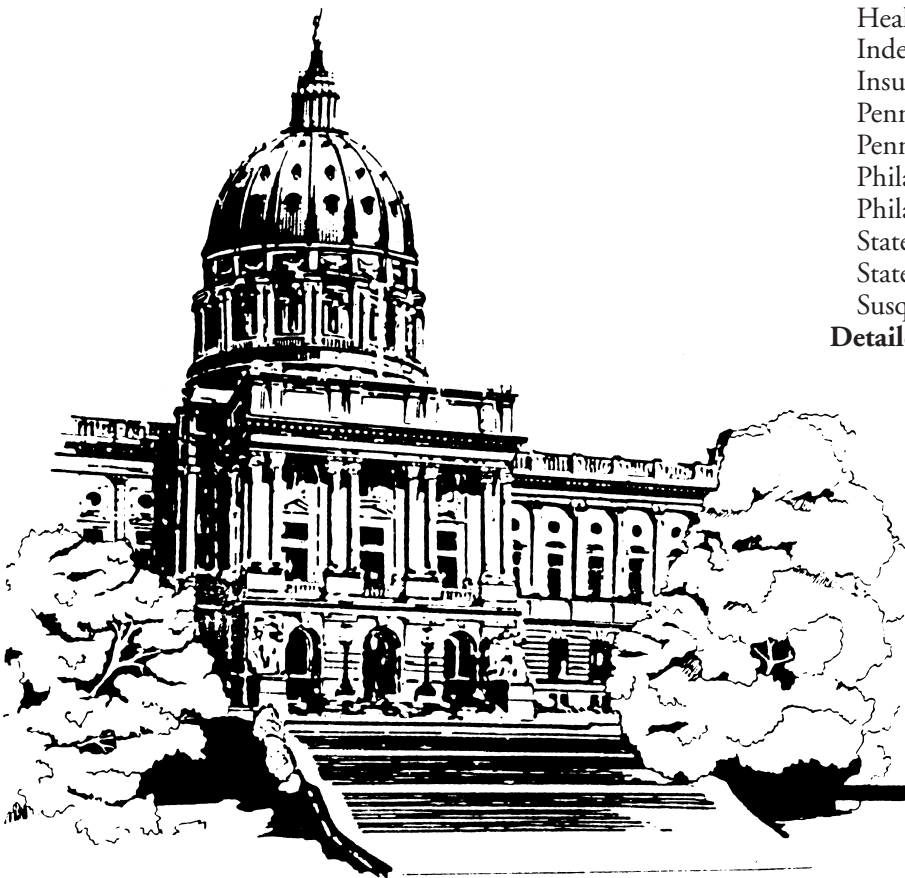


# PENNSYLVANIA BULLETIN

Volume 42  
Saturday, October 27, 2012 • Harrisburg, PA  
Number 43  
Pages 6749—6850

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Department of Health  
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**Latest Pennsylvania Code Reporters  
(Master Transmittal Sheets):**

**No. 455, October 2012**

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**PENNSYLVANIA**



**BULLETIN**

(ISSN 0162-2137)

published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg, Pa. 17120, under the policy supervision and direction of the Joint Committee on Documents pursuant to Part II of Title 45 of the Pennsylvania Consolidated Statutes (relating to publication and effectiveness of Commonwealth Documents). Subscription rate \$82.00 per year, postpaid to points in the United States. Individual copies \$2.50. Checks for subscriptions and individual copies should be made payable to "Fry Communications, Inc." Periodicals postage paid at Harrisburg, Pennsylvania.

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

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

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

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

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

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

### Fiscal Notes

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

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

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# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2012.

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# THE COURTS

## Title 255—LOCAL COURT RULES

### CLINTON COUNTY

#### Local Rule of Criminal Procedure 506.1; Filing Procedure for Private Criminal Complaints Alleging Indirect Criminal Contempt Arising from Violation of PFA Order or Court-Approved Consent Decree; 1209-12

##### Order

And Now this 15th day of October, 2012, *It Is Hereby Ordered* that pursuant to the mandate set forth at 23 Pa.C.S. § 6113.1(b), the Procedure in Clinton County, Pennsylvania, for filing and serving a private criminal Complaint, the authority for which is afforded by 23 Pa.C.S. § 6113.1(a) of the Protection from Abuse Act, is hereby prescribed as follows:

A private criminal Complaint, authored and executed by a plaintiff/affiant, who is identified as the victim, abused party, or protectee named in an active protection Order or Court-approved consent decree under the Protection from Abuse Act or a valid foreign protection Order, shall be completed in its entirety by said plaintiff/affiant and, upon completion, presented to the Office of the District Attorney for approval in a manner consistent with Pa.R.Crim.P. 506 (relating to Approval of Private Complaints, generally). The District Attorney shall deliberate and either approve or disapprove of the Complaint without undue delay. If the District Attorney approves the Complaint, he shall file it with the appropriate issuing authority. If the District Attorney does not approve the Complaint, the District Attorney shall state the reasons on the face of the Complaint form and return it to the plaintiff/affiant. Thereafter, the plaintiff/affiant may petition the Clinton County Court of Common Pleas for review of the District Attorney's decision.

Pursuant to the terms of 23 Pa.C.S. § 6113.1(b), no fees or costs associated with the prosecution of the private Complaint, filing or service may be assessed against the plaintiff/affiant at any stage of the proceeding, except upon a showing that plaintiff/affiant acted in bad faith. See 23 Pa.C.S. § 6117(b).

This Rule shall become effective thirty (30) days from the date of its publication in the *Pennsylvania Bulletin*.

*By the Court*

J. MICHAEL WILLIAMSON,  
*President Judge*

[Pa.B. Doc. No. 12-2094. Filed for public inspection October 26, 2012, 9:00 a.m.]

### FAYETTE COUNTY

#### Administrative Order Booking Center; Criminal Division No. 1 AD 2009

##### Administrative Order

And Now, this 4th day of October, 2012, pursuant to Rule 105 of the Pennsylvania Rules of Criminal Procedure,

it is hereby ordered that Administrative Order 1 AD 2009 is hereby amended and adopted to read as follows.

The Clerk of Courts is directed as follows:

(1) One certified copy of the order and program shall be filed with the Administrative Office of Pennsylvania Courts.

(2) Two certified copies and diskette of the order and program and one copy of the written notification received from the Criminal Rules Committee and the Juvenile Court Procedural Rules Committee shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(3) One certified copy shall be sent to the Fayette County Law Library and the Editor of the *Fayette Legal Journal*.

The adoption of the Administrative Order shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin* and on the UJS Portal.

*By the Court*

GERALD R. SOLOMON,  
*President Judge*

### IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY

#### Criminal Division

IN RE: Booking Center  
processing fee

:  
: NO. 1 AD 2009

#### Amended Administrative Order

And Now, this 4th day of October 2012, it is Hereby Ordered, that the Court of Fayette County adopts a countywide Regional Booking Center (RBC) procedures plan as set forth herein.

1. The Regional Booking Center (RBC) is to be located at the Uniontown Police Department.

2. The purpose of the RBC is to efficiently process defendants charged with criminal actions. The process shall include, but not limited to, fingerprinting, photographing and determining prior records of defendants being processed.

3. In all cases in which the defendant has been charged with an offense graded as a misdemeanor or greater, the defendant shall be required to appear either at the Pennsylvania State Police Barracks, if arrested by the member of the Pennsylvania State Police, or, if arrested by an arresting authority other than the Pennsylvania State Police at the Fayette County Regional Booking Center, (RBC), located in the Uniontown Police Department or at such other locations designated, in writing, by the President Judge of Fayette County Court of Common Pleas, for fingerprinting and processing.

4. Pursuant to 18 Pa.C.S.A. § 9112, an arresting authority shall be responsible for taking the fingerprints of persons arrested for misdemeanors, felonies or summary offenses which become misdemeanors on a second arrest after conviction of that summary offense. The Regional Booking Center shall serve as the designated fingerprinting and processing site for all arresting authorities in Fayette County other than the Pennsylvania State Police. The State Police Barracks shall serve as the designated fingerprinting site for the Pennsylvania State Police.

5. In cases of private prosecutions, the defendant may only be fingerprinted and photographed after conviction of a misdemeanor, felony or summary offense which becomes a misdemeanor on a second arrest after conviction of that summary offense. An order shall be issued from the Court of Common Pleas after such conviction directing the defendant to report to the RBC to be fingerprinted and photographed.

6. In cases which proceed by issuance of a summons, the Magisterial District Judge presiding at the scheduled Preliminary Hearing shall order the defendant to submit to the RBC within five (5) days following the date of issuance of such order.

7. A booking fee of \$300.00 shall be assessed and collected by the Fayette County Clerk of Courts after sentencing upon conviction of or plea to a misdemeanor or felony offense or acceptance into the Accelerated Rehabilitative Disposition Program.

8. This fee will not apply to those defendants whose cases are dismissed by the Magisterial District Judge, withdrawn or nolle prossed by the Commonwealth or who enter a guilty plea to a summary offense at the time of the preliminary hearing.

9. Any juvenile with a case that has resulted in a disposition of a Consent Decree or Adjudication of Delinquency shall be fingerprinted and photographed; a fee of \$300.00 shall be assessed for processing. The Juvenile Probation Office shall oversee the collections of said fee.

10. Private Citizens shall be assessed a cost of \$25.00 for all non-criminal electronic printing and/or photos.

11. The RBC shall also serve as a processing center for all parties required to be registered and processed under the provisions of 42 Pa.C.S.A. § 9791, ET. Seq., commonly known as "Megan's Law," pursuant to 42 Pa.C.S.A. § 9795.2 (d), if determined by the Pennsylvania State Police to be an "approved registration site" pursuant to 42 Pa.C.S.A. § 9799.1

President Judge Gerald R. Solomon

*Note:* Administrative Order shall become effective 30 days after publication in the *Pennsylvania Bulletin*

[Pa.B. Doc. No. 12-2095. Filed for public inspection October 26, 2012, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Suspension

Notice is hereby given that Maxwell David McIntosh, having been suspended from the practice of law in the United States Court of Appeals for the Third Circuit for a period of 1 year by Order of that Court dated February 6, 2012; the Supreme Court of Pennsylvania issued an

Order dated October 11, 2012, suspending Maxwell David McIntosh from the practice of law in this Commonwealth for a period of 1 year, effective November 10, 2012. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Secretary*

*The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 12-2096. Filed for public inspection October 26, 2012, 9:00 a.m.]

### Notice of Suspension

Notice is hereby given that Edward Bissau Mendy, having been suspended from the practice of law in the State of Louisiana for a period of 3 years by Decree of the Supreme Court of Louisiana dated February 17, 2012; the Supreme Court of Pennsylvania issued an Order dated October 11, 2012, suspending Edward Bissau Mendy from the practice of law in this Commonwealth for a period of 3 years, effective November 10, 2012. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Secretary*

*The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 12-2097. Filed for public inspection October 26, 2012, 9:00 a.m.]

### Notice of Suspension

Notice is hereby given that Scot D. Rosenthal, having been suspended from the practice of law in the State of New Jersey for a period of 1 year by Order of the Supreme Court of New Jersey dated January 4, 2012; the Supreme Court of Pennsylvania issued an Order dated October 11, 2012, suspending Scot D. Rosenthal from the practice of law in this Commonwealth for a period of 1 year, effective November 10, 2012. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Secretary*

*The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 12-2098. Filed for public inspection October 26, 2012, 9:00 a.m.]

# PROPOSED RULEMAKING

## GAME COMMISSION

[ 58 PA. CODE CH. 147 ]

### Special Permits; Mentored Youth Hunting Program Permit

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its September 25, 2012, meeting to amend § 147.804 (relating to general) to allow a mentor to transfer a valid Deer Management Assistance Program (DMAP) permit issued to him to an eligible mentored youth upon the harvest of an antlerless deer.

The proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the September 25, 2012, meeting of the Commission. Comments can be sent, until January 22, 2013, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

#### 1. Purpose and Authority

Sporting organizations and other interested groups have continued to express an interest in having the Commission expand mentored youth hunting opportunities within this Commonwealth. These groups are currently supporting an amendment to § 147.804 to permit the transfer of no more than one DMAP permit to a mentored youth hunter per license year. This will not significantly increase antlerless deer harvest and is consistent with the goal of providing additional mentored youth hunting opportunity.

Section 2711(a.1) of the code (relating to unlawful acts concerning licenses) states that "For the sole purpose of implementing and enhancing a mentored youth hunting program within this Commonwealth, the commission may establish regulations exempting certain limited youth hunting activities from the prohibitions specified in subsection (a)(1), (3), (5) and (8)." Section 2102(a) of the code (relating to regulations) provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendment to § 147.804 is proposed under this authority.

#### 2. Regulatory Requirements

The proposed rulemaking will amend § 147.804 to allow a mentor to transfer a valid DMAP permit issued to him to an eligible mentored youth upon the harvest of an antlerless deer.

#### 3. Persons Affected

Persons wishing to hunt antlerless deer within this Commonwealth under the Mentored Youth Hunting Program will be affected by the proposed rulemaking.

#### 4. Cost and Paperwork Requirements

The proposed rulemaking may result in some additional cost and paperwork associated with the effects transferring tags will have on the Pennsylvania Automated License System. However, the Commission has determined that if there is additional expense associated with this effort, it will not be substantial and would be absorbed by the current budget.

#### 5. Effective Date

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

#### 6. Contact Person

For further information regarding the proposed rulemaking, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

CARL G. ROE,  
Executive Director

**Fiscal Note:** 48-349. No fiscal impact; (8) recommends adoption.

### Annex A

#### TITLE 58. RECREATION

#### PART III. GAME COMMISSION

#### CHAPTER 147. SPECIAL PERMITS

#### Subchapter X. MENTORED YOUTH HUNTING PROGRAM PERMIT

#### § 147.804. General.

\* \* \* \* \*

(h) Notwithstanding the prohibitions in section 2711(a)(3) and (5) of the act, mentors are authorized to transfer fall turkey tags issued to them to eligible mentored youth. The fall turkey tag shall be valid and in the possession of the mentor at all times while hunting fall turkey. The transfer of the fall turkey tag may not occur until after the mentored youth has harvested the fall turkey, but before tagging the carcass. A mentored youth may not receive by transfer more than one fall turkey tag each license year.

(i) **Notwithstanding the prohibitions in § 147.676(2) and (3) (relating to unlawful acts), mentors are authorized to transfer Deer Management Assistance Program (DMAP) harvest permits issued to them to eligible mentored youth. The DMAP harvest permit must be valid and in the possession of the mentor at all times while hunting antlerless deer. The transfer of the DMAP harvest permit may not occur until after the mentored youth has harvested the antlerless deer, but before tagging the carcass. A mentored youth may not receive by transfer more than one DMAP harvest permit each license year. A mentored youth is ineligible to make direct application for a DMAP harvest permit.**

[Pa.B. Doc. No. 12-2099. Filed for public inspection October 26, 2012, 9:00 a.m.]



# PENNSYLVANIA GAMING CONTROL BOARD

[ 58 PA. CODE CHS. 461a, 463a, 464a, 465a, 607a,  
627a, 629a, 631a AND 633a ]

## Slot Machine and Table Game Device Testing and Control; Possession of Slot Machines and Fully Automated Electronic Gaming Tables; Slot Machine Tournaments; Accounting and Internal Controls; Possession of Table Game and Table Game Devices; Rules of Play

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. §§ 1207(3), (6), (9), (21) and 13A02(1), (2) and (4) (relating to regulatory authority of board; and regulatory authority), proposes to amend Chapters 461a, 463a, 465a, 627a, 629a, 631a and 633a and add Chapters 464a and 607a (relating to slot machine tournaments; and possession of table games and table game devices) to read as set forth in Annex A.

### *Purpose of the Proposed Rulemaking*

This proposed rulemaking will amend the requirements for the termination, transfer or modification of progressive jackpots, require operators to provide monthly table game device master lists to the Bureau of Gaming Laboratory Operations (Bureau), codify Board policy on slot machine tournaments and add an additional side wager to the Baccarat games.

### § 461a.1. Definitions

The definitions proposed to be added in this section are moved from § 461a.12 (relating to progressive slot machines).

### § 461a.8. Gaming vouchers

Although operators are required to file a report with the State Treasurer regarding old gaming vouchers that have escheated to the Commonwealth, the proposed amendments do not require operators to submit a copy of that report to the Board.

### § 461a.12. Progressive slot machines

The definitions of “progressive slot machine” and “wide area progressive system” are proposed to be moved from subsection (a) to § 461a.1 (relating to definitions) as these definitions are applicable to all sections in the chapter. Subsections (b)—(f) and (h) are proposed to be amended for clarity.

Proposed amendments to subsection (k)(4) require operators to receive written approval from the Bureau prior to transferring the progressive jackpot. Additionally, operators may transfer progressive jackpots to machines with a similar probability of winning.

Proposed amendments to subsection (k)(5) state that if a transfer cannot be made slot machine licensees may remove the progressive functionality, change the game theme or permanently remove the machine from the gaming floor. This section is proposed to be amended to ensure that progressive jackpots are not taken off the gaming floor if they can be transferred and not without prior approval from the Bureau. Additionally, proposed subsection (l) ensures that progressive jackpots that are removed are not simply returned to the gaming floor with

lower reset amounts within a short period of time after removal. The remaining sections are renumbered.

### § 461a.26. Testing and software installation on the live gaming floor

The Board proposes to add four types of electronic devices that require Bureau testing and approval prior to placement on the live gaming floor.

### *Chapter 463a. Possession of slot machines and fully automated electronic gaming tables*

This chapter addresses the requirements for the possession and of slot machines in this Commonwealth. Fully automated electronic gaming tables, which are more similar to slot machines than other types of table games, are proposed to be added to the requirements in this chapter. Operators will be required to include fully automated electronic gaming tables to the slot machine master device list which operators are required to submit to the Bureau monthly.

### *Chapter 464a. Slot machine tournaments*

This proposed chapter codifies a Board policy known to the industry as § 461b.4. This policy was not published in the *Pennsylvania Bulletin*. The policy allowing operators to conduct tournaments was submitted to the industry on November 23, 2011, and was subsequently updated to allow for the charging of fees. This chapter reflects the current policy, submitted to the industry on March 21, 2012, without substantive revisions.

Operators shall submit a notice of intent to conduct a tournament to the Board as well as the Department of Revenue (Department) 10 days prior to the start of the tournament. In accordance with statutory provisions, operators may charge a fee to enter tournaments provided that the revenue generated is reported to the Department. Operators have discretion to establish rules of entry and prize structures provided that the rules are specified in the notice and provided to patrons who participate in the tournament. Currently eight slot machine licensees offer slot tournaments.

### § 465a.2. Internal control systems and audit protocols

A minor proposed amendment updates the name of the form that operators complete when submitting updated internal controls. Additionally, the language regarding the submission of changes to internal controls to the Department is proposed to be deleted. The Department is sent only initial internal control submissions prior to a casino opening.

### § 465a.19. Acceptance of tips or gratuities from patrons

Proposed language in subsection (d) allows dealers to accept as a tip a winning wager that a patron has identified as a tip prior to play provided that the tip shall be collected and deposited after the round of play or after a roll of the dice in craps that decides the outcome of the wager. A dealer is not allowed to subsequently wager a winning tip.

### § 465a.33. Access to areas containing central control computer equipment

A minor amendment is proposed to the key control requirements for access to the central control computer system.

### *Chapter 607a. Possession of table games and table game devices*

This proposed chapter addresses the possession of table games and table game devices. This chapter is similar to Chapter 463a (relating to possession of slot machines and

fully automated electronic gaming tables). Section 607a.1 (relating to transportation of table games and table game devices into, within and out of this Commonwealth) requires persons transporting table games or table game devices to notify the Bureau and the Bureau of Casino Compliance that equipment is being shipped. Section 607a.2 (relating to table game device master list) requires operators to provide a monthly table game master list for certain table game equipment enumerated in subsection (a).

Section 607a.3 (relating to off premises storage of table games and table game devices) requires operators to obtain approval prior to storing table games or table game devices in locations other than the licensed facility. These provisions are consistent with the requirements applicable to slot machines.

*Chapter 627a. Minibaccarat*

*Chapter 629a. Midibaccarat*

*Chapter 631a. Baccarat*

Panda 8, a new side wager, is proposed to be added for the Baccarat type games. The sections on layout, wager and payout odds are proposed to be amended accordingly.

§ 633a.13. *Payout odds; payout limitation*

The payout table applicable to the hit and run progressive wager for Blackjack is proposed to be corrected in subsection (1)(1).

*Affected Parties*

Slot machine licensees, persons transporting table games and devices (typically licensed manufacturers) and table games dealers will be impacted by this proposed rulemaking.

*Fiscal Impact*

*Commonwealth.* It is not anticipated that this proposed rulemaking will have a fiscal impact on the Board or other Commonwealth agencies.

*Political subdivisions.* This proposed rulemaking will not have fiscal impact on political subdivisions of this Commonwealth.

*Private sector.* Slot machine licensees will be required to provide notice of slot machine tournaments and a monthly table game device master list. Additionally, persons transporting table games and table game devices (manufacturers and suppliers) into this Commonwealth will be required to notify the Bureau and the Bureau of Casino Compliance of the shipment. It is anticipated that the fiscal impact on the private sector, to prepare notices, would be negligible.

*General public.* This proposed rulemaking will not have fiscal impact on the general public.

*Paperwork Requirements*

This proposed rulemaking will eliminate the need to file with the Board copies of reports that are submitted to the State Treasurer regarding gaming vouchers.

This proposed rulemaking will require operators to submit a monthly table game device master lists for tables and specified table game equipment. The monthly list is an online submission.

Operators that would like to conduct slot machine tournaments will be required to submit to the Board and the Department a notice specifying the rules of entry and the prize structure. This notice is also submitted online.

*Effective Date*

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

*Public Comments*

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking, within 30 days after the date of publication in the *Pennsylvania Bulletin*, to Susan A. Yocum, Assistant Chief Counsel, Pennsylvania Gaming Control Board, P. O. Box 69060, Harrisburg, PA 17106-9060, Attention: Public Comment on Regulation # 125-162.

*Contact Person*

The contact person for questions about this proposed rulemaking is Susan Yocum, Assistant Chief Counsel, (717) 346-8300.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on September 17, 2012, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee. A copy of this material is available to the public upon request and is available on the Board's web site at [www.pgcb.pa.gov](http://www.pgcb.pa.gov).

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

WILLIAM H. RYAN, Jr.,  
*Chairperson*

**Fiscal Note:** 125-162. No fiscal impact; (8) recommends adoption.

## Annex A

### TITLE 58. RECREATION

#### PART VII. GAMING CONTROL BOARD

##### Subpart E. SLOT MACHINES AND ASSOCIATED EQUIPMENT

###### CHAPTER 461a. SLOT MACHINE AND TABLE GAME DEVICE TESTING AND CONTROL

###### § 461a.1. Definitions.

The following words and terms, when used in this subpart, have the following meanings, unless the context clearly indicates otherwise:

\* \* \* \* \*

*Progressive awards*—The award to be paid out when the event in the progressive game that triggered the award occurs.

*Progressive controller*—A program or computer system, other than an approved program that controls the operation of the slot machine, which controls, adjusts and displays the amount of the progressive jackpot.



*Progressive payout*—A slot machine payout that increases in a monetary amount based on the amounts wagered in a progressive system.

**Progressive slot machine**—A slot machine that offers a jackpot that may increase in value based upon the slot machine wagers placed.

*Pseudo random number generator*—Software or hardware, or both, that ensures the randomness of slot machine outcomes.

\* \* \* \* \*

*Wide area progressive system*—[ **Linked progressive slot machines which are located at two or more licensed facilities** ] Progressive slot machines located at a licensed facility that are linked with progressive slot machines at another licensed facility.

§ 461a.8. Gaming vouchers.

\* \* \* \* \*

(d) Prior to issuing a gaming voucher, a slot machine licensee shall establish a system of internal controls for the issuance and redemption of gaming vouchers. The internal controls shall be submitted and approved by the Board under § 465a.2 (relating to internal control systems and audit protocols) and address:

\* \* \* \* \*

[ (11) Procedures for filing with the Board a copy of any report submitted to the State Treasurer as required by Article XIII.I of The Fiscal Code. ]

\* \* \* \* \*

§ 461a.12. Progressive slot machines.

(a) [ **A progressive slot machine is a slot machine that offers a jackpot that may increase in value based upon wagers as the slot machine is played.** ] A progressive slot machine may stand alone[, ] or be linked [ **or interconnected** ] with other progressive slot machines. [ **Progressive slot machines located at a licensed facility that are linked or interconnected with progressive slot machines at another licensed facility are collectively referred to as a wide area progressive system.** ]

(b) [ **A** ] Each slot machine that offers a progressive jackpot [ **which may increase in value based upon wager and is adjusted and displayed by a device other than the approved program that controls the operation of the slot machine, referred to herein as a progressive controller,** ] must have [ **the following features** ]:

(1) [ **For each progressive jackpot offered by the slot machine, a mechanical, electrical or electronic device, to be known as a** ] A progressive meter, visible from the front of the slot machine, which may increase in value based upon wagers, that advises the player of the amount which can be won if the **player receives the combination on the slot machine [ symbols ] that [ award ] awards** the progressive jackpot [ **appear as a result of activation of play of the slot machine** ].

(2) A slot machine paid progressive payout meter in accordance with § 461a.7(g) (relating to slot machine minimum design standards).

(3) A slot attendant paid progressive payout meter in accordance with § 461a.7(g).

(4) A cumulative progressive payout meter that continuously and automatically records the total value of progressive jackpots paid directly by the slot machine or by a slot attendant.

(5) A key and key switch **or other reset mechanism** to reset the progressive meter or meters [ **or other reset mechanism** ].

(6) A key locking the compartment housing the progressive meter or meters or other means by which to preclude any unauthorized alterations to the progressive meters. The key or alternative security method must be different than the key or reset mechanism in paragraph (5).

(7) [ **Dual key control by the security department and finance department, or alternative key controls of the compartment housing the microprocessor or other unit that controls the progressive meter or meters** ] A dedicated progressive controller, which is not secured in a slot machine, must be under dual key control with one key controlled by the finance department and the other key controlled by the slot operations department. The [ **compartment** ] progressive controller must be in a secure location.

(c) [ **A** ] In addition to the requirements in subsection (b), a slot machine that is connected to a common progressive meter for the purpose of offering the same progressive jackpot on two or more slot machines must:

(1) Have the same probability of hitting the combination that will award the progressive jackpot as every other slot machine linked to the common progressive meter.

(2) Require that the same amount in wager be invested to entitle the player to a chance at winning the progressive jackpot and that each increase in wager increment the progressive meter by the same rate of progression as every other slot machine linked to the common progressive meter.

[ (3) **Have its program or progressive controller that controls the common display for the progressive meter housed in a location and subject to dual key controls approved by the Board.** ]

(d) Notwithstanding the provisions of subsection (c), two or more linked slot machines offering the same progressive jackpot may be of different denominations or have different wagers, or both, required to win the progressive jackpot, provided that:

(1) The probability of winning the progressive jackpot is directly proportional to the wager required to win that jackpot.

(2) [ **A notice** ] Notice indicating the proportional probability of hitting the progressive jackpot on the linked progressive system is conspicuously displayed on each linked slot machine.

(e) A slot machine licensee seeking to utilize a linked slot machine shall submit [ **to the Board** ] for approval in accordance with § 461a.4 (relating to submission for testing and approval) the location and manner of installing any progressive meter display mechanism.

(f) A slot machine that offers a progressive jackpot may not be placed on the gaming floor until the slot machine licensee or, as applicable, the slot system operator, has submitted **the following** to the **[ Board and the Board has approved, the following ] Bureau of Gaming Laboratory Operations for review and approval in accordance with § 461a.4:**

\* \* \* \* \*

(h) Progressive **jackpot** meters may not be turned back to a lesser amount unless one of the following occurs:

(1) The amount indicated has been actually paid to a winning patron **and the progressive jackpot amount has been recorded in accordance with a system of internal controls approved under § 465a.2 (relating to internal control systems and audit protocols).**

(2) **[ The progressive jackpot amount won by the patron has been recorded in accordance with a system of internal controls approved under § 465a.2 (relating to internal control systems and audit protocols).**

(3) **The ] With written approval, the progressive jackpot has [ , upon Board approval, ] been transferred to another progressive slot machine or wide area progressive system in accordance with [ this subpart ] subsection (k)(4).**

**[ (4) ] (3) The change is necessitated by a slot machine or meter malfunction [ , in which case for progressive jackpots governed by subsection (b), an ]. An explanation for the change shall be entered on the progressive slot summary required under this subpart and the [ Board ] Bureau of Gaming Laboratory Operations shall be notified of the resetting in writing.**

(i) Once an amount appears on a progressive meter, the probability of hitting the combination that will award the progressive jackpot may not be decreased unless the progressive jackpot has been won by a patron, has been transferred to another progressive slot machine or wide area progressive system or has been removed in accordance with subsection (k).

(j) When a slot machine has a progressive meter with digital limitations on the meter, the slot machine licensee shall set a limit on the progressive jackpot not to exceed the display capability of the progressive meter.

(k) A slot machine licensee or, as applicable, a slot system operator, may limit, transfer or terminate a progressive jackpot offered on a gaming floor only under the following circumstances:

(1) A slot machine licensee may establish a payout limit for a progressive jackpot provided that the payout limit is greater than the then current payout amount on the progressive jackpot meter. The slot machine licensee shall provide notice to the **[ Board of ] Bureau of Gaming Laboratory Operations prior to the imposition of a payout limit on a progressive meter or a modification thereto [ concurrent with the setting of the payout limit ].**

(2) A slot machine licensee may terminate a progressive jackpot concurrent with the winning of the progressive jackpot provided its slot machine program or progressive controller was configured prior to the winning of the progressive jackpot to establish a fixed reset amount with no progressive increment.

(3) A slot machine licensee may immediately and permanently remove one or more linked slot machines from a gaming floor, provided that:

(i) When the slot machine is part of a wide area progressive system offered at multiple licensed facilities, the slot machine licensee retains at least one linked slot machine offering the same progressive jackpot on its gaming floor.

(ii) When the progressive jackpot is only offered in a single licensed facility, at least two linked slot machines offering the same progressive jackpot remain on the gaming floor.

(4) A slot machine licensee may transfer a progressive jackpot amount on a stand alone slot machine or the common progressive jackpot on an entire link of slot machines with a common progressive meter, including a wide area progressive system, from a gaming floor provided the **slot machine licensee receives written approval from the Bureau of Gaming Laboratory Operations prior to the transfer and the progressive jackpot is:**

(i) Transferred in its entirety.

