert M. Zusinas, t/a Robert M. Zusinas Car Service (1814 Fairland Street, Pittsburgh, Allegheny County, PA 15210)—for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles and persons with physical limitations that prevent them from driving motor vehicles, from points in the Counties of Allegheny, Beaver, Butler (excluding Slippery Rock), Lawrence, Washington and Westmoreland, to points in Pennsylvania, and return.

A-2012-2313349. Wilderness Voyageurs, Inc. (PO Box 97, Ohiopyle, Fayette County, PA 15470)—persons in paratransit service, from points in the Counties of Allegheny, Fayette, Somerset and Westmoreland, to points in Pennsylvania, and return; limited to persons seeking bike tour related transportation to the Great Allegheny passage, and to hikers seeking transportation to the Laurel Highlands Hiking Trail.

A-2012-2320355. German and Tharamel, LLC, t/d/ b/a Pennsylvania Medical Response (P. O. Box 11522, Philadelphia, PA 19116) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Bucks, Delaware, and Philadelphia, to points in Pennsylvania and return.

Applications 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 each application.

A-2012-2304962. Ford City Hose Company #1 Ambulance Service, Inc., t/a Care-Van (P. O. Box 447, Ford City, Armstrong County, PA 16226)—for amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, persons, in paratransit service, from points in the County of Armstrong, to points in Pennsylvania, and return; subject to the same conditions, except: that service is limited to equipment operated only by state certified emergency medical technicians or paramedics will be eliminated: *So As To Permit* service that is limited to equipment operated by persons with advanced certification from the American Heart Association. *Attorney:* William A. Gray, Vuono & Gray, LLC, 310 Grant Street, Suite 2310 Grant Building, Pittsburgh, PA 15219-2383.

A-2012-2312893. (Corrected) Quakertown Taxi, LLC (129 Park Avenue, Quakertown, Bucks County, PA 18951)—upon Call or Demand in the Borough of Quakertown, in that portion of Richland Township north of the Borough of Quakertown and in that portion of Richland Township south of the Borough of Quakertown to Tollgate Road/Paletown Road, all in the County of Bucks, to points in Pennsylvania, and return: *So As To Permit* the transportation of persons upon Call or Demand to the portion of Richland Township south of Tollgate Road/Paletown Road, the Townships (including all boroughs therein not otherwise specified) of Milford, Springfield, Haycock, East Rockhill and West Rockhill, and the Boroughs of Sellersville, Perkasie and Telford, all in Bucks County; and the Townships (including all Boroughs therein not otherwise specified) of Upper Hanover, Marlborough, Salford, Upper Salford, Upper Frederick and the Boroughs of Harleysville, Telford and Souderton, all in Montgomery County, to points in Pennsylvania and return. *Attorney:* Heather C. Winett, Esq., 1500 JFK Boulevard, Suite 200, Philadelphia, PA 19102-1706

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 12-1884. Filed for public inspection September 21, 2012, 9:00 a.m.]

Telecommunications

A-2012-2322881. Consolidated Communications of Pennsylvania Company and Sprint Spectrum, LP. Joint petition of Consolidated Communications of Pennsylvania Company and Sprint Spectrum, LP for approval of an amendment to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Joint petition of Consolidated Communications of Pennsylvania Company and Sprint Spectrum, LP, by its counsel, filed on September 5, 2012, at the Pennsylvania Public Utility Commission (Commission), a joint petition

for the approval of an amendment of the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Consolidated Communications of Pennsylvania Company and Sprint Spectrum, LP joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 12-1885. Filed for public inspection September 21, 2012, 9:00 a.m.]

Telecommunications

A-2012-2322757. Consolidated Communications of Pennsylvania, LLC and Nextel. Joint petition of Consolidated Communications of Pennsylvania, LLC and Nextel for approval of amendment to an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Consolidated Communications of Pennsylvania, LLC and Nextel, by its counsel, filed on September 5, 2012, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment to an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Consolidated Communications of Pennsylvania, LLC and Nextel joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 12-1886. Filed for public inspection September 21, 2012, 9:00 a.m.]

Telecommunications

A-2012-2323582. Ironton Telephone Company and Cingular Wireless, LLC. Joint petition of Ironton Telephone Company and Cingular Wireless, LLC for approval of amendment to an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Ironton Telephone Company and Cingular Wireless, LLC, by its counsel, filed on September 10, 2012, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment to an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania

Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Ironton Telephone Company and Cingular Wireless, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 12-1887. Filed for public inspection September 21, 2012, 9:00 a.m.]

Transfer of Assets

A-2012-2323602 and A-2012-2323651. First Communications, LLC and Last Mile, Inc., d/b/a Sting Communications. Joint application of First Communications, LLC and Last Mile, Inc., d/b/a Sting Communications, for approval of the transfer of assets of Last Mile, Inc., d/b/a Sting Communications, to First Communications, 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 October 9, 2012. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.state.pa.us, and at the applicant's business address.

Applicant: First Communications, LLC, Last Mile, Inc., d/b/a Sting Communications

Through and By Counsel: Renardo L. Hicks, Esquire, R. L. Hicks and Associates, 17 North Second Street, 16th Floor, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 12-1888. Filed for public inspection September 21, 2012, 9:00 a.m.]

Wastewater Service

A-2012-2323775. Pennsylvania American Water Company. Application of Pennsylvania American Water Company for approval of the right to begin to offer, render, furnish or supply wastewater service to the public in an additional portion of West Caln Township, Chester County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before October 9, 2012. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on

the Pennsylvania Public Utility Commission's web site at www.puc.state.pa.us, and at the applicant's business address.

Applicant: Pennsylvania American Water Company

Through and By Counsel: Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, Seth A. Mendelsohn, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 12-1889. Filed for public inspection September 21, 2012, 9:00 a.m.]

Water Service

A-2012-2323773. Pennsylvania American Water Company. Application of Pennsylvania American Water Company for approval of the right to begin to offer, render, furnish or supply water service to the public in an additional portion of West Caln Township, Chester County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before October 9, 2012. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.state.pa.us and at the applicant's business address.

Applicant: Pennsylvania American Water Company

Through and By Counsel: Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, Seth A. Mendelsohn, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 12-1890. Filed for public inspection September 21, 2012, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant. The company has applied to transfer the rights held by Vernie Felder (CPC No. 1000032-01, Medallion P-0083) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

A-12-05-09. Gabon Taxi, LLC, 2351 South Swanson Street, Philadelphia, PA 19148, registered with the Commonwealth on January 9, 2012.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by October 9, 2012. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,
Executive Director

[Pa.B. Doc. No. 12-1891. Filed for public inspection September 21, 2012, 9:00 a.m.]

Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant. The company has applied to transfer the rights held by Mehrdad, Inc. (CPC No. 1000106-01, Medallion P-0002) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

A-12-05-07. Gabon Taxi, LLC, 2351 South Swanson Street, Philadelphia, PA 19148, registered with the Commonwealth on January 9, 2012.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by October 9, 2012. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the

applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,
Executive Director

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STATE EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

The following hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimants, requests concerning the indicated accounts.

The hearings will be held before a hearing officer at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

October 4, 2012	Elizabeth K. McGowan Disability Retirement Benefits	1 p.m.
October 10, 2012	Gwendolyn R. Thompson Disability Retirement Benefits	2 p.m.

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

DAVID E. DURBIN
Secretary

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