(ii) Transferred to one of the following:

(A) The progressive meter for a slot machine or wide area progressive system with the same or **[ greater ] similar** probability of winning the progressive jackpot, the same or lower wager requirement to be eligible to win the progressive jackpot, and the same type of progressive jackpot (cash, annuity, annuity/cash option or a combination/alternate jackpot). **[ However, if no other slot machine or wide area progressive system meets all of these qualifications, the Board may authorize a transfer of the jackpot to the progressive meter of the most similar slot machine or wide area progressive system available. ]**

(B) The progressive meters of two separate slot machines or wide area progressive systems, provided that each slot machine or wide area progressive system to which the jackpot is transferred individually satisfies the requirements of clause (A).

(iii) Notice of intent to transfer the progressive jackpot is conspicuously displayed on the front of each slot machine for at least 30 days.

**[ (iv) Notice of intent to transfer the progressive jackpot is provided in writing to the Board at least 30 days prior to the transfer of the progressive jackpot. ]**

(5) **[ A ] If a transfer cannot be made in accordance with subsection (k)(4), a slot machine licensee may [ immediately and permanently remove a progressive jackpot on ] remove progressive functionality, change the game theme or permanently remove a stand alone progressive slot machine, [ the common progressive jackpot on ] an entire link of slot machines with a common progressive [ meter ] jackpot or an entire wide area progressive system from a gaming floor [ provided notice of intent to remove the progressive jackpot is ], provided:**

(i) **[ Conspicuously ] Notice of intent to remove the progressive slot machines or wide area progressive systems is conspicuously displayed on the front of each slot machine for at least 30 days.**

(ii) [ Provided in writing to the Board at least 30 days prior to the removal of the progressive jackpot ] The slot machine licensee receives written approval from the Bureau of Gaming Laboratory Operations prior to the removal of the progressive slot machines or wide area progressive systems.

(l) Progressive slot machines and wide area progressive systems removed from the gaming floor in accordance with subsection (k)(5) may not be returned to the gaming floor for 90 days.

(m) The amount indicated on the progressive meter or meters and coin in meter on each slot machine governed by subsection (b) shall be recorded on a progressive slot summary report at least once every 7 calendar days and each report shall be signed by the preparer. If not prepared by the finance department, the progressive slot summary report shall be forwarded to the finance department by the end of the gaming day on which it is prepared. A representative of the finance department shall be responsible for calculating the correct amount that should appear on a progressive meter. If an adjustment to the progressive meters is necessary, the adjustment shall be made by a member of the slot operations department as follows:

(1) Supporting documentation shall be maintained to explain any addition or reduction in the registered amount on the progressive meter. The documentation must include the date, asset number of the slot machine, the amount of the adjustment and the signatures of the finance department member requesting the adjustment and of the slot operations department member making the adjustment.

(2) The adjustment must be effectuated within 48 hours of the meter reading.

[ (m) ] (n) Except as otherwise authorized by this section, a slot machine offering a progressive jackpot that is temporarily removed from the gaming floor shall be returned to active play or replaced on the gaming floor within 5 gaming days. The amount on the progressive meter or meters on the returned or replacement slot machine may not be less than the amount on the progressive meter or meters at the time of removal. If a slot machine offering a progressive jackpot is not returned or replaced, any progressive meter amount at the time of removal shall, within 5 days of the slot machine's removal, be added to a slot machine offering a progressive jackpot approved by the Board which slot machine offers the same or a greater probability of winning the progressive jackpot and requires the same wager or less than the wager required to win the progressive jackpot on the slot machine that was removed. This subsection does not apply to the temporary removal by a slot machine licensee, for a period not to exceed 30 days, of all linked slot machines that are part of a particular wide area progressive system, provided that the progressive jackpot offered by the temporarily removed slot machines remains available on slot machines that are part of the same wide area progressive system in another licensed facility.

[ (n) Where ] (o) When a slot machine is located adjacent to a slot machine offering a progressive jackpot, the slot machine licensee shall conspicuously display [ on the slot machine ] a notice advising patrons that the slot machine is not participating in the progressive jackpot of the adjacent slot machine.

§ 461a.13. Wide area progressive systems.

(a) Two or more slot machine licensees may, with the prior written approval of the Board as required under subsection (c), operate [ linked progressive slot machines that are interconnected between two or more participating licensed facilities. The slot machines participating in the link shall be collectively referred to as ] a wide area progressive system.

\* \* \* \* \*

§ 461a.26. Testing and software installation on the live gaming floor.

\* \* \* \* \*

(b) A slot machine licensee shall notify the Bureau of Gaming Laboratory Operations and the Bureau of Casino Compliance at least 72 hours prior to the installation of any new software or the installation of any change in previously approved software and receive the required approvals prior to the installation of:

\* \* \* \* \*

(14) Electronic wagering systems.

(15) Additional automated bill breaker machines, automated gaming voucher and coupon redemption machines, automated jackpot payout machines and automated teller machines on the gaming floor.

(16) Gaming voucher systems.

(17) Server supported slot systems.

(18) Server based slot systems.

(c) The notification required under subsection (b) must include:

\* \* \* \* \*

CHAPTER 463a. POSSESSION OF SLOT MACHINES AND FULLY AUTOMATED ELECTRONIC GAMING TABLES

§ 463a.1. Possession of slot machines and fully automated electronic gaming tables generally.

(a) Except as otherwise provided in this section and 18 Pa.C.S. § 5513 (relating to gambling devices, gambling, etc.), a person may not possess any slot machine or fully automated electronic gaming table within this Commonwealth that may be used for gambling activity.

(b) The following persons and any employee or agent acting on their behalf may possess slot machines or fully automated electronic gaming tables in this Commonwealth for the purposes described herein provided that slot machines or fully automated electronic gaming tables located outside of a licensed facility may not be used for gambling activity:

(1) [ An applicant for, or holder of a ] A slot machine [ license ] licensee, for the purpose of maintaining for use, training or operating slot machines in a licensed facility.

(2) The holder of a manufacturer license for the purpose of manufacturing, exhibiting, demonstrating, training or preparing for transfer to a manufacturer designee licensee [ or ], supplier licensee or slot machine licensee.

(3) The holder of a manufacturer designee license or supplier license for the purpose of distributing, repairing, servicing, exhibiting or demonstrating slot machines or fully automated electronic gaming tables and any training with regard thereto.



(4) An educational institution for the purpose of teaching slot machine design, operation, repair or servicing.

(5) A manufacturer, manufacturer designee or supplier of slot machines not licensed within this Commonwealth for the limited purpose of temporary exhibition or demonstration.

(6) A common carrier, for the purpose of transporting slot machines **or fully automated electronic gaming tables** in accordance with § 463a.2 (relating to the transportation of slot machines **and fully automated electronic gaming tables** into, within and out of this Commonwealth).

(7) An employee or agent of the Board, the Department, the Pennsylvania State Police or any law enforcement agency of this Commonwealth for the purpose of fulfilling official duties or responsibilities.

(8) Other persons upon a finding that the possession of slot machines **or fully automated electronic gaming tables** by those persons in this Commonwealth is not contrary to the goals and objectives of the act.

(c) Persons seeking to possess slot machines **or fully automated electronic gaming tables** under subsection (b)(4), (5) and (8) shall submit a petition to the Board as required under § 493a.4 (relating to petitions generally). The petition to the Board must contain:

(1) The purpose for having the slot machines **or fully automated electronic gaming tables**.

(2) The proposed location of the slot machines **or fully automated electronic gaming tables**.

(3) The time period for which the slot machines **or fully automated electronic gaming tables** will be kept.

(4) How the slot machines will be secured.

(d) The Board will approve or disapprove requests within 60 days. Requests approved by the Board may be subject to specific terms and conditions imposed by the Board.

(e) A person authorized to possess slot machines **or fully automated electronic gaming tables** under subsection (d) that desires to store the slot machines **or fully automated electronic gaming tables** at a location other than the location specified in subsection (c)(2) shall obtain approval from the Board prior to storing the slot machines **or fully automated electronic gaming tables** at the other location.

§ 463a.2. Transportation of slot machines **and fully automated electronic gaming tables** into, within and out of this Commonwealth.

In furtherance of section 1511 of the act (relating to [ the ] declaration of exemption from Federal laws prohibiting slot machines), prior to the transport or movement of a slot machine **or fully automated electronic gaming table** into this Commonwealth, from one person authorized to possess slot machines **or fully automated electronic gaming tables** under § 463a.1 (relating to possession of slot machines **and fully automated electronic gaming tables** generally) to another person authorized within this Commonwealth or transport or movement out of this Commonwealth, the persons causing the slot machine **or fully automated electronic gaming table** to be transported or moved shall notify the Bureau of Gaming Laboratory Operations[ , BIE ] and the Bureau of [ Gaming Operations ] **Casino Compliance** in writing or in an electronic format approved by

the Board. The notice shall be submitted no later than the day the slot machine **or fully automated electronic gaming table** is transported and include the following information:

(1) The name and address of the person shipping or moving the slot machine **or fully automated electronic gaming table**.

(2) The name and address of the person who owns the slot machine **or fully automated electronic gaming table**, if different from the person shipping or moving the machine.

(3) The name and address of a new owner if ownership is being changed in conjunction with the shipment or movement.

(4) The method of shipment or movement and the name and address of the common carrier or carriers, if applicable.

(5) The name and address of the person to whom the slot machine **or fully automated electronic gaming table** is being sent and the destination of the slot machine **or fully automated electronic gaming table**, if different from that address.

(6) The quantity of slot machines **or fully automated electronic gaming tables** being shipped or moved and the manufacturer's serial number of each machine.

(7) The expected date and time of delivery to, or removal from, any authorized location within this Commonwealth.

(8) The port of entry, or exit, if any, of the slot machine **or fully automated electronic gaming table** if the origin or destination of the slot machine **or fully automated electronic gaming table** is outside the continental United States.

(9) The reason for transporting or moving the slot machine **or fully automated electronic gaming table**.

§ 463a.3. Slot machine **and fully automated electronic gaming table** location.

(a) A gaming floor must consist of one or more areas within a licensed facility approved by the Board **or Executive Director** under § 467a.1 (relating to gaming floor plan) for the placement and operation of slot machines **or fully automated electronic gaming tables**.

(b) A slot machine **or fully automated electronic gaming table** on a gaming floor shall be placed at a location, which location may contain no more than one slot machine **or fully automated electronic gaming table**, identified by number on a gaming floor plan approved by the Board **or Executive Director** under section 1322 of the act (relating to slot machine accounting controls and audits) and § 467a.1 and shall also be identified by this slot machine **or fully automated electronic gaming table** location number and an asset number on the Gaming Floor Slot Machine **and Fully Automated Electronic Gaming Table** Master List.

§ 463a.4. Connection to the central control computer system.

Prior to utilization for gambling activity, a slot machine **or fully automated electronic gaming table** on a gaming floor shall be connected or linked to a central control computer system having the capabilities and in compliance with the terms of section 1323 of the act (relating to central control computer system).

§ 463a.5. Slot machine **and fully automated electronic gaming table** master lists.

(a) Prior to the commencement of operations at a licensed facility, a slot machine licensee shall file the following with the Bureau of Gaming Laboratory Operations and the Bureau of [ **Gaming Operations** ] **Casino Compliance**, in an electronic format approved by the Bureau of Gaming Laboratory [ **Master List** ] **Operations**.

(1) Gaming Floor Slot Machine **and Fully Automated Electronic Gaming Table** Master List.

(2) Restricted Area/Off Premises Slot Machine **and Fully Automated Electronic Gaming Table** Master List.

(b) A Gaming Floor Slot Machine **and Fully Automated Electronic Gaming Table** Master List must list all slot machines **and fully automated electronic gaming tables** located on the gaming floor in consecutive order by the slot machine location number under § 463a.3 (relating to slot machine **and fully automated electronic gaming table** location) and contain the following:

(1) The date the list was prepared.

(2) A description of each slot machine **or fully automated electronic gaming table** which includes:

\* \* \* \* \*

(viii) The slot machine **or fully automated electronic gaming table** model.

\* \* \* \* \*

(xiv) [ **Is** ] **Whether** the slot machine **or fully automated electronic gaming table** is in a smoking area[ **?** ].

(xv) [ **Is** ] **If** the slot machine **or fully automated electronic gaming table** is a progressive[ **;** **if it is** ], the type of progressive[ **.** ].

(xvi) **If it is a progressive** ], the progressive controller type[ **.** ].

(xvii) **If it is a progressive,** ] **and** the progressive software.

[ (xviii) ] (xvi) The fund transfer/voucher system software.

(c) If a slot machine **or fully automated electronic gaming table** is configured to allow a patron to select from multiple game themes, each game theme, minimum and machine displayed payout percentages and payable ID must be listed in the Gaming Floor Slot Machine **and Fully Automated Electronic Gaming Table** Master List. Instead of listing each game theme, minimum and machine displayed payout percentage and payable ID for a slot machine **or fully automated electronic gaming table** configured to offer multiple game themes with the slot machine **or fully automated electronic gaming table**, a slot machine licensee may use a unique generic code for the game theme and attach an appendix which lists the game themes, minimum and machine displayed payout percentages and payable IDs that correspond to each unique generic game theme code.

(d) A Restricted Area/Off Premises Slot Machine **and Fully Automated Electronic Gaming Table** Master List must include all slot machines **and fully automated electronic gaming tables** located off the gaming

floor but within a restricted area in the licensed facility approved by the Board under § 465a.8(b) (relating to licensed facility), or in storage locations in this Commonwealth off the premises of the licensed facility approved by the Board under § 463a.7 (relating to off premises storage of slot machines) grouped by the [ **each** ] location where the slot machines **or fully automated electronic gaming tables** are located. A Restricted Area/Off Premises Slot Machine **and Fully Automated Electronic Gaming Table** Master List must include the following information:

(1) The date the list was prepared.

(2) A description of each slot machine **and fully automated electronic gaming table** which includes:

(i) The location of the slot machine **or fully automated electronic gaming table**.

\* \* \* \* \*

(viii) The slot machine **or fully automated electronic gaming table** model.

(ix) The model type (reel or video).

(e) Once a slot machine **or fully automated electronic gaming table** has been placed in an authorized location on the gaming floor or is stored in a restricted area off the gaming floor but within the licensed facility approved by the Board under § 465a.8 or in a location in this Commonwealth off the premises of the licensed facility approved by the Board under § 463a.7, all subsequent movements of that slot machine **or fully automated electronic gaming table** shall be recorded by a slot department member in a slot machine movement log which includes the following:

(1) The asset number and model and manufacturer's serial number of the moved slot machine **or fully automated electronic gaming table**.

(2) The date and time of movement.

(3) The location from which the slot machine **or fully automated electronic gaming table** was moved.

(4) The location to which the slot machine **or fully automated electronic gaming table** was moved.

(5) The date and time of any required notice to the Department in connection with activation or disabling of the slot machine **or fully automated electronic gaming table** in the central control computer system.

(6) The signature of the slot shift manager and the lead technician verifying the movement of the slot machine **or fully automated electronic gaming table** in compliance with this section.

(f) Documentation summarizing slot machine **or fully automated electronic gaming table** movements shall be submitted to the Bureau of Gaming Laboratory Operations, in an electronic format approved by the Bureau of Gaming Laboratory Operations, on a daily basis.

(g) [ **On** ] **By 5 p.m. on** the first Tuesday of each month [ **following the initial filing of the Gaming Floor Slot Machine Master List and the Restricted Area/Off Premises Slot Machine Master List,** ] a slot machine licensee shall file [ **with the Bureau of Gaming Laboratory Operations, in an electronic format approved by the Bureau of Gaming Laboratory Operations,** ] an updated Gaming Floor Slot Machine **and Fully Automated Electronic Gaming Table** Master List and an updated Restricted Area/Off Premises Slot Machine **and Fully Automated Electronic Gaming**

**Table Master List** containing the information [ , ] required [ in ] under subsections (b)—(d). **The Gaming Floor Slot Machine and Fully Automated Electronic Gaming Table Master List and the Restricted Area/Off Premises Slot Machine and Fully Automated Electronic Gaming Table Master List shall be filed in an electronic format with the Bureau of Gaming Laboratory Operations.**

(h) [ **Manufacturer, manufacturer designee and supplier licensees and educational institutions, manufacturers, manufacturer designees and suppliers not licensed within this Commonwealth and regulatory and law enforcement agencies** ] Persons authorized by the Board to possess slot machines **or fully automated electronic gaming tables** under § 463a.1 (relating to possession of slot machines **and fully automated electronic gaming tables** generally) shall file with the Bureau of Gaming Laboratory Operations, in an electronic format approved by the Bureau of Gaming Laboratory Operations, a complete list of slot machines **or fully automated electronic gaming table** possessed by the person. The list shall:

(1) Be denoted as a Slot Machine **and Fully Automated Electronic Gaming Table** Master List.

(2) Be filed within 3 business days of the initial receipt of slot machines **or fully automated electronic gaming tables**.

(3) Contain the following information:

(i) The date on which the list was prepared.

(ii) A description of each slot machine **or fully automated electronic gaming table** including:

(A) The manufacturer.

(B) The manufacturer's serial number.

(C) The slot machine **or fully automated electronic gaming table** model.

(D) The model type (reel or video).

(E) Whether or not the slot machine **or fully automated electronic gaming table** is a progressive, and if it is, the type of progressive.

(i) [ **On** ] **By 5 p.m. on** the first Tuesday of each month following the initial filing of a Slot Machine **and Fully Automated Electronic Gaming Table** Master List, those persons enumerated in subsection (h) shall file with the Bureau of Gaming Laboratory Operations, in an electronic format approved by the Bureau of Gaming Laboratory Operations, an updated Slot Machine **and Fully Automated Electronic Gaming Table** Master List containing the information required in subsection (h).

§ 463a.6. **Notice to central control computer system.**

To insure activation or disabling, as appropriate, in the central control computer system and the retrieval of real time meter information from the slot machine [ **coincident** ] **or fully automated electronic gaming table in conjunction** with the movement of a slot machine **or fully automated electronic gaming table**, the slot machine licensee shall provide the Department with written notice of the slot **or fully automated electronic gaming table** movement, prior to any of the following:

(1) Placement of a slot machine **or fully automated electronic gaming table** on the gaming floor.

(2) Movement of a slot machine **or fully automated electronic gaming table** between slot machine **or fully automated electronic gaming table** locations on the gaming floor.

(3) Removal of a slot machine **or fully automated electronic gaming table** from the gaming floor.

§ 463a.7. **Off premises storage of slot machines and fully automated electronic gaming tables.**

(a) A slot machine licensee may not store slot machines **or fully automated electronic gaming tables** off the premises of a licensed facility without prior approval from the Board's Executive Director.

(b) A slot machine licensee seeking to store slot machines off the premises of a licensed facility shall submit a written request to the Bureau of Gaming Operations for off premise storage. The written request must include:

(1) The location and a physical description of the proposed storage facility.

(2) A description of the type of surveillance system that has been or will be installed at the proposed storage facility.

(3) The plan to provide 24 hour, 7 day a week security at the proposed storage facility.

(4) The number and manufacturer of the slot machines **or fully automated electronic gaming tables** that will be stored at the proposed storage facility.

(5) The date that the slot machines **or fully automated electronic gaming tables** are expected to arrive at the proposed storage facility.

(6) The date that the slot machines **or fully automated electronic gaming tables** are expected to be moved to a licensed facility.

(c) Before the Board's Executive Director will act on a request for off premise storage of slot machines, the [ **Board's Executive** ] **Director of Casino Compliance** will inspect the proposed storage facility.

(d) The Board's Executive Director will approve or disapprove requests within 60 days. Requests approved by the Board's Executive Director may be subject to specific terms and conditions imposed by the Board's Executive Director.

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

#### **CHAPTER 464a. SLOT MACHINE TOURNAMENTS**

Sec.

464a.1. Definitions.

464a.2. Conduct of a slot machine tournament.

##### **§ 464a.1. Definitions.**

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

*Points*—Noncash equivalent electronic instrument utilized for slot machine tournament play only, the total of which determines the winners of a slot machine tournament.

*Slot machine tournament*—A contest whereby individuals engage in competitive slot machine play against other individuals utilizing points.

##### **§ 464a.2. Conduct of a slot machine tournament.**

(a) Slot machine tournaments may not be played with cash, value chips, plaques, gaming vouchers or other cash equivalents.



(b) A slot machine licensee may charge an entry fee to participate in a slot machine tournament. A slot machine licensee that charges an entry fee shall submit electronically to the Department of Revenue a Slot Tournament Revenue Report by 10 a.m. on the day following the conclusion of the tournament.

(c) A slot machine licensee that wishes to conduct a slot machine tournament shall submit notice of intent to conduct a slot machine tournament at least 10 days prior to the start of the tournament. The notice must be submitted electronically to the Bureau of Gaming Operations using the Internal Controls & Table Games Submission Form, which is posted on the Board's web site at www.pgcb.pa.gov, and include the following:

(1) A general description of how the slot machine tournament will be conducted and a copy of the rules governing play.

(2) The dates and times that the tournament will be conducted.

(3) Participation eligibility requirements including:

(i) Who is eligible to participate.

(ii) The minimum and maximum number of participants.

(iii) Entry fees charged.

(4) The criteria used to determine the winners.

(5) The monetary amount or description of the prizes to be awarded.

(6) The details of when and how the prizes will be awarded.

(7) The asset and gaming floor plan location numbers of the slot machines that will be used to conduct the slot machine tournament.

(8) How the slot machine tournament area will be segregated from patrons who are not participating in the slot machine tournament.

(d) In addition to filing a notice required under subsection (c), a slot machine licensee shall submit a copy of the notice to the casino compliance representatives at the licensed facility, the Bureau of Gaming Laboratory Operations and the Department of Revenue.

(e) Advertising to promote a slot machine tournament must, at a minimum:

(1) Comply with the advertising requirements in Chapter 421b (relating to advertising guidelines—statement of policy) and § 421a.6 (relating to advertising).

(2) Contain information on who is eligible to participate.

(3) Include a copy of the slot machine tournament rules or state how a copy of the rules may be obtained.

(f) A slot machine used for a slot machine tournament must:

(1) Use tournament software authorized by the Bureau of Gaming Laboratory Operations in accordance with § 461a.4 (relating to submission for testing and approval).

(2) Maintain connectivity with the Central Control Computer System (CCS).

(3) Have the functionality of the bill validator, ticket printer and electronic funds transfer meters disabled

during the slot machine tournament so that the slot machine does not accept cash or credits or make payouts during tournament play.

(g) A slot machine used in a slot machine tournament may not be made available for play to individuals entered in the tournament until the Bureau of Gaming Laboratory Operations has completed an initial test of the tournament software and has authorized the slot machine for tournament play.

(h) Before and after slot machine tournament, the slot machine licensee shall:

(1) Receive approval from the onsite CCR to place the slot machine in and take it out of tournament mode.

(2) Ensure that the CCS has recorded all meter settings on all slot machines used in the tournament.

(i) A slot machine licensee shall maintain records related to the conduct of a slot machine tournament in accordance with § 465a.6(c) (relating to retention, storage and destruction of books, records and documents). These records shall be made available to Board staff, the Department and the Pennsylvania State Police upon request and must include:

(1) A copy of the notice required under subsection (d).

(2) The names and addresses of all prize winners and the prize each winner was awarded.

**CHAPTER 465a. ACCOUNTING AND INTERNAL CONTROLS**

**§ 465a.2. Internal control systems and audit protocols.**

\* \* \* \* \*

(f) If a slot machine licensee intends to make a change or amendment to its system of internal controls, it shall submit the change or amendment electronically to the Bureau of Gaming Operations using the [ **Amendment and Waiver Request Form** ] **Internal Controls & Table Games Submission Form** posted on the Board's web site at www.pgcb.pa.gov. A request for a change or amendment must include electronic copies of the attestations required under subsection (b)(1) and (2). [ **The slot machine licensee shall also submit a written copy of the change or amendment and the required attestations to the Department.** ] The slot machine licensee may implement the change or amendment on the 30th calendar day following the filing of a complete submission unless the slot machine licensee receives written notice tolling the change or amendment in accordance with subsection (g) **or written notice from the Board's Executive Director rejecting the change or amendment.**

\* \* \* \* \*

**§ 465a.19. Acceptance of tips or gratuities from patrons.**

\* \* \* \* \*

(d) **A patron may identify a wager as a tip wager. A tip wager placed at the table shall be played separately from the player's other wagers. A winning tip wager shall be collected and deposited in the tip box after each round of play or after a roll of the dice which decides the outcome of the wager. A winning tip wager or part of a winning tip wager may not be wagered again.** Upon receipt from a patron of a tip or gratuity, a dealer shall extend his arm in an

overt motion, and deposit the tip or gratuity in the locked box reserved for tips and gratuities.

\* \* \* \* \*

§ 465a.33. Access to areas containing central control computer equipment.

A slot machine licensee shall develop and submit to the Board and the Department, as part of the submission required under § 465a.2 (relating to internal control systems and audit protocols), procedures for safeguarding and limiting access to the central control computer (CCC) equipment housed within the licensed facility. At a minimum, these procedures must include the following requirements:

\* \* \* \* \*

(3) All keys which access the area containing CCC equipment shall be maintained by the slot machine licensee's security department. The keys may only be signed out by [ the director of security or the security shift manager ] a security supervisor or above to employees of the Department or the operator of the CCC system who are on the authorized access list. The authorized access list shall be obtained from the Department and made available to the casino compliance representatives and the director of security at the licensed facility. A verbal notification shall be made to the surveillance monitoring room, the operator of the CCC system and the casino compliance representatives at the licensed facility prior to signing out the keys.

\* \* \* \* \*

Subpart K. TABLE GAMES

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

CHAPTER 607a. POSSESSION OF TABLE GAMES AND TABLE GAME DEVICES

Sec.

- 607a.1. Transportation of table games and table game devices into, within and out of this Commonwealth.
607a.2. Table game device master list.
607a.3. Off premises storage of table games and table game devices.

§ 607a.1. Transportation of table games and table game devices into, within and out of this Commonwealth.

Prior to the transport or movement of table games and table game devices into this Commonwealth, the persons causing the table games and table game devices to be transported or moved shall notify the Bureau of Gaming Laboratory Operations and the Bureau of Casino Compliance in writing or in an electronic format approved by Board. The notice shall be submitted by the day the table games or table game devices are transported and must include the following:

- (1) The name and address of the person shipping or moving the table games or table game devices.
(2) The name and address of the person who owns the table games or table game devices if different from the person shipping or moving table games or table game devices.
(3) The name and address of the new owner if ownership is being changed in conjunction with the shipment or movement.
(4) The method of shipment or movement and the name and address of the common carrier, if applicable.

(5) The name and address of the person to whom the table games or table game devices are being sent and the destination of the table games or table game devices, if different from that address.

(6) The quantity of table games or table game devices being shipped or moved and the manufacturer's serial number, if applicable, for each table game or table game device.

(7) The expected date and time of delivery to, or removal from, an authorized location within this Commonwealth.

(8) The port of entry or exit, if any, of the table games or table game devices if the origin or destination of the table games or table game devices is outside of the continental United States.

(9) The reason for transporting or moving the table games or table game devices.

§ 607a.2. Table game device master list.

(a) Prior to commencement of table game operations at a licensed facility, a table games certificate holder shall file with the Bureau of Gaming Laboratory Operations and the Bureau of Casino Compliance, in an electronic format approved by the Bureau of Gaming Laboratory Operations, a Gaming Floor Table Game Device Master List and a Restricted Area/Off Premises Table Game Device Master List for the following table game devices:

- (1) Electronic gaming tables as described in § 605a.4 (relating to electronic gaming tables).
(2) Progressive table game systems as described in § 605a.7 (relating to progressive table game systems).
(3) Automated card shuffling devices as described in § 603a.17 (relating to dealing shoes; automated card shuffling devices).
(4) Electronic dealing shoes as described in § 603a.17.
(5) Electronic wagering systems as described in § 605a.2 (relating to electronic wagering systems)
(6) Any other mechanical, electrical or computerized contrivance, terminal or machine required to be submitted to the Bureau of Gaming Laboratory Operators for testing and approval in accordance with Chapter 461a (relating to slot machine and table game device testing and control).

(b) The Gaming Floor Table Game Device Master List and the Restricted Area/Off Premises Table Game Device Master List must contain the following information:

- (1) The date the list was prepared.
(2) A description of each table game device listed in subsection (a) which includes:
(i) The pit number or location on the gaming floor, restricted area of the licensed facility or other approved storage location.
(ii) The asset number or table game type, or both, that the device is connected to.
(iii) The manufacturer.
(iv) The manufacturer's serial number.
(v) The software/program identification.
(vi) If the device is a progressive:
(A) The name of the progressive controller type.
(B) The name and version of the progressive software.

(c) In conjunction with the Gaming Floor and Restricted Area/Off Premises Slot Machine and Fully Automated Electronic Gaming Table Master List filed in accordance with § 463a.5(g) (relating to slot machine and fully automated electronic gaming table master lists), by 5 p.m. on the first Tuesday of each month, a certificate holder shall file with the Bureau of Gaming Laboratory Operations an updated Gaming Floor Table Game Device Master List and Restricted Area/Off Premises Table Game Device Master List containing the information required under subsection (b). The Gaming Floor Table Game Device Master List and the Restricted Area/Off Premises Table Game Device Master List shall be filed in an electronic format with the Bureau of Gaming Laboratory Operations.

§ 607a.3. Off premises storage of table games and table game devices.

(a) A certificate holder may not store table games or table game devices off the premises of a licensed facility without prior approval from the Board's Executive Director.

(b) A slot machine licensee seeking to store table games and table game devices off the premises of a licensed facility shall submit a written request to the Bureau of Gaming Operations for off premise storage. The written request must include:

- (1) The location and a physical description of the proposed storage facility.
(2) A description of the type of surveillance system that has been or will be installed at the proposed storage facility.
(3) The plan to provide 24-hour, 7-day a week security at the proposed storage facility.
(4) The number and manufacturer of the table games or table game devices that will be stored at the proposed storage facility.
(5) The date that the table games or table game devices are expected to arrive at the proposed storage facility.
(6) The date that the table games or table game devices are expected to be moved to a licensed facility.
(c) Before the Board's Executive Director will act on a request for off premise storage of table games or table game devices, the Director of Casino Compliance will inspect the proposed storage facility.
(d) The Board's Executive Director will approve or disapprove requests within 60 days. Approved requests may be subject to specific terms and conditions imposed by the Board's Executive Director.

CHAPTER 627a. MINIBACCARAT

§ 627a.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

\* \* \* \* \*

Natural—A hand which has a Point Count of 8 or 9 on the first two cards dealt.

Panda 8—A Player's Hand which has a Point Count of 8 with a total of three cards dealt and the Banker's Hand which has a Point Count of less than 8.

§ 627a.2. Minibaccarat table physical characteristics.

\* \* \* \* \*

(b) The layout for a Minibaccarat table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and contain, at a minimum:

\* \* \* \* \*

(6) If a certificate holder offers EZ Baccarat in which vigorish is not collected:

(i) Separate areas designated for the placement of the Dragon 7 Insurance Wager, authorized under § 627a.7(a)(5), for each player.

(ii) Inscriptions that advise patrons that a wager on the Banker's Hand that results in a Dragon 7 shall push and be returned to the player. If the information is not inscribed on the layout, a sign containing the information shall be posted at each Minibaccarat table.

(iii) Separate areas designated for the placement of the Panda 8 Insurance Wager, authorized under § 627a.7(a)(6), for each player.

(7) Numbered areas that correspond to the seat numbers for the purpose of marking vigorish unless the dealer, in accordance with the option selected in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions), collects the vigorish from a player at the time the winning payout is made or the table is designated for play as an EZ Baccarat table in which vigorish is not collected.

\* \* \* \* \*

§ 627a.7. Wagers.

(a) The following are permissible wagers in the game of Minibaccarat:

\* \* \* \* \*

(2) A wager on the Player's Hand which shall:

(i) Win if the Player's Hand has a Point Count higher than that of the Banker's Hand and if EZ Baccarat is being played and the Point Counts of the Player's Hand and the Dealer's Hand result in a Panda 8.

\* \* \* \* \*

(5) A Dragon 7 Insurance Wager, if the table is designated for play as an EZ Baccarat table, which shall:

(i) Win if the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7.

(ii) Lose if the Point Counts of the Banker's Hand and the Player's Hand do not result in a Dragon 7.

(6) A Panda 8 Insurance Wager, if the table is designated for play as an EZ Baccarat table, which shall:

(i) Win if the Point Counts of the Player's Hand and the Dealer's Hand result in a Panda 8.

(ii) Lose if the Point Counts of the Player's Hand and the Dealer's Hand do not result in a Panda 8.

(b) Wagers at Minibaccarat shall be made by placing value chips or plaques on the appropriate areas of the Minibaccarat layout. Verbal wagers accompanied by cash may be accepted provided that they are confirmed by the dealer and the cash is expeditiously converted into value chips or plaques.



(c) A wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

§ 627a.11. **Announcement of result of round; payment and collection of wagers.**

(a) After each hand has received all the cards to which it is entitled under §§ 627a.8, 627a.9 and 627a.10 (relating to hands of player and banker; procedure for dealing initial two cards to each hand; procedure for dealing a third card; and rules for determining whether a third card shall be dealt), the dealer shall announce the final Point Count of each hand indicating which hand has won the round. If two hands have equal Point Counts, the dealer shall announce "tie hand." If the table is designated for play as an EZ Baccarat table and the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7 or a Panda 8, the dealer shall announce "Dragon 7" or "Panda 8."

\* \* \* \* \*

§ 627a.12. **Payout odds; vigorish.**

\* \* \* \* \*

(f) A winning Dragon 7 Insurance Wager, as described in § 627a.7(a)(5), shall be paid at odds of 40 to 1.

(g) **A winning Panda 8 Insurance Wager, as described in § 627a.7(a)(6), shall be paid at odds of 25 to 1.**

**CHAPTER 629a. MIDIBACCARAT**

§ 629a.1. **Definitions.**

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

\* \* \* \* \*

*Natural*—A hand which has a Point Count of 8 or 9 on the first two cards dealt.

**Panda 8**—A Player's Hand which has a Point Count of 8 with a total of three cards dealt and the Banker's Hand which has a Point Count of less than 8.

§ 629a.2. **Midibaccarat table physical characteristics.**

\* \* \* \* \*

(b) The layout for a Midibaccarat table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and contain, at a minimum:

\* \* \* \* \*

(6) If a certificate holder offers EZ Baccarat in which vigorish is not collected:

(i) Separate areas designated for the placement of the Dragon 7 Insurance Wager, authorized under § 629a.7(a)(5), for each player.

(ii) Inscriptions that advise patrons that a wager on the Banker's Hand that results in a Dragon 7 shall push and be returned to the player. If the information is not inscribed on the layout, a sign containing the information shall be posted at each Midibaccarat table.

(iii) **Separate areas designated for the placement of the Panda 8 Insurance Wager, authorized under § 629a.7(a)(6), for each player.**

(7) Numbered areas that correspond to the seat numbers for the purpose of marking vigorish unless the

dealer, in accordance with the option selected in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions), collects the vigorish from a player at the time the winning payout is made or the table is designated for play as an EZ Baccarat table in which vigorish is not collected.

\* \* \* \* \*

§ 629a.7. **Wagers.**

(a) The following are permissible wagers in the game of Midibaccarat:

\* \* \* \* \*

(2) A wager on the Player's Hand which shall:

(i) Win if the Player's Hand has a Point Count higher than that of the Banker's Hand **and if EZ Baccarat is being played and the Point Counts of the Player's Hand and the Dealer's Hand result in a Panda 8.**

\* \* \* \* \*

(5) A Dragon 7 Insurance Wager, if the table is designated for play as an EZ Baccarat table, which shall:

(i) Win if the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7.

(ii) Lose if the Point Counts of the Banker's Hand and the Player's Hand do not result in a Dragon 7.

(6) **A Panda 8 Insurance Wager, if the table is designated for play as an EZ Baccarat table, which shall:**

(i) **Win if the Point Counts of the Player's Hand and the Dealer's Hand result in a Panda 8.**

(ii) **Lose if the Point Counts of the Player's Hand and the Dealer's Hand do not result in a Panda 8.**

(b) Wagers at Midibaccarat shall be made by placing value chips or plaques on the appropriate areas of the Midibaccarat layout. Verbal wagers accompanied by cash may be accepted provided that the verbal wagers are confirmed by the dealer and the cash is expeditiously converted into value chips or plaques.

(c) A wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

§ 629a.11. **Announcement of result of round; payment and collection of wagers.**

(a) After each hand has received all the cards to which it is entitled under §§ 629a.8, 629a.9 and 629a.10 (relating to hands of player and banker; procedure for dealing initial two cards to each hand; procedure for dealing a third card; and rules for determining whether a third card shall be dealt), the dealer shall announce the final Point Count of each hand indicating which hand has won the round. If two hands have equal Point Counts, the dealer shall announce "tie hand." If the table is designated for play as an EZ Baccarat table and the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7 or a Panda 8, the dealer shall announce "Dragon 7" or "Panda 8."

\* \* \* \* \*

§ 629a.12. **Payout odds; vigorish.**

\* \* \* \* \*

(f) A winning Dragon 7 Insurance Wager, as described in § 629a.7(a)(5), shall be paid at odds of 40 to 1.

(g) **A winning Panda 8 Insurance Wager, as described in § 629a.7(a)(6), shall be paid at odds of 25 to 1.**

CHAPTER 631a. BACCARAT

§ 631a.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

\* \* \* \* \*

Natural—A hand which has a Point Count of 8 or 9 on the first two cards dealt.

Panda 8—A Player’s Hand which has a Point Count of 8 with a total of three cards dealt and the Banker’s Hand which has a Point Count of less than 8.

§ 631a.2. Baccarat table physical characteristics.

\* \* \* \* \*

(b) The layout for a Baccarat table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table layouts, signage and equipment) and contain, at a minimum:

\* \* \* \* \*

(6) If a certificate holder offers EZ Baccarat:

(i) Separate areas designated for the placement of the Dragon 7 Insurance Wager, authorized under § 631a.8(a)(5), for each player.

(ii) Inscriptions that advise patrons that a wager on the Banker’s Hand that results in a Dragon 7 shall push and be returned to the player. If the information is not inscribed on the layout, a sign containing the information must be posted at each Baccarat table.

(iii) Separate areas designated for the placement of the Panda 8 Insurance Wager, authorized under § 631a.8(a)(6), for each player.

(7) Numbered areas that correspond to the seat numbers for the purpose of marking vigorish unless the dealer, in accordance with the option selected in the certificate holder’s Rules Submission under § 601a.2 (relating to table games Rules Submissions), collects the vigorish from a player at the time the winning payout is made or the table is designated for play as an EZ Baccarat table in which vigorish is not collected.

\* \* \* \* \*

§ 631a.8. Wagers.

(a) The following are permissible wagers in the game of Baccarat:

\* \* \* \* \*

(2) A wager on the Player’s Hand which shall:

(i) Win if the Player’s Hand has a Point Count higher than that of the Banker’s Hand and if EZ Baccarat is being played and the Point Counts of the Player’s Hand and the Dealer’s Hand result in a Panda 8.

\* \* \* \* \*

(5) A Dragon 7 Insurance Wager, if the table is designated for play as an EZ Baccarat table, which shall:

(i) Win if the Point Counts of the Banker’s Hand and the Player’s Hand result in a Dragon 7.

(ii) Lose if the Point Counts of the Banker’s Hand and the Player’s Hand do not result in a Dragon 7.

(6) A Panda 8 Insurance Wager, if the table is designated for play as an EZ Baccarat table, which shall:

(i) Win if the Point Counts of the Player’s Hand and the Dealer’s Hand result in a Panda 8.

(ii) Lose if the Point Counts of the Player’s Hand and the Dealer’s Hand do not result in a Panda 8.

(b) Wagers at Baccarat shall be made by placing value chips or plaques on the appropriate areas of the Baccarat layout. Verbal wagers accompanied by cash may be accepted provided that the verbal wagers are confirmed by the dealer and the cash is expeditiously converted into value chips or plaques.

(c) A wager may not be made, increased or withdrawn after the dealer has announced “no more bets.”

§ 631a.12. Announcement of result of round; payment and collection of wagers.

(a) After each hand has received all the cards to which it is entitled under §§ 631a.9, 631a.10 and 631a.11 (relating to hands of player and banker; procedure for dealing initial two cards to each hand; procedure for dealing a third card; and rules for determining whether a third card shall be dealt), the dealer calling the game shall announce the final Point Count of each hand indicating which hand has won the round. If the two hands have equal Point Counts, the dealer shall announce “tie hand.” If the table is designated for play as an EZ Baccarat table and the Point Counts of the Banker’s Hand and the Player’s Hand result in a Dragon 7 or a Panda 8, the dealer shall announce “Dragon 7” or “Panda 8.”

\* \* \* \* \*

§ 631a.13. Payout odds; vigorish.

\* \* \* \* \*

(f) A winning Dragon 7 Insurance Wager, as described in § 631a.8(a)(5), shall be paid out at odds of 40 to 1.

(g) A winning Panda 8 Insurance Wager, as described in § 631a.8(a)(6), shall be paid at odds of 25 to 1.

CHAPTER 633a. BLACKJACK

§ 633a.13. Payout odds; payout limitation.

\* \* \* \* \*

(l) If the certificate holder offers the Hit and Run Progressive Wager:

(1) The certificate holder shall pay out winning Hit and Run Progressive Wagers at the odds in the following payable:

<i>Hand</i>	<i>Payout</i>
Dealer has:	
Eight or more cards	100% of meter
Seven cards	[ 100 ] 200 for 1
Six cards	25 for 1
Five cards	[ 7 ] 8 for 1
Blackjack	4 for 1

\* \* \* \* \*

[Pa.B. Doc. No. 12-2100. Filed for public inspection October 26, 2012, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending October 8, 2012.

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

### BANKING INSTITUTIONS

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
10-4-2012	Wesbanco, Inc. Wheeling Ohio County, WV  Application for approval to acquire 100% of Fidelity Bancorp, Inc., Pittsburgh, and thereby indirectly acquire 100% of Fidelity Savings Bank, Pittsburgh	Approved

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-1-2012	Penn Security Bank and Trust Company Scranton Lackawanna County	Birney Avenue and Davis Street Scranton Lackawanna County	Opened

##### Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-8-2012	VIST Bank Wyomissing Berks County	<i>To:</i> 221 Ridge Pike Conshohocken Montgomery County  <i>From:</i> 625 Ridge Pike Conshohocken Montgomery County	Filed

##### Branch Consolidations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-8-2012	ESB Bank Ellwood City Lawrence County	<i>Into:</i> 1706 Lowrie Street Pittsburgh Allegheny County  <i>From:</i> Itin and Rhine Streets Pittsburgh Allegheny County	Filed
10-8-2012	ESB Bank Ellwood City Lawrence County	<i>Into:</i> 2521 Darlington Road Beaver Falls Beaver County  <i>From:</i> 233 Second Street Beaver Beaver County	Filed



**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 12-2101. Filed for public inspection October 26, 2012, 9:00 a.m.]

**Actions on Applications**

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending October 16, 2012.

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

**BANKING INSTITUTIONS****Voluntary Dissolutions**

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
10-12-2012	e3holdings Malvern Chester County	Effective

Articles of Dissolution filed with the Department of State. Corporate existence terminated.

**Branch Applications****De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-4-2012	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	545 West Street Road Warminster Bucks County	Withdrawn

**Branch Relocations**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-9-2012	Northwest Savings Bank Warren Warren County	<i>To:</i> 105 Petroleum Street Oil City Venango County  <i>From:</i> One East First Street Oil City	Effective

**Branch Discontinuances**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-3-2012	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	550 West Trenton Avenue Morrisville Bucks County	Filed

**SAVINGS INSTITUTIONS**

No activity.

## CREDIT UNIONS

No activity.

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 12-2102. Filed for public inspection October 26, 2012, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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

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

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

For NPDES renewal applications in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements. For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

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

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

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

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

**I. NPDES Renewal Applications**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0070246 (Sewage)	Parkland School District (Kernsville Elementary School STP) 5051 Kernsville Road Orefield, PA 18069	Lehigh County North Whitehall Township	Jordan Creek (2-C)	Y
PA0061182 (Sewage)	Big Boulder Ski Area Big Boulder Blakeslee, PA 18610-0707	Carbon County Kidder Township	Unnamed Tributary to Tunkhannock Creek (2-A)	Y
PA0010987 (Sewage)	Tobyhanna Army Depot Tobyhanna, PA 18466-5086	Monroe County Coolbaugh Township	Hummeler Run and Cross Keys Run and Oakes Swamp High Quality Cold Water Fishes (2-A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0044741 (IW)	Hanover Foods Corporation PO Box 34 1486 York Street Hanover, PA 17331-0334	York County Penn Township	UNT to Oil Creek / 7-H	Y
PA0085171 (Sew)	Lyons Borough Municipal Authority PO Box 131 316 South Kemp Street Lyon Station, PA 19536-0131	Berks County Lyons Borough Maxatawny Township	Sacony Creek / 3-B	Y
PA0021776 (Sew)	Fairfield Municipal Authority 108 West Main Street PO Box 705 Fairfield, PA 17320	Adams County Fairfield Borough	Spring Run Creek / 13-D	Y
Pa0028975 (Sew)	Womelsdorf Sewer Authority 101 West High Street Womelsdorf, PA 19567	Berks County Heidelberg Township	Tulpehocken Creek / 3-C	Y
PA0087513 (Sew)	Mapleton Area Joint Municipal Authority 13343 Smith Valley Road Mapleton Depot, PA 17052-0415	Huntingdon County	Hares Valley Creek / 12-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0112607 (Sewage)	Pepper Hills Mobile Home Park RR 4 Danville, PA 17821-9804	Montour County Cooper Township	Sechler Run (5-E)	Y
PA0023582 (Sewage)	Freeburg Borough WWTP Front Street & Center Square Street Freeburg, PA 17827	Snyder County Freeburg Borough	Unnamed Tributary to Susquehecka Creek (6-A)	Y
PA0113107 (Sewage)	Briar Creek Recreation Area STP Lake Road Berwick, PA 18603	Columbia County Briar Creek Township	East Branch Briar Creek (5-D)	Y
PA0115100 (Sewage)	George Dear MHP 32 Deer Lane Tioga, PA 16946	Tioga County Lawrence Township	Mutton Lane Creek (4-A)	Y

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0112488 (Sewage)	Bear Gap STP Fredricks Road Bear Gap, PA 17842	Northumberland County Ralpho Township	Millers Run (6-B)	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*

**PA0051292**, SIC Code 4952, **Municipal Authority of the Borough of Morrisville**, 35 Union Street, Morrisville, PA 19067. Facility Name: Morrisville Municipal Authority Water System. This existing facility is located in Lower Makefield Township, **Bucks County**.

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

The receiving stream(s), Delaware River, 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 Outfall 001 are based on a design flow of 0.15 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	31	50	XXX	25	40	50
Total Suspended Solids	38	56	XXX	30	45	60
Total Aluminum	5.0	8.0	XXX	4.0	6.0	8.0
Total Iron	3.0	3.0	XXX	2.0	3.0	4.0
Total Manganese	1.3	2.0	XXX	1.0	1.5	2.0

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

- Remedial Measures if Unsatisfactory Effluent
- BAT/ELG Reopener
- Chemical Additives Requirement
- Change in Ownership
- TRC Minimization
- Proper Sludge Disposal
- TMDL/WLA Analysis
- Lab Certification
- Sedimentation Basin Cleaning Operation
- Discharge into Special Protection Waters

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.

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

**PA0247103**, Sewage, SIC Code 4952, **Northeastern York County Sewer Authority (Saginaw WWTP)**, 175 Chestnut Street, Mount Wolf, PA 17347-0516. Facility Name: Northeastern York County Sewer Authority—Saginaw STP. This existing facility is located in East Manchester 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, Susquehanna River, is located in State Water Plan watershed 7-H 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 0.3 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	0.50	XXX	1.6
CBOD <sub>5</sub>	62.5	100	XXX	25	40	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	75	112.5	XXX	30	45	60
		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	30	XXX	XXX	12	XXX	24
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	Report
Total Phosphorus	5.0	XXX	XXX	2.0	XXX	4.0

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

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

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

The EPA Waiver is in effect.

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

**PA0007498**, Industrial, SIC Code 2096, **Wise Foods Inc.**, 228 Rasely Street, Berwick, PA 18603-4533. Facility Name: Wise Foods, Inc. This existing facility is located in Berwick Borough, **Columbia 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), Susquehanna River, is located in State Water Plan watershed 5-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 0.2721 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
BOD <sub>5</sub>	450	715	XXX	Report	Report	315
BOD <sub>5</sub> (lbs/year)	XXX	66015	XXX	XXX	XXX	XXX
		Annl Avg				
Total Suspended Solids	930	1295	XXX	Report	Report	570
Total Suspended Solids (lbs/year)	XXX	123990	XXX	XXX	XXX	XXX
		Annl Avg				
Oil and Grease	Report	Report	XXX	15	XXX	20
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX



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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Concentration (mg/l)</i>		
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen					
(Interim)	Report	Report			
(Final)	Report	19957			
Net Total Phosphorus					
(Interim)	Report	Report			
(Final)	Report	898			

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

\* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin on October 1, 2013. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2014. This facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until September 30, 2013.

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

- Mixing Zone Study

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

The EPA Waiver is not in effect.

**PA0228818 A-1**, SIC Code 2621, **First Quality Tissue LLC**, 904 Woods Avenue, Lock Haven, PA 17745-3348. Facility Name: First Quality Tissue Lock Haven Plant.

This existing facility is located in Castanea Township, **Clinton County**.

Description of Existing Activity: The application proposes the amendment of the existing NPDES permit authorizing an existing discharge of treated industrial wastewater. First Quality Tissue has requested an extension to the compliance schedule in order to install and troubleshoot treatment facilities to meet new effluent limitations for metals.

The receiving stream(s), Bald Eagle Creek, is located in State Water Plan watershed 9-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

The EPA Waiver is not in effect.

**Application No. PA0233846 A-1**, Concentrated Animal Feeding Operation (CAFO), **Drew E. Remley**, Drew Remley Farm, Liberty Township, **Tioga County**, 1170 Salt Spring Road, Roaring Branch, PA 17765.

Drew E. Remley has submitted an application for an amendment to an Individual NPDES permit for an existing CAFO known as Drew Remley Farm located in Liberty Township, Tioga County.

The CAFO is situated near Unnamed Tributary to Salt Spring Run in Watershed 10-A, which is classified for High Quality Waters—Cold Water Fishes and.

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

The EPA waiver will not be in effect.

**PA0028631**, Sewage, SIC Code 4952, **Mid Cameron Municipal Authority**, 421 N Broad Street, Emporium, PA 15834-1401. Facility Name: Mid Cameron Authority Sewer System STP. This existing facility is located in Emporium Borough, **Cameron 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), Driftwood Branch Sinnemahoning Creek, is located in State Water Plan watershed 8-A 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 1.0 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
CBOD <sub>5</sub>						
May 1 - Sep 30	125	190	XXX	15	23	30
Oct 1 - Apr 30	150	230	XXX	18	27	36
BOD <sub>5</sub>						
Influent	XXX	Report Avg	XXX	Report	XXX	XXX
Total Suspended Solids						
Influent	XXX	Report Avg	XXX	Report	XXX	XXX
Total Suspended Solids	250	380	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
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	Total Mo					
Effluent Net	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	Total Mo					
Effluent Net	XXX	19,178	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	Total Annual Report	XXX	XXX	XXX	XXX
Ammonia-Nitrogen		Total Annual				
May 1 - Sep 30	50	75	XXX	6	9	12
Oct 1 - Apr 30	42	63	XXX	5	8	10
Ammonia-Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	Total Mo					
Total Annual	XXX	Report	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Total Mo					
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
	Total Mo			XXX	XXX	XXX

<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>
Total Phosphorus	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus Effluent Net	XXX	2,557 Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Copper	0.117	0.234	XXX	0.021	0.031	0.042
UV Dosage (mjoules/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX

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

- Chesapeake Bay Requirements
- Solids Management Condition
- Sludge Disposal
- CSO Conditions
- CSO TRC Condition
- WET Test Condition

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

The EPA Waiver is not in effect.

**PA0037966 A-1**, Sewage, SIC Code 4952, **Moshannon Valley Joint Sewer Authority**, 829 North 9th Street, Philipsburg, PA 16866. Facility Name: Moshannon Valley Water Pollution Control Facility. This existing facility is located in Rush Township, **Centre County**.

Description of Existing Activity: The application is for the amendment of the NPDES permit for an existing discharge of treated Sewage. The amendment modifies the interim dates in the Chesapeake Bay compliance schedule.

The receiving stream(s), Moshannon Creek, is located in State Water Plan watershed 8-D 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 2.037 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>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	1.0	XXX	2.3
CBOD <sub>5</sub>	424	679 Wkly Avg	XXX	25	40	50
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	509	764 Wkly Avg	XXX	30	45	60
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

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		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	

Parameters	Mass (lbs)		Concentration (mg/l)		
	Monthly	Annual	Minimum	Monthly Average	Maximum
Net Total Nitrogen (Interim) (Final)	Report Report	Report 37205			
Net Total Phosphorus (Interim) (Final)	Report Report	Report 4960			

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

\* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin on October 1, 2012. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2013. This facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until September 30, 2012.

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

The EPA Waiver is not in effect.

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

**PA0218847**, Sewage, **Pyramid Healthcare, Inc.**, PO Box 967, Duncansville, PA 16635-0967. Facility Name: Pyramid Healthcare STP. This existing facility is located in Reade Township, **Cambria County**.

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

The receiving stream(s), Drainage Swale to Powell Run, is located in State Water Plan Watershed 8-C, and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00241 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Instant. Maximum	
Flow (MGD)	0.00241	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	3.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	1.4	XXX	3.3
CBOD <sub>5</sub>	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 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	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18.0

The EPA Waiver is in effect.

**PA0217565**, Sewage, **John and Lynae Williams**, 2212 Anthony Run Road, Indiana, PA 15701. Facility Name: Maple Valley Personal Care Home STP. This existing facility is located in Armstrong Township, **Indiana 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), Anthony Run, is located in State Water Plan Watershed 17-E and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.006 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	0.006	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	1.4	XXX	3.3
CBOD <sub>5</sub>	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	21.0	XXX	42.0

The EPA Waiver is in effect.

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

**PA0064122**, SIC Code 4911, **Calpine Bethlehem, LLC**, 500 Delaware Avenue, Wilmington, Delaware, 19801. Facility Name: Bethlehem Energy Center. This existing facility is located in Lower Saucon Township, **Northampton County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of cooling tower blowdown, low volume wastewater and stormwater.

The receiving streams, Lehigh River classified as Warm Water Fishes and Migratory Fishes and an Unnamed Tributary to Saucon Creek is classified for Cold Water Fishes, aquatic life, water supply and recreation, are located in State Water Plan watershed 2-C. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 6.18 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
Free Available Chlorine	XXX	XXX	XXX	0.2	0.5 Max	XXX
Temperature (°F)	XXX	XXX	XXX	XXX	110	XXX
Total Chromium	XXX	XXX	XXX	Report	Report	XXX
Total Zinc	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002 are based on Stormwater

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on Stormwater.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall IMP 101 are based on a design flow of 6.18 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Total Suspended Solids	XXX	XXX	XXX	30.0	100	XXX
Oil and Grease	XXX	XXX	XXX	15.0	30.0	XXX



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

- Stormwater
- Chemical additives

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

The EPA Waiver is in effect.

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

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

**WQM Permit No. 1512201**, Industrial, **Southeastern Chester County Refuse Authority**, P. O. Box 221, Kennett Square, PA 19348.

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

Description of Action/Activity: Landfill leachate will be conveyed to a wastewater treatment plant which will provide ultrafiltration/reverse osmosis treatment. Treated effluent will be land applied via spray irrigation.

**WQM Permit No. 4612406**, Sewage, **Entrance Systems, Inc.**, 2500 Quakertown Road, Pennsburg, PA 18073.

This proposed facility is located in Upper Hanover Township, **Montgomery County**.

Description of Action/Activity: A wastewater treatment plant with spray irrigation.

**WQM Permit No. 1512413**, Sewage, **New Garden Township Sewer Authority**, 299 Starr Road, Landenberg, PA 19350.

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

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

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

**WQM Permit No. 4012404** Sewerage, **Greater Hazleton Joint Sewer Authority**, PO Box 651, Hazleton PA 18201

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

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

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

**WQM Permit No. 0612406**, Sewerage, **Terry T. Helmick**, 147 Seiger Road, Kutztown, PA 19530.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction / operation of a small flow sewage system to serve their single family residence.

**WQM Permit No. 3812403**, Sewerage, **North Londonderry Township Authority**, 655 East Ridge Road, Palmyra, PA 17078.

This proposed facility is located in North Londonderry Township, **Lebanon County**.

Description of Proposed Action/Activity: Seeking permit approval for the upgrade of the existing Pump Station #4 due to the age of the existing facilities and controls.

**WQM Permit No. 3812201**, CAFO, **Meadow Wood Farms**, 2075 Colebrook Road Lebanon, PA 17042.

This proposed facility is located in North Cornwall Township, **Lebanon County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction of 2 additional HDPE lined manure storage cells to accommodate the waste flow from a new dairy free stall barn.

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

**WQM Permit No. 3075401**, Sewerage, **Franklin Township Sewer Authority**, PO Box 752, 570 Rolling Meadows Road, Waynesburg, PA 15370

This existing facility is located in Franklin Township, **Greene County**

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

**WQM Permit No. 6570201-A5**, Sewerage, **Alcoa Technical Center**, 100 Technical Drive, Alcoa Center, PA 15069-0001

This existing facility is located in Upper Burrell Township, **Westmoreland County**

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

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


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


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


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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023906029R	William Weber 5563 Acorn Dr. Emmaus, PA 18049	Lehigh	Upper Milford Township	Leibert Creek, HQ-CWF, MF
PAI023912023	Robert F. Jones III Michelle Jones 3416 Surrey Ct. Schnecksville, PA 18078	Lehigh	Heidelberg Township	Unnamed Tributary to Jordan Creek, HQ-CWF, MF
PAI023912017	PPL Electric Utilities Clive Bagnall 2 N. 9th St., GENN-3 Allentown, PA 18101	Lehigh	Upper Macungie Township	Cedar Creek, HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10U184R	Taras Zawarski Nic Zawarski & Sons Developers, Inc. 1441 Linden St. Bethlehem, Pa 18018	Northampton	Forks Township	Bushkill Creek, HQ-CWF, MF
PAI024808017(1)	Bethlehem Manor Village, LLC Abraham Atiyeh 1177 Sixth St. Whitehall, PA 18052	Northampton	City of Bethlehem	Monocacy Creek, HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026412007	PPL Electric Utilities Corp. 2 North 9th St., GENN 3 Allentown, PA 18101	Wayne	Paupack Twp.	Unnamed Tributary to Wangum Creek, HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024506018R	Suburban Realty, LP 330 Oakford Rd. Clarks Summit, PA 18411	Monroe	Stroud Twp.	Wigwam Run, HQ-CWF, MF

*Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. (412) 442.4315*

<i>Permit No.</i>	<i>Applicant &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI050212005	Edward W. Stack 217 Spanish Tract Rd. Sewickley, PA 15143	Allegheny	Edgeworth Borough	Little Sewickley (HQ-TSF)
	Frontier Golf—Nick Scigliano PO Box 84 3826 Route 31 East Jones Mills, PA 15646			

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

PAG-12 CAFOs

**CAFO Notices of Intent Received**

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

**PAG123740, CAFO, Belview Valley Farms, 458 Gemmill Road Delta, PA 17314.**

This proposed facility is located in Peach Bottom Township, **York County**.

Description of Size and Scope of Proposed Operation/Activity: The operation consists of 2,450 head wean/finish swine and utilizes a manure storage structure under the swine barn with 6 inches of freeboard at all times. This structure is 81' x 258' x 6' with a storage capacity of 625,268 gals.

The receiving stream, UNT to Neill Run, is in watershed 7-I and classified for: TSF.

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

**STATE CONSERVATION COMMISSION**

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

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

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

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the SCC, 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—APPLICATIONS**

<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>New or Renewal</i>
Gerald & Libby Vargason 2658 North Street Wyalusing, PA 18853	Bradford	88.9	0.3	Dairy, Sheep, Horses	N/A	Renewal
McClellan Farms 443 Coolbaugh Hill Road Granville Summit, PA 16926	Bradford	212.3	2.48	Swine	N/A	Renewal

**PUBLIC WATER SUPPLY (PWS)  
PERMITS**

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

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a

concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

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

### SAFE DRINKING WATER

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

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

##### Application No. 6612503 Public Water Supply.

Applicant	<b>Trehab dba Schoolhouse Hill Apartments</b> 10 Public Avenue PO Box 366 Montrose, PA. 18801
[Township or Borough]	Mehoopany Township <b>Wyoming County</b>
Responsible Official	Mr. Dennis Phelps Executive Director
Type of Facility	Public Water Supply
Consulting Engineer	Mr. David W. LaSota II, PE DW LaSota Engineering, Inc. PO Box 26 901 6th Avenue, Suite 100 Patton, PA. 16668
Application Received Date	September 20, 2012
Description of Action	This project provides for the construction of a water supply system to serve 20 senior living residential units and a community building. The water will be treated for arsenic, manganese and iron removal. Disinfection will also be provided. Storage and distribution pumping is included.

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

##### Application No. 1712502—Construction Public Water Supply.

Applicant	<b>City of DuBois Water Department</b>
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[Township or Borough]	Sandy and Union Townships
County	<b>Clearfield</b>
Responsible Official	John Suplizio, City Manager City of DuBois 16 West Scribner Avenue DuBois, PA 15801
Type of Facility	Public Water Supply
Consulting Engineer	Karl Shellenberger, P.E. Buchart Horn, Inc. 1975 Waddle Road State College, PA 16803
Application Received Date	October 10, 2012
Description of Action	Construction of 4 new wells and wellhouses, along with treatment facilities for the water from those wells.

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

##### Permit No. 4312502, Public Water Supply

Applicant	<b>Lakeview Estates Mobile Home Park</b>
[Township or Borough]	New Lebanon Borough
[County]	<b>Mercer</b>
Responsible Official	Sonya A. Broderick
Type of Facility	Public Water Supply
Consulting Engineer	Chad W. Yuriscic, P.E. Deiss & Halmi Engineering, Inc. 105 Meadville Street Edinboro, PA 16412
Application Received Date	October 1, 2012
Description of Action	Add storage at treatment building for chlorine contact time.

##### Permit No. 1012504, Public Water Supply

Applicant	<b>Pinehurst Manor Mobile Home Park</b>
[Township or Borough]	Center Township
[County]	<b>Butler</b>
Responsible Official	Rhett B. Walls
Type of Facility	Public Water Supply
Consulting Engineer	William P. Deemer, P.E. William P. Deemer & Associates 205-B South Duffy Road Butler, PA 16001
Application Received Date	September 28, 2012
Description of Action	Additional disinfection contact time to achieve 4 log compliance.

### MINOR AMENDMENT

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

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



**Application No. 0312503MA, Minor Amendment.**

Applicant **Templeton Water Company**  
Box 345  
Templeton, PA 15259

[Township or  
Borough] Pine Township

Responsible Official John Lasher, Owner  
Templeton Water Company  
Box 345  
Templeton, PA 15259

Type of Facility Water system

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

Application Received Date July 31, 2012

Description of Action Installation of 126 feet of 18-inch diameter waterline and 10 feet of 4-inch diameter waterline to provide additional chlorine contact time.

Application Received Date October 15, 2012

Description of Action Installation of approximately 2,360 feet of 6-inch diameter waterline (Hopkins Church Road waterline extension).

**Application No. 0312504GWR, Minor Amendment.**

Applicant **Templeton Water Company**  
Box 345  
Templeton, PA 15259

[Township or  
Borough] Pine Township

Responsible Official John Lasher, Owner  
Templeton Water Company  
Box 345  
Templeton, PA 15259

Type of Facility Water system

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

Application Received Date July 31, 2012

Description of Action Demonstration of 4-log treatment for groundwater sources

**Application No. 0212522MA, Minor Amendment.**

Applicant **Fox Chapel Authority**  
255 Alpha Drive  
Pittsburgh, PA 15238

[Township or  
Borough] Harmar Township

Responsible Official Mark Nicely, Manager  
Fox Chapel Authority  
255 Alpha Drive  
Pittsburgh, PA 15238

Type of Facility Water system

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

Application Received Date October 15, 2012

Description of Action Construction of an emergency interconnection with the Municipal Authority of the Township of Harmar.

**Application No. 1112507GWR, Minor Amendment.**

Applicant **Captains Quarters**  
691 Beaver Valley Road  
Patton, PA 16668

[Township or  
Borough] Patton

Responsible Official Robert Devore  
Captains Quarters  
691 Beaver Valley Road  
Patton, PA 16668

Type of Facility Water system

Consulting Engineer

Application Received Date October 10, 2012

Description of Action Demonstration of 4-log treatment for groundwater sources

**Application No. 0212523MA, Minor Amendment.**

Applicant **The Municipal Authority of the Borough of Edgeworth**  
313 Beaver Road  
Edgeworth, PA 15143

[Township or  
Borough] Franklin Park Borough

Responsible Official Anthony Lisanti, Chairman  
The Municipal Authority of the Borough of Edgeworth  
313 Beaver Road  
Edgeworth, PA 15143

Type of Facility Water system

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

**Application No. 0412504GWR, Minor Amendment.**

Applicant **Ankrom Acres**  
596 Backbone Road  
Clinton, PA 15026

[Township or  
Borough] Independence Township

Responsible Official Milford Ankrom, Owner  
Ankrom Acres  
596 Backbone Road  
Clinton, PA 15026

Type of Facility Water system

Consulting Engineer

Application Received Date October 10, 2012

Description of Action Demonstration of 4-log treatment for groundwater sources

**Application No. 0412505GWR, Minor Amendment.**

Applicant **Glasgow Borough**  
174 State Route 68  
Glasgow, PA 15059

[Township or Borough] Borough of Glasgow

Responsible Official Mr. Jack Wamsley  
Glasgow Borough  
174 State Route 68  
Glasgow, PA 15059

Type of Facility Water system

Consulting Engineer

Application Received Date October 10, 2012

Description of Action Demonstration of 4-log treatment for groundwater sources

**Application No. 6512513GWR, Minor Amendment.**

Applicant **Fairfield Manor**  
PO Box 17039  
Pittsburgh, PA 15235

[Township or Borough] Fairfield Township

Responsible Official Anthony Acierno  
Fairfield Manor  
PO Box 17039  
Pittsburgh, PA 15235

Type of Facility Water system

Consulting Engineer

Application Received Date October 3, 2012

Description of Action Demonstration of 4-log treatment for groundwater sources

**Application No. 0412506GWR, Minor Amendment.**

Applicant **Whispering Woods Mobile Community**  
116 Minter Road  
Butler, PA 16001

[Township or Borough] New Sewickley Township

Responsible Official Robert Borland  
Whispering Woods Mobile Community  
116 Minter Road  
Butler, PA 16001

Type of Facility Water system

Consulting Engineer

Application Received Date October 3, 2012

Description of Action Demonstration of 4-log treatment for groundwater sources

**Application No. 3286501-T2, Minor Amendment.**

Applicant **NRG Homer City Services LLC**  
1750 Power Plant Road  
Homer City, PA 15748

[Township or Borough] Center Township

Responsible Official Charles Gress, Vice President  
NRG Homer City Services LLC  
1750 Power Plant Road  
Homer City, PA 15748

Type of Facility Water system

Consulting Engineer

Application Received Date October 3, 2012

Description of Action Transfer of the public water supply permit from EME Homer City Generation, LP to NRG Homer City Services, LLC.

**Application No. 0212524MA, Minor Amendment.**

Applicant **Municipal Authority of the Township of Robinson**  
PO Box 15539  
Pittsburgh, PA 15244

[Township or Borough] Robinson Township

Responsible Official Anthony Lenze, Executive Director  
Municipal Authority of the Township of Robinson  
PO Box 15539  
Pittsburgh, PA 15244

Type of Facility Water system

Consulting Engineer

Application Received Date October 4, 2012

Description of Action Replacement of high service pump #2, new variable frequency drive, and SCADA modifications.

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

**Application No. 4273501-MA2, Minor Amendment.**

Applicant **Port Allegany Borough**

Township or Borough Port Allegany Borough

Responsible Official Richard L. Kallenborn

Type of Facility Public Water Supply

Consulting Engineer Brian S. Sekula, P.E.  
The EADS Group, Inc.  
15392 Route 322  
Clarion, PA 16214

Application Received Date October 4, 2012

Description of Action Modifying piping and chemical feed locations from the original permit, including the installation of a static mixer.

**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**

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

**WA 10-1006, Water Allocations. Municipal Water Authority of Adams Township, 690 Valencia Road, P. O.**

Box 807 Mars, PA 16046-3824, Adams Township, **Butler County**. The permittee has requested an increase in their water allocation from the Borough of West View from 782,000 gpd to 1,300,000 gpd.

## 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:

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

**Cloister Flooring / Estate of Roy F. Steffy, Sr.**, 749 Rothsville Road, Lititz, PA, Warwick Township, **Lancaster County**. Coventry Environmental Associates, Inc., 991 Ridge Road, Pottstown, PA 19465, on behalf of the Estate of Roy F. Steffy, Sr., c/o Russell, Kraft & Gruber, LLP, 930 Red Rose Court, Suite 300, Lancaster, PA 17601, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with fuel oil. The site will be remediated to a combination of Nonresidential Statewide Health and Site-Specific standards. Future use of the site is commercial.

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

**Parkside Manor**, 1306 Brookline Blvd, City of Pittsburgh, **Allegheny County**. Resource Control Consultants, LLC; 30 Twosome Drive, Moorestown, NJ 08057 on behalf of Steve Bodkin, 2335 North Bank Drive, Columbus, OH 43220 has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with PCE. The current and future use of the property is an apartment complex.

**Biondi Motor Company**, 3690 William Penn Highway, Monroeville, **Allegheny County**. Cummings/Riter Consultants, 300 Penn Center Blvd., Suite 800, Pittsburgh, PA 15235 on behalf of Daniel Biondi, 3690 William Penn Highway, Monroeville, PA 15146 has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with VOCs, SVOCs and inorganics from used motor oil and hydraulic fluids. The intended future use of the site will be non-residential.

**Armstrong Metalizing Company**, Second Avenue, Ford City, **Armstrong County**. Civil & Environmental Consultants, Inc.; 333 Baldwin Road, Pittsburgh, PA 15205 on behalf of Scott McDowell, P. O. Box 7159, New Castle, PA 16107 has submitted a Notice of Intent to Remediate site soil for metals and groundwater for chlorinated compounds.

### HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

#### Applications received, withdrawn, denied or returned under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.

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

**PAD5213820892. Tobyhanna Army Depot**, 11 Hap Arnold Boulevard, Tobyhanna, PA 18466. A permit renewal application for the continued operation of the hazardous waste storage facility at Tobyhanna Army Depot located in Coolbaugh Township, **Monroe County**. The application was received in the Regional Office on June 28, 2012, and was found to be administratively complete as of October 16, 2012.



**DETERMINATION FOR APPLICABILITY FOR  
RESIDUAL WASTE GENERAL PERMITS**

**Application(s) for Determination of Applicability approved under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash**

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

**General Permit Application No. WMGR028. Wayco Incorporated**, 1500 Purdytown Pike, Hawley, PA 18428. A General Permit Determination of Applicability (DOA) for the beneficial use of asphalt plant baghouse fines as a soil additive located in Palmyra Township, **Wayne County** was approved by the Regional Office on October 2, 2012.

Persons interested in reviewing the permit may contact William Tomayko, Regional Waste Management Program Manager, Department of Environmental Protection, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

**OPERATE WASTE PROCESSING OR DISPOSAL  
AREA OR SITE**

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

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

**Permit Application No. 301220. Clean Earth Of Philadelphia, LLC**, 3201 South 61st Street, Philadelphia PA 19153-3502. This minor permit modification application is to revise the facility's current pre-approval testing requirements for the acceptance of residential soils containing virgin petroleum resulting from spills and leaks from storage tanks at Clean Earth of Philadelphia, LLC a residual waste processing facility located in the City of Philadelphia, **Philadelphia County**. The application was received by Southeast Regional Office on October 5, 2012.

**Permit Application No. 101069. Southeastern Chester County Refuse Authority (SECCRA)**, 219 Street Road, West Grove PA 19390. This major permit modification is seeking the approval for an Ultrafiltration/Reverse Osmosis (UF/RO) Leachate Treatment System at the SECCRA Community Landfill. The new UF/RO System will replace SECCRA's existing leachate evaporator for the treatment of leachate generated at the landfill. SECCRA is municipal waste landfill located in London Grove Township, **Chester County**. The application was received by the Southeast Regional Office on October 1, 2012.

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

**Permit Application No. WMGR141. Curtis Falck**, 3013 Hoffa Mill Road, Lewisburg Borough, **Union County**. Application is for a General Permit for the

processing and beneficial use of crab shells. Processing includes roasting and grinding of crab shells obtained from a source in Maryland. The shells are then land applied as a fertilizer in normal agricultural practices. The application was received in Central Office on May 17, 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 rapbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on WMGR141" 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.**

*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*

**03-00255: EQT Gathering, LLC** (EQT Plaza, 625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222) to expand the natural gas gathering station at the Terra Compressor Station in Plumcreek Township, **Armstrong County**. This is a Minor Facility Plan Approval submittal.

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

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

**42-238A: CARES McKean, LLC** (2458 Campbelltown Road, Kane, PA 16735) for construction of twelve additional AltelaRain 600 modules to process produced water and frac flow-back water generated by natural gas wells in Sergeant Township, **McKean County**. This is a State Only facility.

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

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

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

**46-0040A: National Label Co., Inc.** (2025 Joshua Road, Lafayette Hill, PA 19444) for installation of an eight (8) color label gravure press and regenerative thermal oxidizer in Whitmarsh Township, **Montgomery County**. The plan approval is for a non-Title V facility and will consist of an eight (8) station rotogravure printing press with integral natural gas-fired dryers. Air emissions will be routed through a permanent total enclosure to a new regenerative thermal oxidizer (Source ID C02). Post-controlled potential VOC emissions are calculated to be no more than 17.1 tons (including cleanup operations), while projected actual VOC emissions will not exceed 9.2 tons/yr. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**36-05008H: Tyson Foods, Inc.** (403 South Custer Avenue, New Holland, PA 17557) for authorization to use treated landfill gas in four (4) of the facility's thermal fluid heaters in Earl Township, **Lancaster County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to the abovementioned company for the abovementioned project.

Plan Approval No. 36-05008H is for the use of treated landfill gas in four of the facility's thermal fluid heaters. The Plan Approval will also incorporate a 100,000 ton per year emission cap for Greenhouse Gas emissions (CO<sub>2</sub>e) and will contain monitoring, recordkeeping & work practice standards designed to keep the facility operating within all applicable air quality requirements. The expected increase in actual air emissions from the proposed project are 0.80 tpy PM, 9.0 tpy of CO, and 10.7 tpy of NO<sub>x</sub>.

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.

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.

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

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

**63-00965A: M3 Appalachia Gathering, LLC** (1099 Main Avenue, Suite 210, Durango, CO 81301) to issue a Plan Approval (PA-63-00965A) to authorize construction and operation of the Twilight Compressor Station in West Pike Run Township, **Washington County**.

The facility's main sources include four (4) Caterpillar G3612 3 compressor engines rated at 3,550 bhp, two (2) Caterpillar G3516B compressor engines rated at 1,380 bhp, two (2) PESCO TEG dehydrators rated at 125 MMBtu/hr, two (2) PESCO reboilers rated at 2.0 MMBtu/hr, and five (5) Condensate/Storage tanks of various capacities. The emissions are controlled in Caterpillar engines by oxidation catalysts of GT Exhaust Systems, and regulated by air/fuel ratio controllers.

This facility has the potential to emit the following type and quantity of air contaminants (on an annual basis): 97

tons of nitrogen oxides, 23 tons of carbon monoxide, 44 tons of volatile organic compounds, 4 tons of formaldehyde, 2 tons of particulate matter, and 77,350 tons of carbon dioxide equivalents (greenhouse gases). The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the PA have been derived from the applicable requirements of 40 CFR Parts, 60, 63, 98 and 25 Pa. Code Chapters 121, 123, and 127.

Any person wishing to provide DEP with additional information that they believe should be considered prior to the issuance of this permit may submit the information to DEP at DEP, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. 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 PA-63-00965A) and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held, if DEP, in its discretion, decides that 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 DEP determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Jesse Parihar, Air Quality Engineering Specialist, DEP, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222, (412) 442-4030.

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

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

**20-307A: Fisher & Ludlow, Inc.** (607 Erie Street, Saegertown, PA 16433) for existing surface coating and welding operations at this facility in Saegertown Borough, **Crawford County**.

Pursuant to 25 Pa. Code §§ 127.44(a) and 127.424(b), the Pennsylvania Department of Environmental Protection (DEP) intends to issue a Plan Approval for existing surface coating and welding operations at their facility in Saegertown Borough, Crawford County. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 20-307A is for existing surface coating and welding operations at this facility. Based on the information provided by the applicant and DEP's own analysis, the sources will emit 5.04 tons of volatile organic compounds (VOC), and 0.01 ton of particulate matter per year. The plan approval will include appropriate monitoring, recordkeeping, and work practice requirements as needed to demonstrate compliance with applicable air quality requirements. Additionally, the facility will be subject to 40 CFR Part 63, Subpart XXXXXX (National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories), the applicable provisions of which are contained in the Plan Approval.

Copies of the application, DEP's analysis, and other documents used in the evaluation are available for public inspection between the hours of 8 a.m. and 4 p.m.

weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6340, for an appointment.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the address shown below. Comments must be received, by the Department, within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments, identification of the proposed Plan Approval; No. 20-307A and concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to John Guth, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, 814-332-6940.

**43-359A: GE Transportation, Grove City UX Facility** (1503 West Main Street Extension, Grove City, PA 16127), for the construction of a paint booth, an emergency generator, natural gas fired heaters and ovens and the use of various solvents. This facility will be located at 660 Barkeyville Road, in Grove City, Pennsylvania (16127-4802), which is located in Pine Township, **Mercer County**.

Pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 43-359A to GE Transportation for the construction of a paint booth, an emergency generator, natural gas fired heaters and ovens and the use of various solvents. This facility is located in Pine Township, Mercer County. The Plan Approval will subsequently be incorporated into a facility Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 43-359A is for the construction of a paint booth, an emergency generator, natural gas fired heaters and ovens and the use of various solvents. Based on the information provided by the applicant and DEP's own analysis, the combined subject sources will have the projected actual emissions of approximately 20 tons per year (tpy) of volatile organic compounds, 10 tpy of carbon monoxide, 8 tpy of nitrogen oxides, 2.5 tpy of hazardous air pollutants (HAP), 1.5 tpy of particulate matter and 0.05 tpy of sulfur oxides.

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

The emergency generator at this facility is subject to 40 CFR Part 63 Subpart ZZZZ (National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines) and 40 CFR Part 60 Subpart JJJJ (Standards of Performance for Stationary Spark Ignition Internal Combustion Engines).

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

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

**AMS 12125: Children's Hospital of Philadelphia** (34th and Civic Center Boulevard, Philadelphia, PA 19104) for installation and operation of two (2) 800 Hp natural gas and #2 fuel oil, and three (3) diesel fired emergency generators. There will be a potential emission increase 14.8 tons per year of nitrogen oxide (NO<sub>x</sub>), 1.0 ton per year of VOCs, 19.7 tons per year of SO<sub>2</sub>, and 4.2 tons per year of PM. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

This permit also modifies Plan Approval 06151 removing natural gas limit on boilers U05, U06, & U07.

#### OPERATING PERMITS

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

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

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

**65-00622: General Carbide Corp.** (1151 Garden Street, Greensburg, PA 15601) to issue a Title V Operating Permit Renewal to General Carbide to authorize the continued operation of their carbide manufacturing facility in Hempfield Township, **Westmoreland County**.

In accordance with 25 Pa Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) gives notice that they intend to issue a Title V Operating Permit Renewal to General Carbide to authorize the continued operation of the carbide manufacturing facility located in Hempfield Township, Westmoreland County.

The carbide manufacturing process consists of a powder preparation area, ball mills, dryers, ISO presser area, final fitz mill, crusher, CT-15 high pressure boiler (rated at 0.5 mmbtu/hr), Ajax low pressure boiler (rated at 0.6 mmbtu/hr), condensers, cooling tower, and various baghouses. The shaping operations include hydraulic pressing and furnaces, numerous lathes, grinders, mills, saws and presses. Each piece of shaping equipment has a Torit dust collector that exhaust to one of two large baghouses.

This facility's potential to emit VOC is 124 tons/yr. The proposed TVOP renewal contains conditions relating to monitoring, recordkeeping and work practice standards.

Arrangements may be made to review the application at our offices. Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Operating Permit renewal may written comments to Barbara Hatch, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222, 412-442-5226 (bhatch@pa.gov). 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 OP-65-00622), and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held, if DEP, in its discretion, decides that 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 DEP determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Barbara Hatch at the location identified above.

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

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

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

**15-00055: Highway Materials, Inc.** (850 Quarry Road, Downingtown, PA 19335-3449) for renewal of a State Only, Synthetic Minor Operating Permit in East Caln Township, **Chester County**. The facility operates a Hot Mix Asphalt Batch Plant at this site. The proposed renewal of the Operating Permit does not authorize any increase in air emissions of regulated pollutants above previously approved levels.

The facility maintains a synthetic minor operating status by maintaining total NO<sub>x</sub> emissions to less than 12 tons per year. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**45-00031: CHS, Inc.—Horizon Milling LLC Plant** (PO Box 147, Mount Pocono, PA 18344-0147) for flour and other grain products manufacturing in Pocono Township, **Monroe County**. The primary sources consist of wheat screening, purifiers, and load out bins. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. This is a renewal State-Only Synthetic Minor operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

*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

**67-05074: Bituminous Paving Materials—York Co.** (1300 Zinns Quarry Road, York, PA 17404) for operation of batch asphalt paving materials and aggregate storage and handling for their facility in West Manchester Township, **York County**.

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



The annual emissions in year 2011 were 6.7 tons of CO, 0.43 ton of NO<sub>x</sub>, 0.08 ton of SO<sub>x</sub>, 0.16 ton of PM, and 0.02 ton of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

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

**50-03003: Newport Area School District—Newport Elementary School** (500 Caroline Street, Newport, PA 17074) for operation of one 4.6 mmBtu per hour coal-fired boiler and one 4.5 mmBtu per hour #2 oil-fired boiler at the Newport Elementary School facility in Newport Borough, **Perry County**.

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

The estimated potential emissions were: 9 tons of PM per year; 1.2 tons of CO per year; 10 tons of NO<sub>x</sub> per year; 36 ton of SO<sub>x</sub> per year; 0.3 ton of TOCs per year; and 0.33 ton of HAPs per year. The two boilers are subject to 40 CFR Part 63 Subpart JJJJJJ—National Emission Standard for Area Sources of Hazardous Air Pollutants (HAPs) for Industrial, Commercial, and Institutional Boilers. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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 or protests.

**21-03101: Hoffman Roth Funeral Home & Crematory, Inc.** (219 N. Hanover Street, Carlisle, PA 17013) for the operation of a human crematory facility in Carlisle Borough, **Cumberland County**.

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

The estimated potential emissions in year 2011 were: 1.35 tons per year of CO, 1.61 tons per year of NO<sub>x</sub>, 0.31 ton per year of PM, 0.49 ton per year of SO<sub>2</sub>, and 0.71 ton per year of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

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

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 or protests.

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

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

**10-00333: Penn United Technology, Inc.** (799 North Pike Road, Cabot, PA 16023) for a Natural Minor Permit to operate a special die and tool, die set, jig and fixture manufacturing facility in Jefferson Township, **Butler**



**County.** The updated emitting sources are, 1) Small boilers (6), 2) Batch vapor degreaser, 3) Cold cleaning degreasers (4) and, 4) Electroplating operation. The emission of the pollutants from the facility is less than the Title V threshold limits. Thus, the facility is natural minor. The potential emission of pollutants from the facility are, CO: 1.73 Tons per year (tpy), NO<sub>x</sub>: 0.104 tpy; PM<sub>10</sub>: 0.152 tpy; PM-2.5: 0.007 tpy; SO<sub>x</sub>: 0.016 tpy, VOC: 10.847 tpy, Lead: 0.0134 tpy and NH<sub>3</sub>: 0.065 tpy.

**20-00256: Northwest Hardwoods Inc.—Titusville Mill Plant** (11117 Skyline Drive, Titusville, PA 16354-1375) for renewal of the Natural Minor Permit to a hardwood dimension and flooring manufacturing facility in Oil Creek Township, **Crawford County**. The facility's emitting sources included, 1) Miscellaneous Natural Gas Combustion, 2) Miscellaneous woodworking operations, 3) Loading trailer, with sawdust and, 4) Degreaser unit. The emissions from the facility are less than the Title V threshold limits. Thus, the facility is natural minor. The potential emissions from the facility are PM-10: 6.31 Tons per year (TPY), SO<sub>x</sub>: 0.001752 TPY, NO<sub>x</sub>: 0.28 TPY. CO: 0.16 TPY and VOC: 0.066 TPY.

**61-00200: Webco Industries—Tube Division** (363 Seneca Street, Oil City, PA 16301-1311) to issue the renewal of the State Only Operating Permit for the steel pipe and tube manufacturing operations in Oil City, **Venango County**. The facility is a Natural Minor. The primary sources at the facility include two larger space heaters (8 mmbtu/hr each), a radiant tube furnace, a gas generator, parts washers, two emergency generators, a cold draw lube tank, an induction line electric furnace and space heaters (less than 2.5 mmbtu/hr). The potential emissions from the facility are less than the following: 13 TPY NO<sub>x</sub>; 13 TPY CO; 1.2 TPY PM; 0.1 TPY SO<sub>x</sub>; and 2.9 TPY VOC. The emergency engines are subject to 40 CFR 63 Subpart ZZZZ pertaining to NESHAPs for Reciprocating Internal Combustion Engines. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

**N12-033: Septa Southern Bus Facility** (20th & Johnson St Philadelphia, PA 19145) for operation of a bus repair and maintenance shop in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include: four (4) Boilers less than 10 MMBTU/hr firing natural gas or #2, one (1) 0.72 MMBTU/hr Pressure Washer firing natural gas, one (1) 6000 gallon gasoline storage tank with Stage 2 vapor recovery, three (3) Cold cleaning degreasers, (1) paint booth with 2.3 MMBTU/hr natural gas burner.

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

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating

permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

## PLAN APPROVALS

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

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

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

**54-305-023: BET Associates IV LLC** (1233 East Broad Street, Tamaqua, PA 18252) for installation of a thermal dryer at their LCN Mine facility in Tamaqua Borough, **Schuylkill 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 BET Associates IV LLC (1233 East Broad Street, Tamaqua, PA 18252) for their facility located in Tamaqua Borough, Schuylkill County. This Plan Approval No. 54-305-023 will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 54-305-023 is for the installation of a thermal dryer at the LCN Mine. The VOC emissions from the facility will not equal or exceed 50 TPY, based on a 12-month rolling sum. The NO<sub>x</sub> emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. Total PM, SO<sub>x</sub>, and CO emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. The HAPs from the facility must never equal or exceed 10 TPY of any single HAP and must never equal or exceed 25 TPY of all aggregated HAPs, based on a 12-month rolling sum. The Plan approval and Operating Permit will include testing, monitoring, record keeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

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

The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.:

54-305-023 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 a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone # 570-826-2511 within 30 days after publication date.

**58-399-051: Roundtop Energy LLC** (301 Oxford Valley Road, Suite 1603A, Yardley, PA 19067) for their facility for construction of 19MW an electric generating plant in Auburn Township, **Susquehanna County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Roundtop Energy LLC (301 Oxford Valley Road, Suite 1603A, Yardley, PA 19067) for their facility to be located in Auburn Township, Susquehanna County. This Plan Approval No. 58-399-051 will be incorporated into a Natural Minor Permit through an administrative amendment at a later date.

Plan Approval No. 58-399-051 is for the construction of 19MW electric generating plant. The plant will include two (2) Wartsila lean burn natural gas fired engines with oxidation catalysts and SCR technology. The VOC emissions from the facility will not equal or exceed 50 TPY, based on a 12-month rolling sum. The NO<sub>x</sub> emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. Total PM, SO<sub>x</sub>, and CO emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. The HAPs from the facility must never equal or exceed 10 TPY of any single HAP and must never equal or exceed 25 TPY of all aggregated HAPs, based on a 12-month rolling sum. The Plan approval and Operating Permit will include testing, monitoring, record keeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

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

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

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

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

address and telephone number of the person submitting the comments, identification of the proposed permit No.: 58-399-051 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 a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

*Coal Applications Received*

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

**30841312. Consolidation Coal Company**, (1 Bridge Street, Monongah, WV 26554). To revise the permit for the Blacksville Mine No. 1 in Gilmore Township, **Greene County** to add six degasification boreholes. Surface Acres Proposed 6.63. No additional discharges. The application was considered administratively complete on October 9, 2012. Application received: July 3, 2012.

**56971301 and NPDES No. PA0214973. RoxCOAL, Inc.**, (1576 Stoystown Road, P. O. Box 149, Friedens, PA 15541). To renew the permit for the Geronimo Mine in Jenner and Quemahoning Townships, **Somerset County** and related NPDES permit. No additional discharges. The application was considered administratively complete on October 9, 2012. Application received: February 2, 2012.

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

**33010102 and NPDES Permit No. PA0241890. McKay Coal Company, Inc.** (P. O. Box 343, Punxsutawney, PA 15767) Revision to an existing bituminous surface, auger and limestone/sandstone removal operation to add 13.0 acres and revise the NPDES to add a new outfall in Perry Township, **Jefferson County** affecting 56.4 acres. Receiving streams: Foundry Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: October 9, 2012.

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

**17070116 and NPDES PA0256668. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Revision of an existing bituminous surface mine for change in land use in Sandy Township, **Clearfield County** affecting 552.0 acres. Receiving stream Sandy Lick Creek classified

for the following uses: Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: October 9, 2012.

*Noncoal Applications Received*

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

**03030401 and NPDES Permit No. PA0250333. Britt Energies, Inc.** (P. O. Box 515, Indiana, PA 15701). NPDES renewal application for an existing large noncoal surface, mine, located in Burrell and South Bend Townships, **Armstrong County**, affecting 34.7 acres. Receiving stream: Crooked Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: October 9, 2012.

**MINING ACTIVITY NPDES DRAFT PERMITS**

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

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

*Effluent Limits for Coal Mining Activities*

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

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

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

\*The parameter is applicable at all times.

In addition, the Department imposes a technology-based aluminum limit of 2.0 mg/l (30 day average) to protect stream uses.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

*Effluent Limits for Noncoal Mining Activities*

The BAT limits for noncoal mining activities as provided in 40 CFR Part 436 and 25 Pa. Code Chapter 77 are as follows:



<i>Parameter</i>	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	35 mg/l	70 mg/l	90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 362-0600-001, NPDES Program Implementation—Memorandum of Understanding (MOU) Concerning Water Quality Management, NPDES Program Implementation, and Related Matters. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

#### *Coal NPDES Draft Permits*

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

**NPDES No. PA0599051 (Mining permit no. 11900201), Maple Coal Company**, 254 Interpower Drive, Colver, PA 15927, renewal of an NPDES permit for coal refuse reprocessing in Barr and Blacklick Townships, **Cambria County**, affecting 134.2 acres. Receiving stream(s): Elk Run, classified for the following use(s): cold water fisheries. This receiving stream is included in the Kiskiminetas-Conemaugh TMDL. Application received: July 19, 2012.

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

The treated wastewater listed below discharge to Elk Creek.

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

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

<i>Outfalls: 001 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The stormwater outfalls listed below discharge to Elk Creek.

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



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

<i>Outfalls: 002, 003, 004</i> <i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

*Noncoal NPDES Draft Permits*

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

**NPDES No. PA0224499 on Surface Mining Permit Nos. 7774SM3 and 06940301. Eastern Industries, Inc.,** (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034), revision and renewal of an NPDES Permit for a limestone quarry operation in Maxatawny Township, **Berks County**, affecting 268.1 acres. Receiving streams: Sacony Creek, classified for the following use: trout stocking fishes. Application received: March 9, 2012.

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

The outfall(s) listed below discharge to Sacony Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
01	No	O.D. (increase in Discharge Rate from 5,000 to 12,000 gpm)

**FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401**

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

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

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

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E06-682: Berks County**, Berks County Services Center, 633 Court Street, 16th Floor, Reading, Pennsylvania 19601, in Greenwich and Richmond Townships, **Berks County**, ACOE Philadelphia District

To: 1) remove the existing 74.0-foot long, 16.0-foot wide single span steel bridge and abutments along and over Sacony Creek, 2) construct and maintain a 76.5-foot long, 22.0-foot wide single span open grate bridge with cast in place concrete abutments along and over Sacony Creek, 3) reconstruct 107.0 linear feet of Sacony Road in the floodway of Sacony Creek, 4) reconstruct 130.0 linear feet of Christman Road in the floodway and floodplain of Sacony Creek, which temporarily impacts 0.008 acre and permanently impacts 0.006 acre of palustrine emergent wetlands, and 5) construct, maintain, and remove a 135.0-linear foot temporary causeway within Sacony Creek, which is a perennial stream classified as a Trout Stocked Fishery with Migratory Fish. The project proposes to permanently impact 75.0 linear feet of stream and 0.006 acre of palustrine emergent wetland (Kutztown, PA Quadrangle; Latitude: 40°32'14.1", Longitude: -75°50'18.5").

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

**E17-478. Troutville Borough**, 130 Grant Road, Troutville, PA 15866-0026. Troutville Borough Public Wastewater Conveyance System in Brady Township and Troutville Borough, **Clearfield County**, ACOE Pittsburgh District (DuBois, PA Quadrangle Latitude: 41° 01' 29.00"; Longitude: 78° 47' 13").

Troutville Borough is seeking authorization to construct, operate and maintain 31,000-feet of 4-inch diameter pressure sanitary sewer to convey wastewater to a publicly owned wastewater treatment facility in

Sykesville Borough, Jefferson County. Construction of the new sanitary sewer system in Brady Township and Troutville Borough, Clearfield County, requires the following three (3) streams and five (5) wetland encroachments:

<i>Activity ID</i>	<i>Activity</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Resource</i>	<i>Impact</i>
Wetland Crossing (E)	Pipeline	41° 01' 55"	78° 47' 58"	Wetland Poose Run	90.0-feet
Stream Crossing (E)	Pipeline	41° 01' 55"	78° 47' 58"	Poose Run	10.0-feet
Wetland Crossing (WE-F)	Pipeline	41° 01' 15"	78° 47' 37"	Wetland Tributary Beaver Run	5-feet
Stream Crossing (F)	Pipeline	41° 01' 15"	77° 47' 37"	Tributary Beaver Run	5-feet
Wetland Crossing (WE-G)	Pipeline	41° 01' 18"	78° 47' 34"	Wetland Tributary Beaver Run	185-feet
Stream Crossing (G)	Pipeline	41° 01' 18"	77° 47' 34"	Tributary Beaver Run	5-feet
Wetland Crossing (GE-S)	Pipeline	41° 01' 29"	78° 47' 20"	Wetland Tributary Beaver Run	75-feet
Wetland Crossing (GE-R)	Pipeline	41° 01' 18"	78° 47' 34"	Wetland Tributary Beaver Run	185-feet

Poose Run is designated as Cold Water Fishery. Beaver Run, contributory to East Branch—Mahoning Creek, is designated as High Quality—Cold Water Fishery. All above listed sanitary sewer crossings of streams and wetlands shall be constructed by boring. Since sanitary sewer construction shall be bored at stream and wetland crossings, no permanent impacts will be incurred and mitigation shall not be required. The project is located along southern right-of-ways of SR 0410 in Troutville Borough and SR 4001 in Brady Township.

**E41-639. Pennsylvania Department of Transportation, Engineering District 3-0**, PO Box 218, Montoursville, PA 17754-0218. SR 0864 Section 007 Mill Creek Slope Failure Repair, Upper Fairfield Township, **Lycoming County**, ACOE Baltimore District (Montoursville North, PA Quadrangle N: 41° 17' 25"; W: 76° 52' 35").

PA DOT Engineering District 3-0 proposes to repair the roadway side slope adjacent to Mill Creek. The repair will consist of 1.5:1 Rip Rap slope protection for approximately 655 Ft. Approximately 655 Linear Feet of Mill Creek will be relocated to accommodate the Rip Rap slope. Project mitigation will include upstream log deflectors and riparian plantings. The log deflectors will help to create some fish habitat as well as streambank stabilization. The project will not impact any jurisdictional wetlands and does not require mitigation. Mill Creek is classified as Trout Stream Fishery by Title 25, Chapter 93 Water Quality Standards. The project will require mitigation.

**E57-123. Pennsylvania Department of Transportation, Engineering District 3-0**, PO Box 218, Montoursville, PA 17754-0218. S.R. 0087 Section 68S, Mehoopany

Creek Roadway Slope Repair, Colley Township, **Sullivan County**, ACOE Baltimore District (Jenningsville, PA Quadrangle N: 41° 31' 05"; W: 76° 14' 13").

PA DOT Engineering District 3-0 proposes to repair the roadway side slope adjacent to Mehoopany Creek. The roadway side slope will consist of 1.5:1 Rip Rap slope and Toe Berm for approximately 1645 Ft. Approximately 494 Linear Feet of Mill Creek will be relocated to accommodate the Rip Rap slope and Toe Berm. The project will also impact approximately 391 Ft of Unnamed Tributaries to Mehoopany Creek for drainage improvements. The project will temporarily impact 0.01 acre and permanently impact 0.05 acre of jurisdictional wetlands and does not require mitigation. The project will require riparian plantings and log muddills for aquatic benefit. Mehoopany Creek is classified as Cold Water Fishery by Title 25, Chapter 93 Water Quality Standards. The project will require mitigation.

**E59-511. Dominion Transmission, Inc.**, 445 West Main Street, Clarksburg, WV 26301. Sabinsville to Morrisville TL-610 Gas Pipeline Project in Clymer Township, **Tioga County**, ACOE Baltimore District (Sabinsville, PA Quadrangle Latitude: 41° 49' 37.04"; Longitude: 77° 31' 12.33" and Potter Brook, PA Quadrangle Latitude: 41° 52' 32.59"; Longitude 77° 31' 7.46").

Dominion Transmission, Inc. is seeking authorization to construct, operate and maintain 3.56-miles of 24-inch diameter pipeline for their TL-610 Sabinsville to Morrisville Natural Gas Pipeline Project. Construction of the new natural gas pipeline within an existing 50-foot gas pipeline right-of-way will require the following four (4) streams and four (4) wetland encroachments:

<i>Activity ID</i>	<i>Activity</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Resource</i>	<i>Impact</i>
S1	Pipeline	41° 50' 49.81"	77° 31' 16.83"	East Beech Woods Run	4.0-feet
S2	Pipeline	41° 51' 01.13"	77° 31' 16.77"	Tributary Beechwoods Lake	4.0-feet
S3	Pipeline	41° 51' 31.85"	77° 31' 02.15"	Tributary West Beech Woods Run	16.0-feet
S4	Pipeline	41° 52' 31.38"	77° 31' 05.18"	Tributary Mill Creek	15.0-feet.
W1	Pipeline	41° 50' 47.63"	77° 31' 16.81"	Wetland	0.55-acre
W2	Pipeline	41° 51' 03.29"	77° 31' 17.06"	Wetland	0.04-acre
W3	Pipeline	41° 51' 32.17"	77° 31' 01.92"	Wetland	0.04-acre
W4	Pipeline	41° 51' 31.44"	77° 31' 02.55"	Wetland	0.01-acre

All in-stream pipeline construction activities shall be performed in dry work conditions by dam and pumping, fluming or diverting stream flow around the work areas. Construction of the TL-610 gas pipeline outside of maintained right-of-way will result in 0.25-acre of temporary wetland impacts and no permanent wetland loss. Complete restoration of temporary wetland impacts shall be required. The project's northern terminus is located along the northern right-of-way of Clymer Township Road 364 and the western terminus is located along the southern right-of-way of Clymer Township Road 559.

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

**E56-364. Sheetz, Inc.**, 5700 Sixth Avenue, Altoona. PA 16602, Somerset Borough, **Somerset County**; ACOE Pittsburgh District

Applicant has proposed to place and maintain fill in three wetlands for a total impact of 0.06 acre within the Coxes Creek Watershed for the purpose of constructing a of Sheetz store. The project is located along west side North Center Avenue approximately .1 north of the Somerset Turn Pike Interchange. (Somerset PA Quadrangle N: 1.9 inches; W: 10.9 inches; Latitude: 40° 1' 17"; Longitude: 79° 4' 43") in Somerset Borough, Somerset County. To compensate for the wetland impacts the applicant proposes to construct and maintain 0.105 acre of replacement wetlands on site.

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

**E37-189, New Castle Realty, LLC**, 930 Cass Street, New Castle, PA 1610. Access Road Construction, in Shenango Township, **Lawrence County**, ACOE Pittsburgh District (New Castle South, PA Quadrangle N: 40°, 59', 7"; W: 80°, 18', 59").

The applicant has constructed an access road along a former railroad alignment off of S.R. 422 involving: the installation of two separate 36 inch diameter culverts; filling and relocation of approximately 565 feet of an UNT to Big Run (WWF); and the placement of fill along the bank and bed of a second UNT to Big Run for approximately 830 feet. This after-the-fact permit application includes the operation and maintenance of one of the 36 inch diameter culverts and the operation, maintenance, and replacement of the other with a 60 inch diameter culvert. As mitigation for the resource impacts, the applicant proposes a combination of stabilization and riparian plantings.

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

**E4129-059: Anadarko E&P Company LP**, 33 West Third Street, Suite 200, Williamsport, PA 17701, Lewis Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) 3 overhead electric lines impacting 153 linear feet of Lycoming Creek (EV, MF) (Bodines PA Quadrangle 41°26' 12"N, 76°59'36"W).

The project will result in a total of 153 linear feet of stream impacts all for the purpose of installing overhead electric line to aid an existing water withdrawal site for Marcellus well development.

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

**E4014-005. Department of General Services**, Bureau of Engineering and Architecture, 18th and Herr Streets, Harrisburg, PA 17125, Rehabilitation of Flood Protection Project, Borough of Duryea, **Luzerne County**, USACOE Baltimore District.

The applicant proposes to rehabilitate and maintain the Duryea Borough Flood Protection Project along approximately 1,100 linear feet (approximately 0.30 acre) of the Lackawanna River (CWF, MF). The rehabilitation work includes: 1) the construction and maintenance of 1,003 feet of steel sheet pile wall, 2) the removal of approximately 180 cubic yards of earthen levee, 3) the installation and maintenance of two (2) drainage structures with Type 1 cast-in-place concrete inlet boxes with sluice gates, 24" reinforced concrete outlet pipe and 2 cast-in-place reinforced concrete outlet structures with flapgates, and 4) the repair and maintenance of approximately 5,000 square yards of existing riprap bank protection along 1,100 feet of the Lackawanna River. The project begins at the existing levee downstream of Stephenson Street (Pittston, PA Quadrangle, N: 18.8 inches, W: 2.3 inches, Latitude: 41° 21' 12.46"N, Longitude: 75° 45'58.6"W) and extends downstream to just below the Holy Rosary Cemetery (Pittston, PA Quadrangle, N: 18.3 inches, W: 2.7 inches, Latitude: 41° 21' 4"N, Longitude: 75° 46' 8.7"W).

#### **EROSION AND SEDIMENT CONTROL PERMITS**

The following parties have applied for Erosion and Sediment Control Permits for earth disturbance activities associated with either road maintenance or timber harvesting operations.



Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department proposes to issue a permit to discharge, subject to certain limitations in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices which restrict the rate and quantity of sediment discharged.

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

Following the 30-day comment period, the appropriate regional office water management program manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board (Board).

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity, are on file and may be inspected at the appropriate regional office.

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

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**Applications received under sections 5 and 402 of The Clean Streams Law (35 P. S. §§ 691.5 and 691.402)**

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

ESCGP-1 # ESX12-015-0173  
 Applicant Name Angelina Gathering Co LLC  
 Contact Person Danny Spaulding  
 Address 2350 N Sam Houston Parkway E, Ste 125  
 City, State, Zip Houston, TX 77032  
 County Bradford  
 Township(s) Stevens  
 Receiving Stream(s) and Classification(s) Unnamed Trib to Wyalusing Creek—Other  
 Secondary: Wyalusing Creek

ESCGP-1 # ESX12-081-0129  
 Applicant Name EXCO Resources PA LLC  
 Contact Person Brian Rushe  
 Address 3000 Ericsson Drive, Ste 200  
 City, State, Zip Warrendale, PA 15086  
 County Lycoming  
 Township(s) Watson  
 Receiving Stream(s) and Classification(s) Tombs Run & Furnace Run—HQ  
 Secondary: Pine Creek—HQ, MF, TSF

ESCGP-1 # ESX12-081-0076  
 Applicant Name Anadarko E&P Company LP

Contact Person Rane Wilson  
 Address 33 W Third St, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming  
 Township(s) McHenry  
 Receiving Stream(s) and Classification(s) UNT Second Big Fork—HQ, CWF/MF  
 Second Big Fork (Secondary Water)—HQ, CWF/MF  
 Second Big Fork—HQ, CWF/MF  
 Trout Run (Secondary Water)—HQ, CWF/MF  
 UNT Trout Run—HQ, CWF/MF  
 Trout Run (Secondary Water)—HQ, CWF/MF  
 Trout Run—HQ, CWF/MF  
 Pine Creek (Secondary Water)—EV/MF

ESCGP-1 # ESX12-081-0136  
 Applicant Name PVR Marcellus Gas Gathering LLC  
 Contact Person Kevin Roberts  
 Address 100 Penn Tower, Suite 201 & 202, 25 W Third St  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming  
 Township(s) Upper Fairfield  
 Receiving Stream(s) and Classification(s) UNT to Loyalsock Creek—EV

ESCGP-1 # ESX12-015-0192  
 Applicant Name EOG Resources Inc  
 Contact Person Jon Jorgenson  
 Address 2039 South Sixth St  
 City, State, Zip Indiana, PA 15701  
 County Bradford  
 Township(s) Springfield  
 Receiving Stream(s) and Classification(s) Leonard Creek Watershed, Sugar Creek

ESCGP-1 # ESX12-015-0190  
 Applicant Name Appalachia Midstream Services LLC  
 Contact Person Patrick Myers  
 Address 100 1ST Center  
 City, State, Zip Horseheads, NY 14845  
 County Bradford  
 Township(s) Burlington  
 Receiving Stream(s) and Classification(s) Sugar Creek—WWF, MF  
 Tributaries to Sugar Creek—WWF/MF  
 Deerlick Creek—WWF/MF  
 Tributaries to Deerlick Creek—WWF/MF  
 Browns Creek—WWF/MF  
 Tributaries to Browns Creek—WWF/MF

ESCGP-1 # ESX12-015-0198  
 Applicant Name Southwestern Energy Production Company  
 Contact Person Mr. Dave Sweeley  
 Address 917 State Route 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Bradford  
 Township(s) Herrick  
 Receiving Stream(s) and Classification(s) UNT to Camps Creek—WWF  
 Secondary: Wyalusing Creek—WWF

ESCGP-1 # ESX12-035-0017  
 Applicant Name EXCO Resources PA LLC  
 Contact Person Gregg Stewart  
 Address 3000 Ericsson Drive, Ste 200  
 City, State, Zip Warrendale, PA 15086  
 County Clinton  
 Township(s) Gallagher  
 Receiving Stream(s) and Classification(s) UNT to Chatham Run—HQ, CWF/MF  
 Secondary: Chatham Run—HQ, CWF/MF



- ESCGP-1 # ESX11-131-0031(01)  
 Applicant Name Carrizo Marcellus, LLC  
 Contact Person Gary Byron  
 Address 251 Drain Lick Road  
 City, State, Zip Drifting, PA 16834  
 County Wyoming  
 Township(s) Washington  
 Receiving Stream(s) and Classification(s) Meshoppen  
 Creek—CWF  
 Taques Creek—CWF  
 UNT to Meshoppen Creek—CWF
- ESCGP-1 # ESX12-081-0106  
 Applicant Name Carrizo Marcellus, LLC  
 Contact Person Gary Byron  
 Address 251 Drain Lick Road  
 City, State, Zip Drifting, PA 16834  
 County Lycoming  
 Township(s) McNett  
 Receiving Stream(s) and Classification(s) Rock Run—EV
- ESCGP-1 # ESX12-015-0194  
 Applicant Name Chief Oil & Gas LLC  
 Contact Person Jeffrey Deegan  
 Address 6051 Wallace Road Ext., Suite 300  
 City, State, Zip Wexford, PA 15090  
 County Bradford  
 Township(s) West Burlington  
 Receiving Stream(s) and Classification(s) UNT to Sugar  
 Creek
- ESCGP-1 # ESX12-115-0178  
 Applicant Name WPX Energy Appalachia LLC  
 Contact Person David Freudenrich  
 Address 6000 Town Center Blvd, Ste 300  
 City, State, Zip Canonsburg, PA 15317  
 County Susquehanna  
 Township(s) Franklin  
 Receiving Stream(s) and Classification(s) UNT 31885 to  
 Fall Brook/Silver Creek Watershed—EV/CWF/MF  
 Fall Brook/Silver Creek Watershed—EV/CWF/MF  
 UNT 31887 to Fall Brook/Silver Creek Watershed—EV/  
 CWF/MF  
 Secondary: Silver Creek
- ESCGP-1 # ESG12-115-0057(01)  
 Applicant Name Bluestone Pipeline Company of PA, LLC  
 Contact Person Chris Zona  
 Address One Energy Plaza WCB 2084  
 City, State, Zip Detroit, MI 48226  
 County Susquehanna  
 Township(s) Lenox  
 Receiving Stream(s) and Classification(s) Tributary to  
 Millard Creek, Tunkhannock Creek Basin  
 Secondary: Millard Creek
- ESCGP-1 # ESX12-131-0009(01)  
 Applicant Name Carrizo Marcellus, LLC  
 Contact Person Gary Byron  
 Address 251 Drain Lick Road  
 City, State, Zip Drifting, PA 16834  
 County Wyoming  
 Township(s) Washington  
 Receiving Stream(s) and Classification(s) West Branch  
 Meshoppen Creek—CWF  
 Meshoppen Creek—CWF  
 Taques Creek—CWF
- ESCGP-1 # ESX12-015-0187  
 Applicant Name Angelina Gathering Co LLC  
 Contact Person Danny Spaulding  
 Address 2350 N Sam Houston Parkway E, Ste 125  
 City, State, Zip Houston, TX 77032
- County Bradford  
 Township(s) Stevens  
 Receiving Stream(s) and Classification(s) UNT to Wyalus-  
 ing Creek—WWF, MF
- ESCGP-1 # ESX12-081-0123  
 Applicant Name Carrizo Marcellus, LLC  
 Contact Person Gary Byron  
 Address 251 Drain Lick Road  
 City, State, Zip Drifting, PA 16834  
 County Bradford/Lycoming  
 Township(s) Canton/McNett  
 Receiving Stream(s) and Classification(s) UNT to  
 Towanda Creek/Sugar—Towanda Creek Watershed—  
 CWF  
 Secondary: Lycoming Creek
- ESCGP-1 # ESX12-081-0024(03)  
 Applicant Name PVR Marcellus Gas Gathering LLC  
 Contact Person Kevin Roberts  
 Address 100 Penn Tower, Suite 201 & 202, 25 W Third  
 St  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming  
 Township(s) Piatt, Watson, Mifflin  
 Receiving Stream(s) and Classification(s) Tombs Run—  
 HQ, CWF/EV  
 Canoe Run—HQ, CWF/EV  
 Stewards Run—WWF
- ESCGP-1 # ESX12-015-0191  
 Applicant Name Talisman Energy USA Inc  
 Contact Person Meagan Kenyon  
 Address 337 Daniel Zenker Drive  
 City, State, Zip Horseheads, NY 14845  
 County Bradford  
 Township(s) Troy  
 Receiving Stream(s) and Classification(s) North Branch  
 Sugar Creek & Sugar Creek—TSF/MF  
 Secondary: Susquehanna River—WWF/MF
- ESCGP-1 # ESX12-015-0197  
 Applicant Name Chesapeake Appalachia LLC  
 Contact Person Eric Haskins  
 Address 101 N Main St  
 City, State, Zip Athens, PA 18810  
 County Bradford  
 Township(s) Albany and Wilmot  
 Receiving Stream(s) and Classification(s) UNT Bowman  
 Creek—CWF  
 Secondary: Bowman Creek—CWF
- ESCGP-1 # ESX12-081-0068(01)  
 Applicant Name Southwestern Energy  
 Contact Person Danny Spaulding  
 Address 2350 N Sam Houston Parkway  
 City, State, Zip Houston, TX 77032  
 County Lycoming  
 Township(s) Cogan House, Jackson  
 Receiving Stream(s) and Classification(s) Flicks Run—  
 HQ, EV  
 Blockhouse Creek—HQ, EV  
 Larrys Creek—HQ, EV  
 Secondary: Susquehanna River
- ESCGP-1 # ESX12-131-0028  
 Applicant Name Chesapeake Appalachia LLC  
 Contact Person Eric Haskins  
 Address 101 N Main St  
 City, State, Zip Athens, PA 18810  
 County Wyoming  
 Township(s) Meshoppen  
 Receiving Stream(s) and Classification(s) UNT to Little

Meshoppen Creek—CWF  
Secondary: Little Meshoppen Creek—CWF

ESCGP-1 # ESX12-015-0193  
Applicant Name Angelina Gathering Co LLC  
Contact Person Danny Spaulding  
Address 2350 N Sam Houston Parkway E, Ste 125  
City, State, Zip Houston, TX 77032  
County Bradford  
Township(s) Orwell and Herrick  
Receiving Stream(s) and Classification(s) UNTs to Cold  
Creek and South Creek—CWF/WWF/MF

ESCGP-1 # ESX12-035-0018  
Applicant Name Anadarko E&P Company LP  
Contact Person Nathan Bennett  
Address 33 W Third St, Suite 200  
City, State, Zip Williamsport, PA 17701  
County Clinton  
Township(s) Grugan & Gallagher  
Receiving Stream(s) and Classification(s) UNT to Lick  
Run—EV/MF  
UNT to East Branch Hyner Run—HQ, CWF/MF  
Secondary: Lick Run—EV/MF; East Branch Hyner  
Run—HQ, CF/MF

ESCGP-1 # ESX12-035-0016  
Applicant Name Anadarko Petroleum Corporation

Contact Person Nathan Bennett  
Address 33 W Third St, Suite 200  
City, State, Zip Williamsport, PA 17701  
County Clinton  
Township(s) Beech Creek  
Receiving Stream(s) and Classification(s) East Branch  
Big Run/East Branch Big Run—EV/MF

ESCGP-1 # ESX12-131-0026  
Applicant Name Chief Oil & Gas LLC  
Contact Person Jeffrey Deegan  
Address 6051 Wallace Road Ext, Ste 300  
City, State, Zip Wexford, PA 15090  
County Wyoming  
Township(s) Lemon  
Receiving Stream(s) and Classification(s) Meade Brook  
Tributary to Bilings Mill Brook—CFW/MF  
Secondary: Billings Mill Brook—CWF/MF

ESCGP-1 # ESX11-081-0014(01)  
Applicant Name Atlas Resources, LLC  
Contact Person Carla Suszkowski  
Address 1000 Commerce Park Drive, Ste 400  
City, State, Zip Pittsburgh, PA 15275  
County Lycoming  
Township(s) Gamble  
Receiving Stream(s) and Classification(s) Miller Run—EV  
Mill Creek—EV

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## STORAGE TANKS

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### SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Environmental Cleanup and Brownfields, Division of Storage Tanks, PO Box 8762, Harrisburg, PA 17105-8762, within 30 days from the date of this publication. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it based.

**The following applications have been received for Storage Tank Site-Specific Installation Permits under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504 and 6021.1101—6021.1102) and under 25 Pa Code Chapter 245, Subchapter C.**

<i>SSIP Application No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
12021	Perdue Grain & Oilseed, LLC P. O. Box 1537 Salisbury, MD 21802-1537 Attn: Peter Heller	Lancaster	Conoy Township	2 ASTs storing hexane	40,000 gallons total

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## ACTIONS

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### 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

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

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

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

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

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

#### **I. NPDES Renewal Permit Actions**

*Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0062481 (Sewage)	Carisch/Bernasconi Residence 20 Canal Road Easton, PA 18042	Northampton County Williams Township	Delaware River (2-D)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0028886 (Sew)	Quarryville Borough Authority 300 Saint Catherine Street Quarryville, PA 17566	Lancaster County Providence Township	UNT South Fork Big Beaver Creek / 7-K	N
PA0081388 (Sew)	Robert Barclay Barkas, Inc. 14871 Mount Olivet Road Stewartstown, PA 17363	York County / North Hopewell Township	East Branch Codorus Creek / 7-H	Y
PA0080683 (Sew)	Edward Miller Miller's Skyview Sales, Inc. 200 Ridge Road Etters, PA 17319	York County / Newberry Township	Bennett Run / 7-F	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0115321 (residential)	Eric J Pennington 95 Horn Road Cogan Station, PA 17728	Lycoming County Lycoming Township	Little Gap Run (10-A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0009466 Industrial Waste	Vale Wood Dairy PO Box 203 Cresson, PA 16630-0203	Cambria County Munster Township	Clearfield Creek	Y
PA0026034 Sewage	Dornick Point 241 Asphalt Road Johnstown, PA 15906-1128	Cambria County West Taylor Township	Conemaugh River	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0030031 (Sewage)	Keystone Region Ind Park RR 2 Cochranon, PA 16314	Crawford County Greenwood Township	Unnamed Tributary to Conneaut Outlet (16-D)	Y
PA0046418 (Sewage)	Middleboro STP Municipal Authority of Middleboro P. O. Box 189, McKean, PA 16426	Erie County McKean Borough	Elk Creek (15)	Y
PA0210285 (Sewage)	James A. Newton SFTF 2415 Jackson Avenue Warren, PA 16365-4330	Warren County Glade Township	Unnamed Tributary to Glade Run (16-B)	Y
PA0100935 (Sewage)	Maple Winds MHP 89 Gill Road, Grove City, PA 16127	Mercer County Pine Township	Unnamed Tributary to Wolf Creek (20-C)	Y
PA0102601 (Sewage)	Franklin Mobile Home Village Village Drive Butler, PA 16001	Butler County Franklin Township	Unnamed Tributary to Mulligan Run (20-C)	Y
PA0239798 (Sewage)	Kevin M. Flanagan SRSTP 9915 Jones Road, Erie, PA 16510	Erie County Greene Township	Sixmile Creek (15)	Y
PA0221775 (Industrial Waste)	HRI Brookville Asphalt Plant Exit 86 Of I-80 & SR 830 Brookville, PA 15825	Jefferson County Pine Creek Township	Unnamed Tributary to Fivemile Run (17-C)	Y
PA0221503 (Sewage)	Crab Apple Ridge Golf Course SFTF 10085 Peach Street Waterford, PA 16441	Erie County Waterford Township	Unnamed tributary to LeBoeuf Creek (16-A)	Y

**II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions***Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401*

**NPDES Permit No. PA0055026, IW, The Wrightstown Group, L.P.**, 1337 Wrightstown Road, Wrightstown, PA 18940.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated groundwater from a facility known as Livingston-King Wrightstown Facility IWTP to Unnamed Tributary to Mill Creek in Watershed 2-F.

**NPDES Permit No. PA0013081, IW, Kimberly Clark of PA, LLC**, Front and Avenue of the States, Chester, PA 19013.

This proposed facility is located in City of Chester, **Delaware County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge industrial wastewater from a facility known as Kimberly Clark PA Paper MFG FAC to the Delaware River Estuary Zone 4 and Chester Creek in Watershed 3-G.

**NPDES Permit No. PA0024121, Sewage, Little Washington Waste Water Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Media Borough STP to Ridley Creek in Watershed 3-G.

**NPDES Permit No. PA0244210, Storm Water, Crystal, Inc.—PMC**, 601 West Eighth Street, Lansdale, PA 19446.

This proposed facility is located in Lansdale Borough, **Montgomery County**.



Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge Stormwater from a facility known as Crystal, Inc.—PMC to West Branch Neshaminy Creek in Watershed 2F.

**NPDES Permit No. PA0029912**, Sewage, **Pennsylvania Department of Public Welfare**, 1401 N. Seventh Street, 1st Floor, Bertolino Bldg., PO Box 2675, Harrisburg, PA 17105-2675.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Embreeville Complex STP to West Branch Brandywine Creek in Watershed 3H.

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

Final Permit Issuance With Changes

**NPDES Permit No. PA0034304 A-1**, SIC Code 3351, **Cambridge Lee Ind LLC**, 86 Tube Drive, Reading, PA 19605-9274.

This existing facility is located in Ontelaunee Township, **Berks County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an expansion at an existing facility. The NPDES permit has been amended to add new discharges at outfall 001 and 006 add to add oil and grease limits to outfall 002. Outfall 002 is an existing discharge of treated cooling tower blowdown, contact and noncontact cooling water, and stormwater. New outfall 001 will discharge filter backwash, water softener backwash, reverse osmosis concentrate, and cooling tower blowdown. New outfall 006 will discharge stormwater. The receiving stream(s), Maiden Creek and Schuylkill River, are located in State Water Plan watershed 3-C, and are 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 effluent limits for Outfall 001 are based on a design flow of 0.0112 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Dissolved Solids	XXX	XXX	XXX	15,200 *	Report *	Report *
Oil and Grease	XXX	XXX	XXX	Report	XXX	Report
Total Phosphorus	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Total Manganese	XXX	XXX	XXX	Report	Report	XXX

\*The TDS limits in the final permit reflect the TDS limits approved for this facility by the Delaware River Basin Commission in their September 12, 2012 hearing, docket # D-1970-120-2.

The effluent limits for Outfall 002 are based on a design flow of 0.76 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Dissolved Solids	XXX	XXX	XXX	1,000	2,000	2500
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Copper	XXX	XXX	XXX	0.079	0.158	0.198
PCBs (Dry Weather)	XXX	XXX	XXX	XXX	Report	XXX
PCBs (Wet Weather)	XXX	XXX	XXX	XXX	Report	XXX

The monitoring requirements for Outfall 006 are as follows:

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Arsenic	XXX	XXX	XXX	XXX	Report	XXX
Total Cadmium	XXX	XXX	XXX	XXX	Report	XXX
Total Chromium	XXX	XXX	XXX	XXX	Report	XXX
Total Copper	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX

Interested persons 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.

**NPDES Permit No. PA0034304, Amendment No. 1**, Industrial Waste, **Cambridge-Lee Industries, Inc.**, PO Box 14026, Reading, PA 19612-4026.

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

Description of Proposed Action/Activity: Authorization to discharge to Schuylkill River and Maiden Creek in Watershed 3-C.

**NPDES Permit No. PA0030473**, Sewage, **West Shore School District**, Fairview Elementary School, PO Box 803, New Cumberland, PA 17070.

This proposed facility is located in Fairview Township, **York County**.

Description of Proposed Action/Activity: Cancellation of Permit.

**NPDES Permit No. PA0081779**, Sewage, **Yellow Breeches Educational Center**, 15 Oak Park Avenue, Carlisle, PA 17015.

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

Description of Proposed Action/Activity: Authorization to discharge to Fishing Creek in Watershed 7-C.

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

**NPDES Permit No. PA0033910 A-1**, Sewage, SIC Code 8211, **Northeast Bradford School District**, 526 Panther Lane, Rome, PA 18837-7892.

This existing facility is located in Orwell Township, **Bradford County**.

Description of Existing Action/Activity: The application is for an NPDES permit amendment for an existing discharge of treated Sewage. The permit was amended to remove Total Residual Chlorine limits and to include monitoring and reporting requirements for ultraviolet.

**NPDES Permit No. PA0111759**, Industrial Waste, SIC Code 2011, **Cargill Meat Solutions Corp**, PO Box 188, Wyalusing, PA 18853-0188.

This existing facility is located in Wyalusing Township, **Bradford County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Industrial Waste.

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

**PA0020257**, Sewage, SIC Code 4952, **Grove City Borough**, P. O. Box 110, Grove City, PA 16127-0110. Facility Name: Grove City Borough STP. This existing facility is located in Grove City Borough, **Mercer 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, Wolf Creek, is located in State Water Plan watershed 20-C and is classified for cold water fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

**PA0263451**, Industrial Waste, **Amendment No. 1**, **Nabors Completion & Production Services Company**, 1560 North Perry Highway, Fredonia, PA 16124.

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

Description of Proposed Action/Activity: Name change from Superior Well Services, Inc. to Nabors Completion and Production Services Company. This is a minor amendment.

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

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

**WQM Permit No. 3912401**, Sewerage, **Upper Saucon Township Municipal Authority**, 5500 Camp Meeting Road, Center Valley, PA 18034.

This proposed facility is located in Upper Saucon Township, **Lehigh County**.

Description of Proposed Action/Activity: Issuance of a Water Quality Management Permit for construction of approximately 2,000 feet of 12-inch-diameter sanitary sewer along the east side of PA Route 309, starting at West Hopewell Road and extending north. The project is known as the Route 309 Bypass Sewer Project.

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

**WQM Permit No. 3612402**, Sewerage, **Donna Fabrizio, Exelon Generation Company, LLC**, 2569 Shures Landing Road, Darlington, MD 21034.

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

Description of Proposed Action/Activity: Permit approval for the construction / operation of a 500 gallon aerobic digester tank with coarse bubble diffuser and reorientation of the chlorine contact tank.

**WQM Permit No. 3611403**, Sewerage, **Quarryville Borough Authority**, 300 Saint Catherine Street, Quarryville, PA 17566.

This proposed facility is located in Quarryville Borough, **Lancaster County**.

Description of Proposed Action/Activity: Permit approval for the construction of sewage facilities consisting of new headworks, influent pumping, sequencing batch reactor for organic and nutrient reductions, pre-disinfection equalization, ultraviolet disinfection, aerobic digestion and chemical feed facilities.

*Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570-327-3664 .*

**WQM Permit No. 4910201**, Industrial Waste, SIC Code 2033, **Furman Foods Inc.**, PO Box 500, Northumberland, PA 17857-0500.

This existing facility is located in Point Township, **Northumberland County**.

Description of Proposed Action/Activity: Permit amendment issued authorizing the construction and operation of an emergency raw wastewater overflow pipe, to be used in the event of a power outage, which will convey raw wastewater from the pump station wet well to the sludge thickener.

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

**WQM Permit No. WQG028334**, Sewage, **Meadville Area Sewer Authority**, 1320 Park Avenue, Meadville, PA 16335-3114.

This proposed existing facility is located in West Mead Township, **Crawford County**.

Description of Proposed Action/Activity: This General Permit approves the construction and operation of a low pressure sanitary forcemain extension for Beverly Drive.

**WQM Permit No. 2506404**, Sewage, **Transfer No. 1, Kevin M. Flanagan**, 9915 Jones Road, Erie, PA 16510.

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

Description of Proposed Action/Activity: Transfer of WQM permit from Mark Hermann to Kevin M. Flanagan.

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

**WQM Permit No. 3912401**, Sewerage, **Upper Saucon Township Municipal Authority**, 5500 Camp Meeting Road, Center Valley, PA 18034.

This proposed facility is located in Upper Saucon Township, **Lehigh County**.

Description of Proposed Action/Activity: Issuance of a Water Quality Management Permit for construction of approximately 2,000 feet of 12-inch-diameter sanitary sewer along the east side of PA Route 309, starting at West Hopewell Road and extending north. The project is known as the Route 309 Bypass Sewer Project.

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

**WQM Permit No. 3612402**, Sewerage, **Donna Fabrizio, Exelon Generation Company, LLC**, 2569 Shures Landing Road, Darlington, MD 21034.

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

Description of Proposed Action/Activity: Permit approval for the construction / operation of a 500 gallon aerobic digester tank with coarse bubble diffuser and reorientation of the chlorine contact tank.

**WQM Permit No. 3611403**, Sewerage, **Quarryville Borough Authority**, 300 Saint Catherine Street, Quarryville, PA 17566.

This proposed facility is located in Quarryville Borough, **Lancaster County**.

Description of Proposed Action/Activity: Permit approval for the construction of sewage facilities consisting of new headworks, influent pumping, sequencing batch reactor for organic and nutrient reductions, pre-disinfection equalization, ultraviolet disinfection, aerobic digestion and chemical feed facilities.

*Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570-327-3664.*

**WQM Permit No. 4910201**, Industrial Waste, SIC Code 2033, **Furman Foods Inc.**, PO Box 500, Northumberland, PA 17857-0500.

This existing facility is located in Point Township, **Northumberland County**.

Description of Proposed Action/Activity: Permit amendment issued authorizing the construction and operation of an emergency raw wastewater overflow pipe, to be used in the event of a power outage, which will convey raw wastewater from the pump station wet well to the sludge thickener.

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

**WQM Permit No. WQG028334**, Sewage, **Meadville Area Sewer Authority**, 1320 Park Avenue, Meadville, PA 16335-3114.

This proposed existing facility is located in West Mead Township, **Crawford County**.

Description of Proposed Action/Activity: This General Permit approves the construction and operation of a low pressure sanitary forcemain extension for Beverly Drive.

**WQM Permit No. 2506404**, Sewage, **Transfer No. 1, Kevin M. Flanagan**, 9915 Jones Road, Erie, PA 16510.

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

Description of Proposed Action/Activity: Transfer of WQM permit from Mark Hermann to Kevin M. Flanagan.

#### **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**

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025210007	Finan Family Irrevocable Trust 830 Twin Lakes Road Shohola PA 18458	Pike	Shohola Twp.	Walker Lake Creek, HQ-CWF, MF; Twin Lakes Creek, HQ-CWF, MF; Shohola Creek, HQ-CWF, MF; Delaware River, WWF, MF
PAI024812007	Northampton County 669 Washington St. Easton, PA 18042	Northampton	Upper Nazareth Twp.	East Branch of Monocacy Creek, HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI-0336-06-005R	Ivan Martin Martins Land Development, LLC 1537 Kramer Mill Road Denver, PA 17517	Lancaster	East Earl Township and Terre Hill Borough	Black Creek (HQ-WWF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050211002	Fox Chapel Area School District 611 Field Club Road Pittsburgh, PA 15238	Allegheny	O'Hara Township	Glade Run Watershed (HQ-WWF)
PAI055611006	Windber Area Authority 1700 Stockholm Ave Windber, PA 15963	Somerset	Ogle Township Paint Township Windber Township	Clear Shade Creek (HQ-CWF), Shade Creek (CWF), Roaring Fork (CWF), Weaver Run (CWF), Seese Run (CWF)



<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056311005	McMurray Cooling & Heating 33 South Central Avenue Canonsburg, PA 15317	Washington	North Strabane Township	Little Chartiers Creek (HQ-WWF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI066212001	Warren Office Partners LLC 116 Union Avenue Altoona PA 16602	Warren	Conewango Township	Jackson 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 &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Kingston Twp., Luzerne County	PAG02004012008	The Lands at Hillside Farms 65 Hillside Road Shavertown, PA 18708	Huntsville Creek, CWF, MF	Luzerne Co. Cons. Dist. 570-674-7991
Towamensing Twp., Carbon County	PAG02001311001	Richard Morrissey 3726 Tiffany Drive Easton, PA 18045	Pohopoco Creek, CWF, MF; Bauer Creek, CWF, MF	Carbon Co. Cons. Dist. 610-377-4894
Moosic Borough, Lackawanna County	PAG02003512008	Jack Williams Tire Co., Inc. 700 Rocky Glen Road Moosic, PA 18641	Unnamed Tributary to Lackawanna River, CWF, MF	Lackawanna Co. Cons. Dist. 570-281-9495
City of Scranton, Lackawanna County	PAG02003512009	1539 North Main GP Inc. 925 Prospect Ave. Scranton, Pa 18505	Lackawanna River, CWF, MF	Lackawanna Co. Cons. Dist. 570-281-9495

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
South Abington Twp., Lackawanna County	PAG02003512017	Abington Area Joint Recreation Board 304 South St. Clarks Summit, PA 18411 Co-Applicants: Clarks Summit Borough 304 South State St. Clarks Summit, PA 18411; Clarks Green Borough 104 N. Abington Rd. Clarks Green, PA 18411; Glenburn Twp., P. O. Box 694 Waterford Rd. Dalton, PA 18414; South Abington Twp. 104 Shady Lane Rd. Chinchilla, Pa 18410; Waverly Twp. P. O. Box 8 Lake Henry Dr. Waverly, PA 18471	Fall Creek, CWF, MF	Lackawanna Co. Cons. Dist. 570-281-9495
Bridgewater Twp., Susquehanna County	PAG02005812002(1)	Bridgewater Baptist Church 107 Church St. Montrose, PA 18801	Unnamed Tributary to Hop Bottom Creek, CWF, MF	Susquehanna Co. Cons. Dist. 570-278-4600

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Germany Township Adams County	PAG02000107017R	Larry D. Piper 1523 Marburg Road Spring Grove, PA 17362-9163	UNT to Piney Creek/WWF	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636
Muhlenberg Township Berks County	PAG02000612036	Jeff Speer BKEP Materials, LLC 6120 South Yale Ave., Suite 500 Tulsa, OK 74136	Laurel Creek/WWF-MF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Hollidaysburg Borough Blair County	PAG02000712013	McLanahan Corporation 200 Wall Street Hollidaysburg, PA 16648	Beaverdam Branch Juniata River/TSF	Blair Co Conservation District 1407 Blair St Hollidaysburg, PA 16648 814.696.0877
Greenfield Township Blair County	PAG02000712015	Janett P. Ebersole 1404 Newry Lane Duncansville, PA 16635	UNT Beaverdam Creek/CWF	Blair Co Conservation District 1407 Blair St Hollidaysburg, PA 16648 814.696.0877

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Chambersburg Borough Franklin County	PAG02002812022	Donald Hill 301 Walker Road Chambersburg, PA 17201	UNT to Falling Spring/TSF-MF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Washington Township Franklin County	PAG02002812014	Dave George 20 East Sixth Street Waynesboro, PA 17268	Miney Branch/CWF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Hamilton Township Franklin County	PAG02002803050(1)R	Jim Hill Commerce Park 57 RA Hill, Inc. 1364 Lincoln Way East Chambersburg, PA 17201	UNT to Conococheague Creek/CWF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Chambersburg Borough Franklin County	PAG02002811031	Scott Long McDonald's USA, LLC 801 Lakeview Drive, Suite 302 Blue Bell, PA 19422	Falling Springs/TSF-MF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Chambersburg Borough Franklin County	PAG02002807023R	Brandon Stouffer 1181 Falling Spring Road Chambersburg, PA 17202	Falling Springs/TSF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Fannett Township Franklin County	PAG02002812021	Chris Neil Dollar General Primax Properties 1065 E. Morehead St., 4th Floor Charlotte, NC 28204	Dry Run/CWF-MF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Waynesboro Borough Franklin County	PAG02002805062R	Ronnie Martin West End Development 1625 East Main Street Waynesboro, PA 17268	West Branch Antietam/CWF	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
North Lebanon Township Lebanon County	PAG02003812010	Lester Martin 300 Half Way Drive Myerstown, PA 17067	Tulpehocken Creek/TSF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Lebanon City Lebanon County	PAG02003810020R	Gordon Kirkessner City of Lebanon 400 South Eighth Street Lebanon, PA 17042	Quittapahilla/ TSF-MF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Springfield Township York County	PAG02006709060R	Timothy Pasch 2645 Carnegie Road York, PA 17402	Fishel Creek/WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
East Manchester Township York County	PAG02006705070R	Vas-Land, Inc. 336 West King Street Lancaster, PA 17603	Hartman Run/WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Loganville Borough York County	PAG02006706121R	Kinsley Equities 6259 Reynolds Mill Road Seven Valleys, PA 17360	Codorus Creek/WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Fairview Township York County	PAG02006712011	Pennsylvania Turnpike Commission PO Box 67676 Harrisburg, PA 17106	Marsh Run/WWF Susquehanna River Basin/MF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Conewago Township York County	PAG02006712026	Spring Valley Mulch 2770 Mill Creek Dover, PA 17315	UNT of Little Conewago Creek/TSF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Conewago and Dover Townships York County	ESCGP 6712801	NiSource/Columbia Gas Transmission, LLC 1700 MacCorkel Avenue SE Charlestown, WV 25314	Fox Run/TSF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430



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

Facility Location:

Municipality & County	Permit No.	Applicant Name & Address	Receiving Water/Use	Contact Office & Phone No.
Athens Twp Bradford County	PAG02000812039	Dan Sparks Chesapeake Land Development, LLC 6100 N Western Ave Oklahoma City OK 73118	Chemung River WWF	Bradford County Conservation District Stoll Natural Resource Center 200 Lake Rd Ste E Towanda PA 18848 (570) 265-5539 X 120
Driftwood Boro Cameron Cnty	PAG02001212001	Cameron Cnty Community & Economic Dev 421 N Broad St Emporium PA 15834	Bennetts Branch of Sinnemahoning Creek WWF	Cameron County Conservation District 20 E Fifth St Rm 105 Emporium PA 15834 (814) 486-2244 ext. 5
College Twp Centre County	PAR10F171R	John Heckendorn Benner Assoc 126 E Foster Ave State College PA 16801  Izzy Sky Skyward Investments LTD 213 Ridge Ave Altoona PA 16602	UNT to Spring Creek CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte PA 16823 (814) 355-6817
Spring Twp Centre County	PAG02001403007R	Dave Palmer S&A Custom Built Homes Inc 2121 Old Gatesburg Rd State College PA 16803	Logan Branch CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte PA 16823 (814) 355-6817
Osceola Mills Boro Retail Site Decatur Twp Wetland Mitigation Clearfield Cnty	PAG02001712012	Osceola Mills DDP VII LLC Austin Rogers 9010 Overlook Blvd Brentwood Tn 37027	UNT to Moshannon Creek CWF, MF Moshannon Creek TSF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield PA 16830 (814) 765-2629
Loyalsock Twp Lycoming County	PAG02004112026	Donald S Pote The Williamsport Home 1900 Ravine Rd Williamsport PA 17701	Grafius 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	Permit No.	Applicant Name and Address	Receiving Water/Use	Contact Office and Phone No.
Lower Yoder Township Cambria County	PAG02001109012	William Gretok 141 Rockwell Road Johnstown, PA 15905	Elk Run (CWF)	Cambria County CD 401 Candlelight Drive, Suite 221 Ebensburg, PA 15931 (814) 472-2120

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Somerset Township Washington County	PAG02006306002-2R	Galloway Safety 2559 State Route 88 #B Finleyville, PA 15332	Pigeon Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Whiteley Township Greene County	PAG02003012007	Precision Pipeline 3314 56th Street Eau Claire, WI 54703	UNT to Whiteley Creek (TSF)	Greene County CD 19 South Washington Street Waynesburg, PA 15370 (724) 852-5278

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Jackson Township Butler County	PAG02001005017R	Maronda Homes Inc Attn: Mr. Daniel A. Wolf 1383 State Route 30 Clinton PA 15026	UNT Breakneck Creek WWF	Butler County Conservation District 724-284-5270
Clinton Township Butler County	PAG02001010012R	Chris Marshall New Life Christian Ministries Inc. 447 Leasureville Road Cabot PA 16023	UNT Davis Run CWF	Butler County Conservation District 724-284-5270
City of Sharon Mercer County	PAG02004312007	Sharon School District c/o John J. Sarandrea 215 Forker Blvd Sharon PA 16146	Pine Run WWF	Mercer County Conservation District 724-662-2242

*General Permit Type—PAG-3*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Perry Township Berks County	PAR603541	A-Z U Pull It Used Auto Parts 194 Ridge Road Shoemakersville, PA 19555	UNT to Pigeon Creek / WWF	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Borough of Lykens Dauphin County	PAR203603	Alfa Laval Inc. 300 Chestnut St Lykens, PA 17048	Wiconisco Creek / WWF, MF	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Manheim Township Lancaster County	PAR143527	International Paper 801 Fountain Avenue Lancaster, PA 17601-4532	Conestoga River / WWF	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Mt. Wolf Borough York County	PAR143523	Georgia Pacific Cardboard 25 Walnut Street, PO Box 906 Mt. Wolf, PA 17347	Hartman Run / WWF	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Sugarloaf Township Columbia County	PAR204829	Benton Foundry Inc. 5297 Route 487 Benton, PA 17814-7641	Hess Hollow—5C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Springfield Township Bradford County	PAR804889	Pat's Offroad Inc. P. O. Box 1993 Williston, ND 58802-1993	Unnamed Tributary to Leonard Creek—4-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Bethel Park Borough Allegheny County	PAR806118	First Transit, Inc. 4780 Library Road Bethel Park, PA 15102	Saw Mill Run Creek	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Center Township Butler County	PAR608320	Marshall Offstein Auto Sales & Towing PO Box 215 655 Oneida Valley Road Butler, PA 16003	Unnamed tributary to Connequenessing Creek 20-C	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
City of New Castle Lawrence County	PAR238330	Consolidated Container Co LP, 3101 Tower Creek Parkway Atlanta, GA 30336	Neshannock Creek 20-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-7*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Antrim Township Franklin County	PAG073514	Borough of Greencastle 60 North Washington St Greencastle, PA 17225	Greencastle WWTP 60 North Washington St Greencastle, PA 17225	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

*Facility Location:  
Municipality &  
County*

Southampton  
Township  
Franklin County

*Permit No.*

PAG073513

*Applicant Name &  
Address*

Borough of Shippensburg  
PO Box 129  
111 N Fayette St  
Shippensburg, PA 17257

*Site Name &  
Location*

Shippensburg  
WWTP  
963 Avon Dr.  
Shippensburg, PA  
17257

*Contact Office &  
Phone No.*

DEP-SCRO  
909 Elmerton  
Avenue  
Harrisburg, PA  
17110-8200  
717-705-4707

*General Permit Type—PAG-9*

*Facility Location:  
Municipality &  
County*

Farmington  
Township  
Tioga County

*Permit No.*

PAG 09 4808

*Applicant Name &  
Address*

B & L Portable Toilet Rental  
Inc.  
551 Farmington Hill Road  
Tioga, PA 16946

*Site Name &  
Location*

B & L portable  
Toilet Rental  
Farmington  
Township  
Tioga County

*Contact Office &  
Phone No.*

NCRO  
570-327-0526

*General Permit Type—PAG-12*

*Facility Location:  
Municipality &  
County*

Drumore Township  
Lancaster County

*Permit No.*

PA0259969

*Applicant Name &  
Address*

Jonas Sensenig  
1147 Silver Spring Road  
Drumore, PA 17532

*Receiving  
Water / Use*

UNT to Fishing  
Creek /  
HQ-CWF

*Contact Office &  
Phone No.*

DEP-SCRO  
909 Elmerton  
Avenue  
Harrisburg, PA  
17110-8200  
717-705-4707

West Cocalico  
Township  
Lancaster County

PAG123741

Reinholds Farm  
1375 West Route 897  
Denver, PA 17517

UNT of Cocalico  
Creek / TSF

DEP-SCRO  
909 Elmerton  
Avenue  
Harrisburg, PA  
17110-8200  
717-705-4707

## 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  
CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Walmoore Holsteins Inc. 1826 Howell Moore Road West Grove, PA 19390	Chester	1198.8	1481.5	Dairy	NA	Approved
Dennis Zimmerman 55 Zimmerman Lane Beaver Springs, PA 17812	Snyder	25.8 But 0 for manure Application	15.55	Ducks	N/A	Action
Sullivan Farm 372 Hemlock Hill Rd Covington, PA 16917	Tioga	167.9	2746.6	Swine	N/A	Approved
Kucharski Farms 9351 SR 414 Liberty, PA 16930	Tioga	366.4	2.08	Dairy/Swine	HQ	Approved
Willard Hackman 1035 Dean Hill Rd Liberty, PA 16930	Tioga	300	620.32	Swine/Beef	CWF	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. 0112509 MA, Minor Amendment, Public Water Supply.**

Applicant	<b>Christ United Church of Christ</b>
Municipality	Union Township
County	<b>Adams</b>
Responsible Official	Diane Meckley, Secretary/Treasurer 131 Church Rd Littlestown, PA 17340
Type of Facility	GWR 4-log treatment of viruses for EP 101 with the addition of contact tanks and disinfection.
Consulting Engineer	Janet R McNally, P.E. 80 Spruce Dr Gettysburg, PA 17050
Permit to Construct Issued:	10/5/2012

**Operations Permit** issued to: **UMH PA Monroe Valley, LLC**, 7380009, Swatara Township, **Lebanon County** on 10/2/2012 for the operation of facilities submitted under Application No. 7380009.

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

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

Applicant	<b>Lower Mahanoy Township Municipal Authority</b>
[Township or Borough]	Lower Mahanoy Township
County	<b>Northumberland</b>
Responsible Official	Joseph J. Villone, Auth. Chairman Lower Mahanoy Township Municipal Authority 132 River Road Dalmatia, PA 17017

Type of Facility Public Water Supply  
 Consulting Engineer Erin N. Threet, P.E.  
 HRG, Inc.  
 130 Buffalo Rd., Suite 103  
 Lewisburg, PA 17837

Permit Issued October 11, 2012

Description of Action Operation of your finished water storage reservoir that serves Lower Mahanoy Twp. in Northumberland Co. and has recently been covered with a more structurally sound roof.

**Permit No. Minor Amendment (issued 7/29/11)—  
 Operation Public Water Supply.**

Applicant **College Township Water Authority**

[Township or Borough] College Township

County **Centre**

Responsible Official Mr. Adam Brumbaugh  
 College Township Water Authority  
 1481 East College Avenue  
 State College, PA 16801

Type of Facility Public Water Supply

Consulting Engineer Kim Mazur, P.E.  
 Entech Engineering, Inc.  
 4 South 4th Street  
 P. O. Box 32  
 Reading, PA 19603

Permit Issued October 16, 2012

Description of Action Operation of the Dale Street Reservoir floating cover, liner and mixing system.

**Permit No. Minor Amendment (issued 8/30/11)—  
 Operation Public Water Supply.**

Applicant **College Township Water Authority**

[Township or Borough] College Township

County **Centre**

Responsible Official Mr. Adam Brumbaugh  
 College Township Water Authority  
 1481 East College Avenue  
 State College, PA 16801

Type of Facility Public Water Supply

Consulting Engineer Kim Mazur, P.E.  
 Entech Engineering, Inc.  
 4 South 4th Street  
 P. O. Box 32  
 Reading, PA 19603

Permit Issued October 16, 2012

Description of Action Operation of the upgraded interconnect with Penn State University.

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

**Permit No. 5611510GWR, Minor Amendment.** Public Water Supply.

Applicant **Somerset Township Municipal Authority**  
 PO Box 247  
 Somerset, PA 15501

[Borough or Township] Quemahoning Township

County **Somerset**

Type of Facility Water system

Consulting Engineer

Permit to Operate Issued October 12, 2012

**Permit No. 5611524GWR, Minor Amendment.** Public Water Supply.

Applicant **Indian Lake Borough**  
 1301 Causeway Drive  
 Central City, PA 15926

[Borough or Township] Indian Lake Borough

County **Somerset**

Type of Facility Water system

Consulting Engineer

Permit to Operate Issued October 12, 2012

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

**Emergency Operation Permit** issued to **Gregory A. Kasemer d/b/a Fountain House Mobile Home Park**, PWSID #6200044, Woodcock Township, **Crawford County** on October 1, 2012. This permit is issued for the construction and operation of the temporary interconnection between the two distribution systems within the mobile home park. This permit expires on January 1, 2013.

**Operation Permit** issued to **Albion Borough**, PWSID #6250007, Albion Borough, **Erie County**. Permit Number 2587505-T1-MA1, issued October 2, 2012 for the operation of 4-Log treatment of viruses for Entry Point 100. This action is taken under the requirements of the Groundwater Rule.

**Operation Permit** issued to **Aqua Pennsylvania, Incorporated**, PWSID #6430054, City of Sharon, **Mercer County**. Permit Number 4312501 issued October 1, 2012 for the operation of the Shenango Valley water Treatment Plant's filter re-build project. This permit is issued in response to a Certificate of Construction Completion received by the Department of Environmental Protection on September 28, 2012.

**Operation Permit** issued to **Ridgway Township Municipal Authority**, PWSID #6240022, Ridgway Township, **Elk County**. Permit Number 2411501 issued October 5, 2012 for the operation of the modified Industrial park Pump Station of your Public Water Supply system. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on September 20, 2012.

**Operation Permit** issued to **Mr. Charles L. Bauer d/b/a Cross Station Mobile Home Park**, PWSID #6250044, Girard Township, **Erie County**. Permit Number 25055031 issued October 5, 2012 for the operation of Cross Station Mobile Home park water system. This permit is issued in response to an operation inspection conducted by the Erie County Department of Health on September 12, 2012.

**Permit No. 8471-W-T1-MA1** Public Water Supply  
 Applicant **Pennsylvania American Water Company**  
 Township or Borough Kane Borough  
 County **McKean**  
 Type of Facility Public Water Supply  
 Consulting Engineer Evan R. Andrews, P.E.  
 URS Corporation  
 Iron Hill Corporate Center  
 4051 Ogletown Road, Suite 300  
 Newark, DE 19713  
 Permit to Construct October 11, 2012  
 Issued

**Operation Permit** issued to **Millfair Heights Association, Inc.**, PWSID #6250075, Millcreek Township, **Erie County**. Permit Number 2510503 issued October 12, 2012 for the operation of the Millfair Heights Subdivision Water System consisting of the 52nd Street and Deerfield Avenue treatment plants. This permit is issued in response to an operation inspection conducted by the Erie County Department of Health on September 12, 2012.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Point Township	759 Ridge Road Northumberland, PA 17857	Northumberland

*Plan Description:* The approved plan provides for the construction of new collection sewers to serve 172 homes in the Ridge Road/Spruce Hollow Road and the Lithia Spring Creek areas as well as the Ridge Road/Bulk Plant Road area. The sewage will be conveyed and treated at the existing Northumberland Wastewater Treatment Plant. 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.

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Shippenville Borough	106 School Street, PO Box 244, Shippenville, PA 16254	Clarion

*Plan Description:* The approved plan provides for the construction of a new wastewater treatment plant. The 100,000 GPD capacity treatment system will utilize the intermittent cycle extended aeration system process configuration adapted for biological nutrient removal. Other units include a new headworks, comminutor/bar screen, clarifiers, ultra violet disinfection, a control/mechanical building, an emergency generator and sludge dewatering. 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.

**HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988**

**Notice of Proposed Interim Response Hoff VC HSCA Site**

**New Hanover Township, Montgomery County**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act, Act of October 18, 1988, P. L. 756, No. 108, 35 P. S. §§ 6020.101—6020.1305 ("HSCA"), is proposing a response action at the Hoff VC HSCA Site ("Site") in New Hanover Township, Montgomery County, Pennsylvania.

The Department, under the authority of HSCA, has been conducting an environmental investigation of the Site. This investigation included the sampling of private drinking water supply wells located along portions of Layfield Road, Hoffmansville Road, Colflesh Road, and Erb Road in New Hanover Township. Sampling revealed levels of Volatile Organic Compounds exceeding the Safe Drinking Water Maximum Contaminant Level along Layfield Road and Hoffmansville Road.

To address the release and threat of release of hazardous substances at the Site, and corresponding threats to human health and the environment, the Department proposes to implement a response action at the Site under Sections 501(a) of HSCA, 35 P. S. § 6020.501(a). The Department hereby proposes the installation of a public water line, and construction of laterals to connect homes to the public water supply and an environmental covenants or municipal ordinance. This proposed alternative complies with Applicable, Relevant and Appropriate Requirements (ARARs) and is feasible and cost-effective. Other possible alternatives include no action and environmental covenants, supplying bottled water to affected residences and environmental covenants a, the installation whole house treatment systems and environmental covenants, and construction of a community water supply system with environmental covenants or municipal ordinance.

An Administrative Record, which contains more detailed information concerning this proposed response action, is available for public inspection. The Administrative Record may be examined from 8 a.m. until 4 p.m. at the Department's office at 2 East Main Street, Norristown PA 19401. Those interested in examining the Administrative Record should contact Colin Wade at (484) 250-5722 to arrange for an appointment. Additional copies of the Administrative Record are available for review at the New Hanover Township Municipal Building located at 2543 North Charlotte Street, Gilbertsville PA, 19525

Pursuant to Section 506(d) of HSCA, 35 P. S. § 6020.506(d), the Department shall conduct a public hearing on December 4, 2012 at 7:00 p.m. at the Boyertown Junior High East Auditorium located at 2020 Big Rd, Gilbertsville, PA 19525. Anyone who would like to present formal oral comments regarding this proposed response may do so by calling DEP Community Relations Coordinator Lynda Rebarchak, at (484) 250-5820 to register.

Any person with a disability who wishes to attend the public hearing and will require an auxiliary aid, service



or other accommodation to participate in the proceedings should contact Lynda Rebarchak at the telephone number listed above or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs. Members of the public may also submit written comments regarding the Department's proposed Interim Response action during the period of public comment. In accordance with Section 506(c) of HSCA, 35 P. S. § 6020.506(c), the Department has established a period for public comment that is now open until close of business January 18, 2013. Written comments should be addressed to Colin R. Wade, Solid Waste Specialist, Pennsylvania Department of Environmental Protection, 2 East Main Street, Norristown, PA 19401.

Anyone with questions regarding this notice should contact Colin Wade at (484) 250-5722.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 2

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

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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:

*Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401*

**Sunoco Marcus Hook Refinery AO1-6**, Borough of Marcs Hook, **Delaware County**. James Oppenheim, Sunoco, Inc., (R&M), 10 Industrial Highway, MS4, Lester PA 19029, Colleen Costello, Langan Engineering and Environmental Services, 2700 Kelly Road, Suite 200 Warrington, PA 18976 on behalf of Carol Ziegler, Sunoco, Inc., (R&M) 100 Green Street, Marcus Hook, PA 19061 has submitted a Remedial Investigation Report concerning remediation of site groundwater and soil contaminated with inorganics. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**PECO Distribution Pole Transformer Spill**, Borough of Phoenixville, **Chester County**. Bruce Middleman, Stantec Consulting Services, Inc., 400 Davis Drive, Suite 400, Plymouth Meeting, PA 19462 on behalf of George Horvat, PECO Energy Company, 2301 Market Street, S&-2, Philadelphia, PA 19103 has submitted a 90day Final Report concerning remediation of site soil contaminated with pcb. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Old Firehouse LLC Property**, Borough of Narberth, **Montgomery County**. Jeremy W. Bolyn Environmental Maintenance, 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Paul Wilson Old Firehouse, LLC., 1 Station Circle, Narberth, PA 19072 has submitted a Final Report concerning remediation of site soil contaminated with heating oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Jiffy Lube #946**, Montgomeryville Township, **Montgomery County**. Richard P. Cerbone, Sovereign Consulting, Inc. 111-A North Gold Drive, Robbinsville, NJ 08691, Rob Rule, Shell Oil Products, US, 3139 Village Drive, Waynesboro, VA 22980 on behalf of Mark H. Rhee, Midlantic Lubes Inc., 3 Corporate Park, Suite 240, Irvine, CA 92606 has submitted a Final Report concerning remediation of site groundwater and soil contaminated with btex, mtbe, naphthalene, cumene and the trimethylbenzene compounds. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Worley Industries / Worley Lumber**, 6210 West Penn Avenue, South Heidelberg Township, **Berks County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of Worley Industries, Inc., 410 Sheridan Road, Wernersville, PA 19567, and RLP Land Holdings, LLP, 6371 Penn Avenue, Wernersville, PA 19565, submitted a combined Remedial Investigation and Final Report for site soils and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Nonresidential Statewide Health and Site-Specific Standards.

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

**Frac Tech Services International Truck Accident**, Leroy Township, **Bradford County**. Weavertown Envi-



ronmental Group, 2 Dorrington Road, Carnegie, Pa 15106 on behalf of FTSI Service, LLC., 215 Reading Avenue, Williamsport, PA 17701 has submitted a Final Report concerning remediation of site soil contaminated with petroleum product. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Loyal Plaza Shopping Center**, Loyalsock Township, **Lycoming County**. Environmental Standards, Inc., 1140 Valley Forge Road, P. O. Box 0810, Valley Forge, Pa 19482 on behalf of Cedar Shopping Centers, Inc., 3307 Trindle Road, Camp Hill, Pa 17011 has submitted a Final Report concerning remediation of site soils contaminated with Tetrachloroethene (PCE) and Trichloroethene (TCE). The report is intended to document remediation of the site to meet the Statewide Health Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the

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

The Department has received the following plans and reports:

*Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401*

**Chelsea Pipeline Station & Tank Farm**, Aston Township, **Upper Chichester, and Bethel Township Delaware County**. Daniel P. Cusick, Conestoga-Rovers & Associates, 103 Gamma Drive, Extension, Suite 190, Pittsburg, PA 15238, Catherine Grzyek, Conestoga-Rovers & Associates, 103 Gamma Drive Extension, Suite 190, Pittsburgh, PA 15238 on behalf of Deborah LaMond, ConocoPhillips Company, Risk Management & Remediation, 1400 Park Avenue, Room BOB -S-206, Linden, NJ 07036 has submitted a Cleanup Plan and Remedial Investigation Report concerning the remediation of site groundwater and soil contaminated with unleaded gasoline. The Cleanup Plan and Remedial Investigation Report were approved with comments by the Department on September 26, 2012.

**Gateway Shopping Center**, Tredyffrin Township, **Chester County**. George Keil, URS Corporation, 335 Commerce Drive, Suite 300, Fort Washington, PA 19034 has submitted a Remedial Investigation Report concerning remediation of site groundwater contaminated with pce and chloride. The Remedial Investigation Report was approved by the Department on September 27, 2012.

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

**2020 Building**, 2020 Hamilton Street, Allentown City, **Lehigh County**. Alexander Ulmer, Barry Isett & Associates, Inc., 85 South Route 100, Allentown, PA 18106, has submitted a Final Report (on behalf of his clients Mr. & Mrs. Fred and Lisa Silver, Taverna Verda, Inc., 2 Front Street, Catasauqua, PA 18032), concerning the remediation of soil found to have been impacted by hexavalent chromium within a former process water vault and volatile organic compounds as a result of historical releases associated with metal cleaning. The report documented attainment of the Residential Statewide Health Standard for soils and was approved on September 21, 2012.

**J Hawley 2H/3H/4H/5H/6H/7H Well Sites**, Forest Lake Township, **Susquehanna County**. David Testa and James Pinta, Jr., URS Corporation, 501 Holiday Drive, Foster Plaza 4, Suite 300, Pittsburgh, PA 15220 submitted a Final Report (on behalf of their client, Cabot Oil & Gas Corporation, Five Penn Center West, Suite 401, Pittsburgh, PA 15276), concerning the remediation of soil found to have been impacted by brine fluid as a result of being transferred from an above ground storage tanks to vac trucks for recycling. The report documented attainment of the Residential Statewide Health Standard and Background Standard for soils and was approved on September 26, 2012. The report was originally submitted within 90 days of the release.

**Former Exide Battery Facility**, City of Allentown, **Lehigh County**, Michael Christie, Penn Environmental & Remediation Inc., 2755 Bergey Road, Hatfield, PA 19440, has submitted a Final Report (on behalf of his client, Rob Bennett, Bennett Lehigh Street Holdings, LP,

1951 Lehigh Street, Allentown, PA 18103) concerning the remediation of site soils found to have been impacted by lead and PCE. The remediation of groundwater was found to have been impacted by sporadic inorganic detections as a result of historic operations. The report documented attainment of the Non-Residential Site-Specific Standard for soil and groundwater and was approved on October 1, 2012.

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

**Dewing Pad—QC Spill Response Intersection Le Raysville, Bradford County.** Stantec Consulting Corporation, 1060 Andrew Drive, Suite 140, West Chester, PA 19380 on behalf of Talisman Energy, USA Inc., Warrendale, Pa has submitted a Final Report concerning the remediation of site soil contaminated with produced water. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 20, 2012.

**Frac Tech Services International Truck Accident, Leroy Township, Bradford County.** Weavertown Environmental Group, 2 Dorrington Road, Carnegie, Pa 15106 on behalf of FTSI Service, LLC., 215 Reading Avenue, Williamsport, Pa 17701 has submitted a Final Report concerning the remediation of site soil contaminated with petroleum product. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 28, 2012.

**Patterson UTI, City of Lock Haven, Clinton County.** Minuteman Spill Response, Inc., 2435 Housels Run Road, Milton, Pa 17847 on behalf of Faber Burning Company, 100 East Bald Eagle Street, Lock Haven, PA 17745 has submitted a Final Report concerning the remediation of site soil contaminated with hydraulic oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 4, 2012.

#### RESIDUAL WASTE GENERAL PERMITS

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

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

**General Permit No. WMGR080. Calumet Penreco LLC,** 138 Petrolia Street, Karns City, PA 16041-9799. The permit is for the beneficial use of weak alkali liquor as an alkaline material to treat acid mine drainage wastewater. The permit renewal was issued by Central Office on October 10, 2012.

Persons interested in reviewing the general permit may contact Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

#### REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE

**Registration issued Under the Solid Waste Management Act; the Residual Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.**

*Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**General Permit Registration No. WMGR123NW006. Clarion Altela Environmental Services, LLC (CAES),** Piney Township, Clarion County. Registration to operate under General Permit No. WMGR123 for storage and reuse of gas well frack water and production water. The registration was approved by Northwest Regional Office on October 5, 2012.

Persons interested in reviewing the permit may contact Todd Carlson, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335 (814) 332-6848. TDD users may contact the Department through the Pennsylvania Relay service, (800)654-5984.

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

**Determination of Applicability for General Permit issued Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.**

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

**General Permit No. WMGR098D007. Kurtz Bros., Inc.,** 6415 Granger Road, Independence, OH 44131. Site: 366 Sandy Point Road, Emlenton, PA 16373. The general permit WMGR098 is for beneficial use of waste foundry system sand and sand system dusts generated by ferrous metal foundries and steel foundries for use as a construction material, or as a soil additive or soil amendment.

Persons interested in reviewing the general permit may contact Scott E. Walters, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

#### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

*Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**Permit No. 301355. Eagle Environmental II, L.P./ Interstate Waste Services,** 354 Alexander Spring Road, Suite 3, Carlisle, PA 17015, Chest Township, Clearfield County. The permit is for the construction of a new site,



Harmony Landfill, to accept approved residual waste. The site can accept an average of 1,500 tons/day with a maximum of 2,500 tons/day of waste. The permit was issued by Northcentral Regional Office on October 9, 2012.

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

*Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**Permit No. 400665. Erie Sewer Authority Wastewater Treatment Plant Incinerator**, 68 Port Access Road, Erie, PA 16507, City of Erie, **Erie County**. A renewal permit to continue to operate an existing wastewater treatment plant incinerator for another ten years. The permit was issued by Northwest Regional Office on October 9, 2012.

Persons interested in reviewing the permit may contact Todd Carlson, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335 (814) 332-6848. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

## AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401 Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920*

**GP3-23-0023: JDM Materials Co.** (851 County Line Road, Huntingdon Valley, PA 19006) on October 9, 2012, was authorized to operate a portable nonmetallic mineral processing plant in Tinicum Township, **Delaware County**.

**GP9-23-0012: JDM Materials Co.** (851 County Line Road, Huntingdon Valley, PA 19006) on October 9, 2012, was authorized to operate a diesel/#2 fuel-fired internal combustion engine in Tinicum Township, **Delaware County**.

**GP3-09-0108: Eureka Stone Quarry, Inc.** (P. O. Box 249, Chalfont, PA 18914) on October 12, 2012, was authorized to operate a portable nonmetallic mineral processing plant in Wrightstown Township, **Buck County**.

*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*

**GP9-06-05061B: Cambridge-Lee Industries, LLC** (PO Box 14026, Reading, PA 19612-4026) on October 9, 2012, to install and operate of two diesel fueled internal combustion engines under GP9 in Ontelaunee Township, **Berks County**.

**GP14-06-03156: Walter R. Christ Funeral Home** (3300 Kutztown Road, Laureldale, PA 19605) on October 9, 2012, to install and operate a human crematory under

GP14 at their Walter R. Christ Funeral Home in Laureldale Borough, **Berks 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*

**GP565-01000B: Laurel Mountain Midstream, LLC** (1550 Coraopolis Heights Road, Suite 140, Moon Township, PA 15108) on October 11, 2012, to authorize the installation and operation of a new tri-ethylene glycol dehydrator (including reboiler) rated for 20 mmscf/day of natural gas, and two existing produced water tanks with a 100 bbl capacity each at the Salem Compressor Station located in Salem Township, **Westmoreland County**. A total of two compressor engines are authorized for operation at this site.

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

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

**GP2-25-1010A: American Biodiesel Energy, Inc.** (4680 Iroquois Avenue, Erie, PA 16511) on September 30, 2012, to install storage tanks, Tank ID Nos. F-210, 2, 3, 4, 5, 6 (BAQ/GPA/GP-2) in Harborcreek Township, **Erie County**.

**GP1-37-334B: Advanced Waste Services, Inc.** (101 River Park Drive, New Castle, PA 16101) on September 14, 2012, to construct a 12.247 mmbtu/hr natural gas fired boiler (BAQ/GPA/GP-1) in the City of New Castle, **Lawrence County**.

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

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

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

**08-00045A: Moxie Liberty, LLC** (612 Center Street South, Suite 200, Vienna, VA 22180) on October 10, 2012, for a natural gas-fired combined-cycle power plant to produce 936 MW or less of electricity in Asylum Township, **Bradford County**. The project consists of two identical 1 x 1 powerblocks, and each block includes a combustion gas turbine and a steam turbine. Each combined-cycle process will also include a heat recovery steam generator and supplemental duct burners. Additionally, one diesel-fired emergency generator, one diesel-fired fire water pump, two diesel fuel storage tanks, two lube oil storage tanks, and one aqueous ammonia storage tank were proposed to be constructed and operated. The nitrogen oxides, carbon monoxide, volatile organic compounds, and hazardous air pollutants emissions from the powerblocks will be controlled by a selective catalytic reduction system and an oxidation catalyst. Each combined-cycle process will be rated at 468 MW or less under Plan Approval 08-00045A at their Moxie Liberty Generation Plant.

*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*

**63-00936F: MarkWest Liberty Midstream and Resources, LLC** (1515 Arapahoe Street Tower 2, Suite 700, Denver, CO 80202-2126) on October 4, 2012, to install and begin initial temporary operation of a deethanizer, depropanizer, 113.2 MMBtu/hr hot oil heater, 5.5 MMBtu/hr regenerative heater, and rail load-out vapor recovery system at the Houston Gas Plant located in Chartiers Township, **Washington County**.

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

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

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

**09-0022C: Cleveland Steel Container Corp** (350 Mill Street, Quakertown, PA 18951) on October 5, 2012, to operate a spray booth in Quakertown Borough, **Bucks County**.

**46-0069E: Highway Materials, Inc.** (1750 Walton Road, Blue Bell, PA 19422) on October 5, 2012, to operate a primary crusher in Whitmarsh Township, **Montgomery County**.

**46-0262B: Penn Color, Inc.** (2755 Bergey Road, Hatfield, PA 19440) on October 5, 2012, to operate (two) 2 extruders in Hatfield Township, **Montgomery County**.

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

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

**53-00009D: Morgan Advance Materials & Technology, Inc.** (1118 East Second Street, Coudersport, PA 16915) on October 10, 2012, to extend the authorization to temporarily operate an electric powered de-bind oven (Source ID 122) equipped with a natural gas fired thermal oxidizer (control device ID C122) to control the air contaminant emissions from the oven at their Coudersport plant in Eulalia Township, **Potter County** until April 17, 2012. The plan approval has been extended.

**59-00006B: Dominion Transmission, Inc.** (PO Box 2450, Clarksburg, WV 26302-2450) on October 15, 2012, to construct and operate a natural gas-fired salt bath heater; an increase in hours of operation for an existing heater and dehydration engine. In addition, Dominion Transmission, Inc. is proposing to decrease the operational hour limitation of Engine No. 9 to offset the increase in air contaminant emissions due to the proposed construction and operation of the salt bath heater at their Boom Compressor Station located in Lawrence Township, **Tioga County**. The plan approval has been extended.

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

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

**03-00253A: Western Allegheny, LLC** (301 Market Street, Kittanning, PA 16201-9642) on October 10, 2012, to initiate the 180-day period of temporary operation of a 800,000 tons per year coal preparation plant known as the Parkwood Mine Coal Preparation Plant in Plumcreek Township, **Armstrong County**. The new expiration date shall be April 10, 2013.

**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*

**09-00091: Hubbell, Inc.—Columbia Lighting** (1119 Beaver Street, Bristol, PA 19007) on October 9, 2012, for renewal of a State Only Operating Permit in Bristol Borough, **Bucks County**. The facility manufactures, powder coats, and assembles commercial lighting fixtures. Source ID 110, an incinerator, has been removed from the facility and will be removed from the operating permit. No new changes have taken place and new sources have been added. The primary pollutant of concern is NO<sub>x</sub> coming from various combustion sources for heating and drying ovens from the powder coat process. The primary pollutant of concern is NO<sub>x</sub>, with a worst case potential to emit of 9.76 tons per year. The facility is categorized as a natural minor facility. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

*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*

**36-05115: MGS, Inc.** (178 Muddy Creek Church Road, Denver, PA 17517-9328) on October 5, 2012, for their trailer chassis manufacturing operations in East Cocalico Township, **Lancaster County**. The State-only permit was renewed.

**36-05149: Burle Business Park LP** (1004 New Holland Avenue, Lancaster, PA 17601-5606) on October 10, 2012, for the Burle Business Park facility in Lancaster City, **Lancaster County**. The State-only permit was renewed.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

*Coal Applications Returned*

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



**54110101 and NPDES Permit No. PA0225096. KK Coal, LLC**, (P. O. Box 8, Cumbola, PA 17930), commencement, operation and restoration of an anthracite surface mine, coal refuse reprocess and disposal operation in Blythe Township, **Schuylkill County** affecting 236.0 acres, receiving streams. Bushy Creek and unnamed tributaries to Schuylkill River, classified for the following uses: cold water and migratory fishes. Application received: September 26, 2011. Application returned: October 12, 2012.

*Coal Permits Actions*

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

**30841317. Consol Pennsylvania Coal Company, LLC**, (1525 Pleasant Grove Road, P. O. Box J, Claysville, PA 15323). To revise the permit for the Enlow Fork Mine in East Finley Township, **Greene County**, ACOE Pittsburgh. (Claysville, PA Quadrangle, from N: 4.58 inches; W: 0.32 inch to N: 4.66 inches; W: 0.18 inch) This is a Chapter 105 Water Obstruction and Encroachment permit application (Stream Module 15), and 401 Water Quality Certification request, if applicable, submitted as part of the mining permit revision application to authorize stream restoration to eliminate stream pooling resulting from longwall mining to approximately 570 feet of Rocky Run. The application was considered administratively complete on May 1, 2012. Application received: January 17, 2012. Permit issued: October 9, 2012.

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

**32010109 and NPDES No. PA0249025. Amerikohl Mining, Inc.**, 202 Sunset Drive, Butler, PA 16001, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Rayne, Washington and White Townships, **Indiana County**, affecting 28.5 acres. Receiving stream(s): McKee Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: July 23, 2012. Permit issued: October 3, 2012.

**05753004 and NPDES No. PA0124869. J&J Svonavec Excavating, Inc.**, 618 Samuels Road, Somerset, PA 15501, transfer of an existing bituminous surface mine from Heritage Coal located in Broadtop Township, **Bedford County**, affecting 222.1 acres. Receiving stream(s): UTS to/and Coal Bank Run classified for the following use(s): warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: April 23, 2012. Permit issued: October 10, 2012.

**05070101 and NPDES No. PA0262544. J & J Svonavec Excavating, Inc.**, 618 Samuels Road, Somerset, PA 15501, transfer of an existing bituminous surface mine from Heritage Coal & Natural Resources, LLC, 208 West Mud Pike Road, Rockwood, PA 15557, located in Broadtop Township, **Bedford County**, affecting 110.0 acres. Receiving stream(s): Brewster Hollow Run and East Fork Brewster Hollow Run (topographic) drainage only classified for the following use(s): warm water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: April 24, 2012. Permit issued: October 10, 2012.

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

**03020112 and NPDES Permit No. PA0250325. Rosebud Mining Co.** (301 Market Street, Kittanning, PA

16201). Permit for name change/transfer from Thomas J. Smith, Inc. issued for an existing bituminous surface mine, located in South Bend Township, **Armstrong County**, affecting 49.5 acres. Receiving streams: Craig Run and Crooked Creek. Application received: April 28, 2011. Permit issued: October 5, 2012.

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

**17860123 and NPDES No. PA0115436. Hepburnia Coal Company** (P. O. Box I, 1127 Haytown Road, Grampian, PA 16838) Revision to an existing bituminous surface mine for change in land use from approximate original contour to final contour located in Knox Township, **Clearfield County** affecting 291.0 acres. Receiving stream(s): Unnamed Tributaries to McNeel Run to Gazam Run and to Carson to Little Clearfield Creek classified for the following uses: Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: July 11, 2012. Permit issued: October 9, 2012.

*Noncoal Permits Actions*

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

**32030301 and NPDES Permit No. PA0249408. Britt Energies, Inc.**, 2450 Philadelphia Street, Indiana, PA 15701, renewal of NPDES Permit, Center Township, **Indiana County**. Receiving stream(s): unnamed tributaries to and Yellow Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: July 2, 2012. Permit issued: October 2, 2012.

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

**42120302. HRI, Inc.** (1750 West College Avenue, State College, PA 16801) Commencement, operation and restoration of a large industrial minerals mine in Wetmore Township, **McKean County** affecting 23.3 acres. Receiving streams: Hubert Run. Application received: June 4, 2012. Permit Issued: October 9, 2012.

**42120302-GP-104. HRI, Inc.** (1750 West College Avenue, State College, PA 16801) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 24120302 in Wetmore Township, **McKean County**. Application received: June 4, 2012. Permit Issued: October 9, 2012.

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

**4873SM6GP104. Kinsley Construction, Inc.**, (P. O. Box 2886, York, PA 17405), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 4873SM6 in West Manchester Township, **York County**, receiving stream: Codorus Creek. Application received: July 6, 2012. Permit issued: October 9, 2012.

**58120807. Carlos R. Mendoza**, (2430 North Main Avenue, Scranton, PA 18508), commencement, operation and restoration of a quarry operation in Liberty Township, **Susquehanna County** affecting 3.0 acres, receiving stream: Snake Creek. Application received: June 14, 2012. Permit issued: October 11, 2012.

**58120807GP104. Carlos R. Mendoza**, (2430 North Main Avenue, Scranton, PA 18508), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58120807 in Liberty Township, **Susquehanna County**, receiving

stream: Snake Creek. Application received: June 14, 2012.  
Permit issued: October 11, 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*

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

**09124104. Newville Construction Services, Inc.**, (408 Mohawk Road, Newville, PA 17241), construction blasting for Coopersburg Pole Project in Springfield Township, **Bucks County** with an expiration date of October 13, 2013. Permit issued: October 9, 2012.

**36124159. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for a single dwelling on Oak Street, East Cocalico Township, **Lancaster County** with an expiration date of December 30, 2012. Permit issued: October 9, 2012.

**36124160. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Henry Glick Manure Pit in Manheim Township, **Lancaster County** with an expiration date of December 30, 2012. Permit issued: October 9, 2012.

**48124106. American Rock Mechanics, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Bridal Path Development in Hanover Township, **Northampton County** with an expiration date of October 1, 2013. Permit issued: October 9, 2012.

**58124190. Doug Wathen, LLC**, (11934 Fairway Lakes Drive, Ft. Myers, FL 33913), construction blasting for Aldrich Gas Pad in Gibson Township, **Susquehanna County** with an expiration date of October 1, 2013. Permit issued: October 9, 2012.

**06124114. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Timothy Kurtz dairy setup and manure pits in Caernarvon Township, **Lancaster County** with an expiration date of December 31, 2012. Permit issued: October 10, 2012.

**36124162. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Leonard Horning Manure Pit in Earl Township, **Lancaster County** with an expiration date of December 31, 2012. Permit issued: October 10, 2012.

**38124123. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Schaefferstown Pump Station in Heidelberg Township, **Lebanon County** with an expiration date of October 1, 2013. Permit issued: October 10, 2012.

**66124119. Doug Wathen, LLC**, (11934 Fairway Lakes Drive, Ft. Myers, FL 33913), construction blasting for Loffredo Gas Pad in Lemon Township, **Wyoming County** with an expiration date of October 1, 2013. Permit issued: October 10, 2012.

**66124120. Meshoppen Blasting, Inc.**, (P. O. Box 127, Meshoppen, PA 18630), construction blasting for Kuback Wind Farm in Eaton Township, **Wyoming County** with an expiration date of September 1, 2013. Permit issued: October 10, 2012.

**40124118. Maurer & Scott Sales, Inc.**, (122 Thomas Street, Coopersburg, PA 18036), construction blasting for Grimes Industrial Park in Pittston Township, **Luzerne County** with an expiration date of October 31, 2014. Permit issued: October 11, 2012.

**66124003. John Brainard**, (3978 State Route 2073, Kingsley, PA 18826), construction blasting for the Meshoppen Creek Gathering System in Lemon Township, **Wyoming County** with an expiration date of June 30, 2013. Permit issued: October 11, 2012.

### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for 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.*



**E06-677: Berks County, Berks County Services Center**, 633 Court Street, 14th Floor, Reading, Pennsylvania 19601, in Perry and Tilden Townships, **Berks County**, ACOE Philadelphia District

To: 1) remove the existing structure, 2) construct and maintain a two span steel plate girder bridge skewed 80° having a total span of 226.521 feet, a width of 33.375 feet, and a minimum underclearance of 16.370 feet across the Schuylkill River (WWF, MF) at the same location, and 3) construct a temporary causeway for construction, all for the purpose of improving transportation safety and roadway standards. The project is located along T-558 (Fisher Dam Road) (Hamburg, PA Quadrangle (N: 4.1 inches, W: 17.2 inches; Latitude: 40°31'21", Longitude: -75°59'55") in Perry and Tilden Townships, Berks County.

**E22-577: Swatara Township Board of Commissioners**, 599 Eisenhower Boulevard, Harrisburg, Pennsylvania 17111, in Swatara Township, **Lancaster County**, ACOE Baltimore District

To: 1) remove and maintain 44,585.0 cubic yards of fill from the floodway and floodplain of Swatara Creek (WWF) (Latitude: 40°15'47", Longitude: -76°43'38"), 2) place and maintain 1,000.0 cubic yards of fill in the floodway and floodplain of Swatara Creek (WWF) (Latitude: 40°15'47", Longitude: -76°43'38"), 3) construct and maintain a boat launch ramp 25.0 feet by 25.0 feet in Swatara Creek (WWF) (Latitude: 40°15'46.8", Longitude: -76°43'34.4"), 4) construct and maintain a stormwater swale outfall (Latitude: 40°05'14", Longitude: -76°44'11.5"), 5) construct and maintain a 15.0-inch diameter HDPE stormwater outfall (Latitude: 40°15'16.9", Longitude: -76°44'7.5"), 6) construct and maintain a stormwater swale outfall (Latitude: 40°15'28.4", Longitude: -76°43'56.8"), 7) construct and maintain a stormwater swale outfall (Latitude: 40°15'30.9", Longitude: -76°43'55.1"), 8) construct and maintain a 36.0-inch diameter HDPE stormwater outfall (Latitude: 40°15'30.1", Longitude: -76°43'54.7"), 9) construct and maintain an 18.0-inch diameter HDPE stormwater outfall (Latitude: 40°15'30.5", Longitude: -76°43'54.3"), 10) construct and maintain a 15.0-inch diameter HDPE stormwater outfall (Latitude: 40°15'53", Longitude: -76°43'38.9"), and 11) extend and maintain an existing 24.0-inch SLCPP stormwater outfall (Latitude: 40°15'29.6", Longitude: -76°43'50.5"), all in the floodway of Swatara Creek which is a perennial stream classified as a Warm Water Fishery in Swatara Township, Dauphin County.

**E36-903: Rapho Township**, 971 Colebrook Road, Manheim, Pennsylvania 17545, in Rapho Township, **Lancaster County**, ACOE Baltimore District

To: 1) construct and maintain a 30.0-foot long open bottom, reinforced concrete box culver having a normal span of 30.0 feet over Dellinger Run, 2) realign 220.0 lineal feet of Dellinger Run, 3) install two stormwater drainage swale outfalls, 4) construct and maintain a 32.0-foot long, 14.0-inch by 23.0-inch reinforced concrete pipe and endwalls in the floodplain of Dellinger Run, 5) place and maintain fill in the floodway of Chiques Creek (WWF), 6) construct and maintain a 36.0-inch HDPE outfall, and 7) construct and maintain a 14.0-inch by 23.0-inch reinforced concrete pipe outfall in the floodplain of Chiques Creek (WWF). The project is located along Auction Road, approximately 1.5 miles from the intersection of Esbenshade Road, and is undertaken as a result of

damage due to Hurricane Lee. The project is considered an Emergency Replacement by the Pennsylvania Emergency Management Agency (PEMA) and is funded in part by PEMA.

**E36-905: County of Lancaster**, 150 North Queen Street, Suite 612, Lancaster, Pennsylvania 17603, in Rapho and West Hempfield Townships, ACOE Baltimore District to place and maintain fill in the floodplain of Chiques Creek (WWF-MF) and to reset and maintain an 88.0-foot, 1.5-inch long, 14.0-foot, 1.0-inch wide covered bridge having a proposed underclearance of 10.0 feet, 3.0 inches over Chiques Creek (WWF-MF) for the purpose of repairing damage caused by flooding that occurred in 2011. The project is located on Siegrist Mill Road (Latitude: 40°04'33.04"N, Longitude: -76°28'15.06"W) in Hempfield Township, **Lancaster County**.

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

**E19-294. Donald Artsma**, 4 Spencer Road, Dallas, PA 18612. Artsma Cottager, in Fishing Creek Township, **Columbia County**, ACOE Baltimore District (Mifflinville, PA Quadrangle Latitude: 41°06'25.39" Longitude: 76°21'39.69").

This permit provides consent to construct, operate and maintain 7 concrete piers to support the raising of a cottage structure on the existing footprint and to include 5 additional piers to support the closed and open deck structures in the floodplain of Fishing Creek. The structures first floor elevating shall be a minimum of 18 inches above elevation of 626.8 feet. The cottage is 36 feet wide and 38 feet long. This property is located from SR 487 onto Winding Road, take first driveway on the right and it is the second cabin on the right. This permit was issued under Section 105.13(e) "Small Projects."

*Eastern Region Oil and Gas Manager, 208 W. Third St., Suite 101, Williamsport, PA 17701*

**95-16-65420-020. Pennsylvania General Energy, LLC**—120 Market Street, Warren, PA 16365. Project proposes to construct a centralized impoundment for the storage of treated and untreated wastewaters generated from shale gas extraction operations, at their Johnson Site. (Waterville, PA Quadrangle; Latitude: N 41° 22' 10.66", Longitude: W 77° 23' 58.19"), McHenry Township, **Lycoming County**.

*Southeast Region: Watershed Management Program Manager, 2 East Main Street, Norristown, PA 19428*

401 Water Quality Certification Request Initiated By: **Department of the Army**, Philadelphia District, Corps of Engineers, Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107-3391

This project involves the discharge of supernatant from the Fort Mifflin Confined Disposal Facility to the Schuylkill River. The project consists of maintenance dredging of the Delaware River Main Channel. The Dredge McFarland will be used to remove spot shoals of sediment from the navigation channel to maintain the project depth of 40 feet, and dredged material will be placed into the Fort Mifflin Confined Disposal Facility (CDF). Sediment will be retained in the CDF, and clarified supernatant will be returned to the River. The approval will be in effect for five years. The following effluent limits and effluent monitoring requirements apply:

Parameter	Average Monthly Limit (mg/l)	Maximum Daily Limit (mg/l)	Instantaneous Maximum Limit (mg/l)	Monitoring Frequency
Flow (MGD)	Monitor/Report	Monitor/Report		Daily
Total Suspended Solids	3,000		4,500	Daily
pH		6-9 units at all times		Daily
Aluminum, total		Monitor/Report		1/Week
Copper, total		Monitor/Report		1/Week
Iron, total		Monitor/Report		1/Week
Lead, total		Monitor/Report		1/Week
Mercury, total		Monitor/Report		1/Week
Nickel, total		Monitor/Report		1/Week
Zinc, total		Monitor/Report		1/Week
4,4' DDD		Monitor/Report using EPA Method 608		1/Week
4,4' DDE		Monitor/Report using EPA Method 608		1/Week
4,4' DDT		Monitor/Report using EPA Method 608		1/Week
PCBs, Total		Not Detectable Using EPA Method 608 (GC/ECD)		1/Week
PCBs—209 Congeners		Monitor/Report Using EPA Method 1668A		1/Week

**EROSION AND SEDIMENT CONTROL**

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

ESCGP-1 No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
30128007	Dominion Transmission, Inc.	Greene	Wayne Township	Purseley Creek (HQ-WWF) UNT to Dunkard Creek (WWF)

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

ESCGP-1 #ESX12-065-0051—Minich / Lovelace Pipeline Applicant Dannic Energy Corporation  
 Contact Dan Sinclair  
 Address 134 Millrun Drive  
 City Indiana State PA Zip Code 15701  
 County Jefferson Township(s) Henderson & McCalmont(s)  
 Receiving Stream(s) and Classification(s) UNTs to Big Run, McKee Run and UNT to Stump Creek & Windfall Run (CWF)

ESCGP-1 #ESX12-039-0004-Staab 1H Pad  
 Applicant Halcon Operating Co. Inc  
 Contact Jon Wright  
 Address 1000 Louisiana Street, Suite 6700  
 City Houston State TX Zip Code 77002  
 County Crawford Township(s) North Shenango(s)  
 Receiving Stream(s) and Classification(s) UNT to Bennett Run-Ohio River Basin in PA (List W) (WWF)

ESCGP-1 #ESX12-047-0052-Church Run Impoundment 1  
 Applicant Seneca Resources Corp  
 Contact Michael Clinger  
 Address 51 Zents Blvd

City Brookville State PA Zip Code 15825  
 County Elk Township(s) Millstone(s)  
 Receiving Stream(s) and Classification(s) UNT to Wyncoop Run (HQ-CWF/HQ-CWF)

*Southwest Region: Oil & Gas Program Mgr. 400 Waterfront Dr. Pittsburgh PA*

9/19/12  
 ESCGP-1 No: ESX12-125-0057 MAJOR REVISION  
 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: CROSS CREEK, SMITH  
 Receiving Stream (s) And Classifications: UNTs TO RACCOON CREEK (WWF), UNTs TO MIDDLE FORK CROSS CREEK (WWF), MIDDLE FORK CROSS CREEK (WWF), UNT TO SOUTH FORK CROSS CREEK (HQ-WWF), UNTs TO BURGETTS FORK (WWF); HQ; OTHER

8/21/12  
 ESCGP-1 No.: ESX12-051-0007 MAJOR REVISION



Applicant Name: LAUREL MOUNTAIN MIDSTREAM LLC

Contact Person: MS STEPHANIE L RANKER  
Address: 2620 MEMORIAL BLVD SUITE A  
City: CONNELLSVILLE State: PA Zip Code: 15425  
County: FAYETTE Township(s): JEFFERSON  
Receiving Stream(s) and Classifications: UNTs TO LITTLE REDSTONE CREEK (WWF); OTHER

8/8/12 ESCGP-1 No.: ESX12-125-0095

Applicant Name: APPALACHIA MIDSTREAM SERVICES LLC

Contact Person: MR TOBY LATTEA  
Address: 179 CHESAPEAKE DRIVE  
City: JANE LEW State: WV Zip Code: 26378  
County: WASHINGTON  
Township(s): WEST FINLEY

Receiving Stream(s) and Classifications: BEHAM RUN—WWF; OTHER

9/18/12

ESCGP-1 No.: ESX12-125-0105

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): BUFFALO  
Receiving Stream(s) and Classifications: UNTs TO BUFFALO CREEK, UNTs TO WOLF RUN, WOLF RUN; HQ

9/19/12 ESCGP-1 No.: ESX12-125-0106

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): MORRIS  
Receiving Stream(s) and Classifications: UNTs TO TENMILE CREEK (TSF), PLEASANT VALLEY RUN (TSF); OTHER

9/20/12

ESCGP-1 No.: ESX12-125-0107

Applicant Name: RANGE RESOURCES APPALACHIA LLC

Contact Person: MR GLENN D TRUZZI  
Address: 3000 TOWN CENTER BOULEVARD  
City: CANONSBURG State: PA Zip Code: 15317  
County: WASHINGTON Township(s): JEFFERSON  
Receiving Stream(s) and Classifications: UNT TO SCOTT RUN (WWF) / RACCOON CREEK WATERSHED; 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 #: 113-20173-00-00

Well Farm Name Mehalick Unit 1H

Applicant Name: Chief Oil and Gas LLC.

Contact Person: Jennifer Curry  
Address: 6051 Wallace Road, Ext. 300, Wexford, PA 15090  
County: Sullivan

Municipality Cherry 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: Colley, Birch Creek

Well Permit #: 115-20664-00-00

Well Farm Name Powers 1-8H

Applicant Name: WPX Energy Appal LLC

Contact Person: David Freudenrich  
Address: 6000 Town Center Boulevard, Suite 300, Canonsburg, PA 15317

County: Susquehanna

Municipality Forest Lake 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: Lawton

Well Permit #: 115-20666-00-00

Well Farm Name Powers 1-10H

Applicant Name: WPX Energy Appal LLC

Contact Person: David Freudenrich  
Address: 6000 Town Center Boulevard, Suite 300, Canonsburg, PA 15317

County: Susquehanna

Municipality Forest Lake 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: Lawton

Well Permit #: 015-22289-00-00

Well Farm Name Gene Bra 2H

Applicant Name: Chesapeake Appalachia, LLC

Contact Person: Eric Haskins  
Address: 101 North Main Street, Athens, PA 18810  
County: Bradford

Municipality Overton 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: Du Shore, Unnamed Tributary to Black Creek, which is a tributary to Little Loyalsock Creek.

Well Permit #: 015-22290-00-00

Well Farm Name Gene Bra 5H

Applicant Name: Chesapeake Appalachia, LLC.  
 Contact Person: Eric Haskins  
 Address: 101 North Main Street, Athens, PA 18810  
 County: Bradford

Municipality Overton 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: Du Shore, Unnamed Tributary to Black Creek, which is a tributary to Little Loyalsock Creek.

Well Permit #: 113-20177-00-00  
 Well Farm Name Ronmary N Sul 2H  
 Applicant Name: Chesapeake Appalachia, LLC.  
 Contact Person: Eric Haskins  
 Address: 101 North Main Street, Athens, PA 18810  
 County: Bradford  
 Municipality Elkland 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: Shunk, Unnamed Tributary of Elk Creek.

Well Permit #: 015-22265-00-00  
 Well Farm Name Arnold Unit A 3H  
 Applicant Name: Chief Oil & Gas LLC.  
 Contact Person: Jennifer Curry  
 Address: 6051 Wallace Road, Ext, Ste 300, Wexford, PA 15090-7386  
 County: Bradford  
 Municipality Monroe 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: Powell, Towanda Creek

Well Permit #: 115-21007-00-00  
 Well Farm Name Marvin 1H  
 Applicant Name: Southwestern Energy Prod Co.  
 Contact Person: John R. Nicholas  
 Address: 2350 N. Sam Houston Parkway, East, Houston, TX 77032  
 County: Susquehanna  
 Municipality Jackson 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: Susquehanna, Tributary to Drinker Creek, which is tributary to the Susquehanna River

Well Permit #: 015-21958-00-00  
 Well Farm Name Neal Bra 2H  
 Applicant Name: Chesapeake Appalachia, LLC.  
 Contact Person: Eric Haskins  
 Address: 101 North Main Street, Athens, PA 18810  
 County: Bradford  
 Municipality Leroy 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: Leroy, Unnamed Tributary of Towanda Creek

Well Permit #: 047-24718-00-00  
 Well Farm Name Warrant 3783 399  
 Applicant Name: ARG Resources, Inc.  
 Contact Person: James Bolinger  
 Address: 1562 Route 66/948, Box 2016, Kane, PA 16735  
 County: Elk  
 Municipality Highland 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: Russell City, E. Branch Spring Creek

Well Permit #: 047-24719-00-00  
 Well Farm Name Warrant 3779 401  
 Applicant Name: ARG Resources, Inc.  
 Contact Person: James Bolinger  
 Address: 1562 Route 66/948 Box 2016, Kane, PA 16735  
 County: Elk  
 Municipality Highland 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: Russell City, E. Branch Spring Creek

Well Permit #: 047-24720-00-00  
 Well Farm Name Warrant 3783 403  
 Applicant Name: ARG Resources, Inc.  
 Contact Person: James Bolinger  
 Address: 1562 Route 66/948 Box 2016, Kane, PA 16735  
 County: Elk  
 Municipality Highland 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: Russell City, E. Branch Spring Creek

Well Permit #: 047-24721-00-00  
 Well Farm Name Warrant 3783 414  
 Applicant Name: ARG Resources, Inc.  
 Contact Person: James Bolinger  
 Address: 1562 Route 66/948 Box 2016, Kane, PA 16735  
 County: Elk  
 Municipality Highland 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: Russell City, E. Branch Spring Creek

Well Permit #: 047-24722-00-00  
 Well Farm Name Warrant 3777 497  
 Applicant Name: ARG Resources, Inc.  
 Contact Person: James Bolinger  
 Address: 1562 Route 66/948 Box 2016, Kane, PA 16735  
 County: Elk  
 Municipality Highland 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: Russell City, E. Branch Spring Creek.

Well Permit #: 047-24723-00-00  
 Well Farm Name Warrant 3783 524  
 Applicant Name: ARG Resources, Inc.  
 Contact Person: James Bolinger  
 Address: 1562 Route 66/948 Box 2016, Kane, PA 16735  
 County: Elk  
 Municipality Highland 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: Russell City, E. Branch Spring Creek.

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## SPECIAL NOTICES

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### **Plan Revision Approval under the Municipal Waste Planning, Recycling and Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101**

*Northcentral Region: Waste Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701.*

The Department of Environmental Protection (Department) approved the Municipal Waste Management Non-Substantial Plan Revision ("Revision") for the county of Potter on October 15, 2012. The Revision includes flow control of municipal waste to the publicly-owned Potter County Solid Waste Authority transfer station, and disposal of waste at a private landfill. The Revision is a public document and may be viewed at the Northcentral Regional Office, at the address noted above. Questions concerning the approval of the Revision should be directed to Larry Holley, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7382, or to Michelle Ferguson, Regional Manager, Office of Pollution Prevention and Energy Assistance, at the Northcentral Regional Office at (570) 327-3636.

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 the 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 may contact the Environmental Hearing Board (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 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.

#### **Request for Section 401 Water Quality Certification**

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

**Permit No. 30071301 and NPDES Permit No. PA0236136. Freeport Mining, LLC**, (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370). Request for Section 401 Water Quality Certification for a new underground mine in Jefferson and Morgan Townships, **Greene County**. Surface Acres proposed 146.0, Underground and Subsidence Control Acres proposed 5281.0. This permit application was accepted for review September 4, 2009. The Section 401 Water Quality Certification request was received May 30, 2012. Persons wishing to

comment on or object to this request for Section 401 Water Quality Certification must submit comments or objections to the District Mining Office identified above within 30 days of the date of this public notice. Comments should contain the name, address and telephone number of the person commenting, the identification of the permit application to which the comments pertain, and a concise statement of the comments, objections or suggestions including relevant facts upon which they are based. The application describing the details of the proposed installation is available for review, by appointment, at the District Mining Office identified above.

[Pa.B. Doc. No. 12-2103. Filed for public inspection October 26, 2012, 9:00 a.m.]

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

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

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

The information described in this notice relates to submitted certification requests received on September 4, 2012.

#### *Background*

Before a credit can be used by an NPDES permittee, a three-step process is followed: (1) the certification request must be approved; (2) generation of the credits must be verified; and (3) the credits must be registered.

Approval is also known as certification, which is a written approval by the Department for the use of a pollutant reduction activity to generate credits. Certifications are based on at least: (1) a written request describing the qualifying pollutant reduction activity that will reduce the pollutant loadings delivered to the applicable watershed; (2) the calculation to quantify the pounds of reductions expected; and (3) a verification plan that, when implemented, ensures that the qualifying pollutant reduction activity has taken place.

Once the credits are certified, they must be verified to be applied toward an NPDES permit for compliance with effluent limits. Verification means implementation of the verification plan contained in the certification. Verification plans require annual submittal of documentation to the Department that demonstrates that the qualifying pollutant reduction activity has taken place for the applicable compliance year.

The credits also need to be registered by the Department before they can be applied toward an NPDES



permit for compliance with effluent limits. Registration occurs only after credits have been certified, verified and a contract has been submitted. The Department registers credits for use during the compliance year in which the qualifying pollutant reduction activity has taken place. The Department provides registered credits with an annual registry number for reporting and tracking purposes.

#### *Certification Request*

The following request is being reviewed by the Department.

<i>Applicant</i>	<i>Pollution Reduction Activity Description</i>
Kulpmont-Marion Heights Joint Municipal Authority (Northumberland County) NPDES PA0020338	This certification request is for nutrient reduction credits to be generated from the pollutant reduction activity at Kulpmont-Marion Heights Joint Municipal Authority's wastewater treatment plant.

#### *Written Comments*

Interested persons may submit written comments on this proposed pollutant reduction activity by November 13, 2012. The Department will accept comments submitted by e-mail, but comments submitted by facsimile will not be accepted. A return name and address must be included in each e-mail transmission. Written comments should be submitted to 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, bschlauder@pa.gov.

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

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-2104. Filed for public inspection October 26, 2012, 9:00 a.m.]

#### **Oil and Gas Technical Advisory Board Meeting Cancellation**

The November 15, 2012, meeting of the Oil and Gas Technical Advisory Board is cancelled. The next meeting is scheduled for December 11, 2012, at 10 a.m. in Conference Room 5ABC, Forum Place, 555 Walnut Street, Harrisburg, PA 17101.

Questions concerning the next scheduled meeting of the Oil and Gas Technical Advisory Board can be directed to Kurt Klapkowski, (717) 772-2199 or [kklapkowski@pa.gov](mailto:kklapkowski@pa.gov). This agenda and meeting materials for the December 11, 2012, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at [www.dep.state.pa.us](http://www.dep.state.pa.us).

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Darek Jagiela at (717) 783-9645 or through the

Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-2105. Filed for public inspection October 26, 2012, 9:00 a.m.]

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

The December 11, 2012, special meeting of the Oil and Gas Technical Advisory Board will now convene at an alternate location than was previously published at 42 Pa.B. 6347 (October 6, 2012). The meeting will begin at 10 a.m. in Conference Room 5ABC, Forum Place, 555 Walnut Street, Harrisburg, PA 17101.

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

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Darek Jagiela at (717) 783-9645 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-2106. Filed for public inspection October 26, 2012, 9:00 a.m.]

#### **Pennsylvania Sewage Advisory Committee Meeting Cancellation**

The Pennsylvania Sewage Advisory Committee (Committee) meeting scheduled for November 7, 2012, is cancelled. The next meeting of the Committee is scheduled for March 6, 2013, at 10:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the next scheduled meeting of the Committee can be directed to John Diehl at (717) 783-2941 or [jdiehl@pa.gov](mailto:jdiehl@pa.gov). The agenda and meeting materials for the March 6, 2013, meeting will be available through the Committee page on the Department of Environmental Protection's (Department) web site at [http://www.portal.state.pa.us/portal/server.pt/community/sewage\\_advisory\\_committee\\_\(sac\)/14015](http://www.portal.state.pa.us/portal/server.pt/community/sewage_advisory_committee_(sac)/14015).

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-2941 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-2107. Filed for public inspection October 26, 2012, 9:00 a.m.]



### Public Notice of Availability; Proposed Revisions to General NPDES Permit for Concentrated Animal Feeding Operations (PAG-12)

The Department of Environmental Protection (Department) is proposing to revise the National Pollutant Discharge Elimination System (NPDES) General Permit for Concentrated Animal Feeding Operations (PAG-12, 2012 amendment) for renewal for 5 years. This General NPDES Permit is issued under the authority of the Clean Water Act (33 U.S.C.A. §§ 1251—1387), The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20). The current PAG-12 permit is scheduled to expire at midnight on March 31, 2013. The PAG-12 permit will continue to be in force until formal revision of PAG-12 is completed and announced in the *Pennsylvania Bulletin*, unless rescinded by the Department at an earlier date.

This permit is available for Concentrated Animal Feeding Operations (CAFOs) that do not discharge to a surface water classified as a High Quality or an Exceptional Value Water. CAFOs are regulated under both State and Federal law with clear and express requirements. The scope and specificity of the regulatory requirements make CAFOs an appropriate category for regulation under a general permit.

The Department is not proposing to charge a fee for processing the Notice of Intent (NOI) for CAFOs. A notice will be published in the *Pennsylvania Bulletin* of the receipt of each NOI under this general permit and of each approval for coverage under this general permit.

The proposed revisions included in the draft PAG-12, 2012 amendment are summarized as follows: the “Approval for Coverage” identifies the animal types and numbers based on the current approved nutrient management plan; the “Authorization to Operate” clarifies who may and may not be covered under PAG-12, lists applicable effluent limitations guidelines for animal types and explains the procedures and conditions for major and minor permit modifications; Part A includes manure storage requirements and additional self-monitoring, reporting and recordkeeping on the part of the operator; Part C includes clarification of setbacks for mechanical and winter application of manure, management of animal mortalities and manure storage facility and water quality management permit requirements, including maintaining records documenting the current design of any manure or litter storage structure. Part C also provides limitations on the disposal of feed and raw materials.

The Department invites public comments on the proposed revisions to PAG-12. Comments must be submitted by November 26, 2012. If there is significant public interest or if requested, the comment period may be extended at the discretion of the Department for an additional 15-day period. Only comments received during the specified comment period will be considered in the final renewal permit. If more significant issues of public interest are raised, the Department may schedule a public meeting or hearing. Written comments should be submitted to Kenn Pattison, Chief of the Nutrient Management Section at the address listed as follows. Comments will also be accepted by e-mail to RA-EPPAG12Comments@state.pa.us. Comments sent by facsimile or voice mail will not be accepted.

The proposed PAG-12, 2012 amended draft permit is available by contacting the Department of Environmental Protection, Bureau of Conservation and Restoration,

Rachel Carson State Office Building, P.O. Box 8465, 10th Floor, Harrisburg, PA 17105-8465, (717) 787-5267, RA-EPPAG12Comments@state.pa.us. The proposed PAG-12, 2012 amended draft permit is also available on the Department’s web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (choose “Public Participation”; then “Public Participation Center” and then scroll down to “Proposals Currently Open for Comment”).

Persons with a disability may contact the Department by using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). Following the specified comment period, the Department will review all submitted comments, prepare a comment and response document and the final documents package for this General Permit. Availability of the final permit documents will be announced in the *Pennsylvania Bulletin*.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-2108. Filed for public inspection October 26, 2012, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee Public Meeting

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247b), will hold a public meeting on Wednesday, November 14, 2012, from 9 a.m. to 2:30 p.m. at the Park Inn Harrisburg West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

For additional information, contact Kenneth McGarvey, Department of Health, Bureau of Communicable Diseases, 625 Forster Street, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so should also contact Kenneth McGarvey at the previously listed number, or at V/TT (717) 783-6514 for speech and/or hearing impaired persons, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

The Department reserves the right to cancel this meeting without prior notice.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 12-2109. Filed for public inspection October 26, 2012, 9:00 a.m.]

### Integrated Human Immunodeficiency Virus (HIV) Planning Council Public Meeting

The Statewide Integrated HIV Planning Council, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247b), will hold a public meeting on Tuesday, November 13, 2012, from 9 a.m. to 2 p.m. at the Park Inn Hotel Harrisburg West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

For additional information contact Kenneth McGarvey, Department of Health, Bureau of Communicable Diseases, Division of HIV/AIDS, 625 Forster Street, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so should also contact Joseph Pease at the previously listed number, or at V/TT (717) 783-6514 for speech and/or hearing impaired persons, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

The Department reserves the right to cancel this meeting without prior notice.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 12-2110. Filed for public inspection October 26, 2012, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 201.18(e) (relating to management):

Penn Center for Rehabilitation & Care  
3609 Chestnut Street  
Philadelphia, PA 19104  
FAC ID 180102

Presbyterian Center for Continuing Care  
39th and Market Streets  
Philadelphia, PA 19104  
FAC ID 421102

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(h) (relating to bathing facilities):

Broomall Presbyterian Village  
146 Marple Road  
Broomall, PA 19008  
FAC ID 283202

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 12-2111. Filed for public inspection October 26, 2012, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Delay in Implementation of Alternative Cost Sharing for Families of Children with Disabilities with Incomes over 200% of the Federal Poverty Income Guidelines

The Department of Public Welfare (Department) previously published a public notice at 42 Pa.B. 6222 (September 29, 2012) announcing the implementation of copayments for services provided to children eligible for Medical Assistance (MA) under the MA for Children with Special Needs category with family income above 200% of the Federal Poverty Income Guidelines. The copayments were to be effective for dates of service on and after October 1, 2012, for newly eligible beneficiaries and November 1, 2012, for current beneficiaries.

Based upon feedback from families, stakeholders and other interested parties, the Department has decided to delay the implementation of copayments. Families of children eligible for MA under this category of assistance will not owe a copayment for any services until further notice.

Many stakeholders have acknowledged the need for cost sharing in the MA for Children with Special Needs program and have indicated that a premium would be preferred over copayments. The Department agrees, but has been unable to implement premiums because the Centers for Medicare and Medicaid Services (CMS) has taken the position that implementing premiums violates the Maintenance of Effort provisions of the Affordable Care Act. Delaying the implementation of copayments will allow the Department the opportunity to work with stakeholders and to seek approval from CMS to apply premiums or to identify and implement other cost-sharing alternatives. Once a decision has been reached, families will receive advance notice of their cost-sharing requirements.

#### *Fiscal Impact*

This delay is anticipated to result in costs of \$9.405 million (\$4.300 million in State funds) in the MA Outpatient Program in Fiscal Year 2012-2013 and annualized costs of \$12.540 million (\$5.813 million in State funds) in Fiscal Year 2013-2014.

#### *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 Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered in the development of subsequent notice. Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

GARY D. ALEXANDER,  
*Secretary*

**Fiscal Note:** 14-NOT-799. (1) General Fund; (2) Implementing Year 2012-13 is \$4,300,000; (3) 1st Succeeding Year 2013-14 is \$5,813,000; 2nd Succeeding Year 2014-15 is \$5,813,000; 3rd Succeeding Year 2015-16 is \$5,813,000; 4th Succeeding Year 2016-17 is \$5,813,000; 5th Succeeding Year 2017-18 is \$5,813,000; (4) 2011-12 Program—

\$645,095,000; 2010-11 Program—\$467,929,000; 2009-10 Program—\$435,939,000; (7) MA—Outpatient; (8) recommends adoption. The MA—Outpatient appropriation is able to absorb the increased cost.

[Pa.B. Doc. No. 12-2112. Filed for public inspection October 26, 2012, 9:00 a.m.]

### Payment for Nursing Facility Services Provided by County Nursing Facilities that Privatize; Change in Methods and Standards of Setting Payment Rates

The Department of Public Welfare (Department) is proposing to amend its methods and standards for payment of Medical Assistance (MA) nursing facility services to county nursing facilities that privatize beginning November 1, 2012.

#### *Proposed Changes*

For county nursing facilities that have a change of ownership from a county ownership to a private nursing facility provider, the Department is proposing to determine the per diem rate using the peer group price for resident care, other resident related and administrative costs from the appropriate peer group in accordance with 55 Pa. Code § 1187.94 (relating to peer grouping for price setting) until there is a nursing facility cost report submitted by the new provider audited for use in the rebasing process. The resident assessment data from the former county nursing facility will be used to establish the MA case-mix index in the resident care rate calculation. If the facility's beds are eligible for the capital component of payment, then the fixed property component will be the only component in the capital portion of the case-mix rate until a nursing facility cost report submitted by the new provider is audited for use in the rebasing process.

#### *Fiscal Impact*

No fiscal impact is anticipated as a result of these changes.

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Long-Term Living, Attention: Marilyn Yocum, Department of Public Welfare/Department of Aging, Office of Long-Term Living, Policy and Strategic Planning, 555 Walnut Street, Forum Place, 5th Floor, Harrisburg, PA 17101-1919. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

GARY D. ALEXANDER,  
*Secretary*

**Fiscal Note:** 14-NOT-800. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 12-2113. Filed for public inspection October 26, 2012, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### United States Steel Corporation v. DEP; EHB Doc. No. 2012-171-R; 9-28-2012—Issuance of NPDES Permit No. PA0004472

United States Steel Corporation has appealed the issuance by the Department of Environmental Protection of an NPDES permit to United States Steel Corporation for a facility in Clairton Borough, Allegheny County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 12-2114. Filed for public inspection October 26, 2012, 9:00 a.m.]

## GAME COMMISSION

### Cervid Parts Importation Ban #5 Under 58 Pa. Code § 137.34

#### Order

*Whereas*, Chronic Wasting Disease (CWD) is an infectious and progressive neurological disease that is found in, and always proves fatal to, members of the Family Cervidae (deer, elk or moose, collectively called cervids); and

*Whereas*, The specific cause of CWD is believed to be prions (abnormal infectious protein particles) that are known to be concentrated in the nervous system and lymphoid tissues of infected cervids; and

*Whereas*, There are no known treatments for CWD infection, no vaccines to protect against CWD infection, and no approved tests that can detect the presence of CWD in live cervids; and

*Whereas*, CWD has been designated a "dangerous transmissible disease" of animals by order of the Secretary of Agriculture under the provisions of the Domestic Animal Law (3 Pa.C.S. §§ 2301 et seq.), at 3 Pa.C.S. § 2321(d); and

*Whereas*, CWD is known to be transmissible from infected to uninfected cervids by contact with or ingestion of CWD-infected or contaminated cervid parts or materials; and



Whereas, CWD is of particular concern to the Commonwealth of Pennsylvania because, it has the potential to have a severe, detrimental impact on both Pennsylvania's wild and captive cervid populations; and

Whereas, the Pennsylvania Game Commission (PGC) has determined that importation of potentially infectious parts or materials from cervids harvested in CWD-endemic States or Canadian Provinces into the Commonwealth of Pennsylvania poses an unacceptable risk of continued introduction of CWD into the state; and

Whereas, The Game and Wildlife Code (the Code) (34 Pa.C.S. §§ 101 et seq.) and regulations promulgated thereunder (58 Pa. Code §§ 131.1 et seq.) collectively provide broad authority to the PGC to regulate activities relating to the protection, preservation, and management of game and wildlife, including cervids; and

Whereas, 58 Pa. Code § 137.34 provides specific emergency authority to the Executive Director of the PGC to ban the importation of certain cervid parts from other states or nations to prevent the introduction or spread of CWD into the Commonwealth of Pennsylvania; and

Now Therefore, I, Carl G. Roe, Executive Director of the Pennsylvania Game Commission, pursuant to the authority vested in me by the Code and regulations promulgated thereunder, do hereby order and direct the following:

1. My previous executive order concerning cervid parts importation restrictions issued on July 20, 2011 is hereby rescinded in its entirety and replaced by this Order.

2. The importation of any high-risk parts or materials from cervids harvested in any CWD-endemic States or Canadian Provinces into the Commonwealth of Pennsylvania is hereby strictly prohibited.

3. For the purposes of this Order, CWD-endemic States or Canadian Provinces shall be defined as any States or Canadian Provinces where CWD has been detected in wild or captive cervid populations. At present, this includes the following specific States and Canadian Provinces: Alberta, Colorado, Kansas, Illinois, Iowa, Maryland (only designated CWD Management Area), Michigan, Minnesota, Missouri, Montana, Nebraska, New Mexico, New York (only Madison and Oneida counties), North Dakota, Oklahoma, Saskatchewan, South Dakota, Texas, Utah, Virginia (only CWD Designated Containment Area), West Virginia (only CWD Designated Containment Area), Wisconsin, and Wyoming.

4. For the purposes of this Order, the term cervid shall include any member of the Family Cervidae (deer), specifically including the following species: black-tailed deer, caribou, elk, fallow deer, moose, mule deer, red deer, sika deer, white-tailed deer, and any hybrids thereof.

5. For the purposes of this Order, high-risk parts or materials shall be defined as any parts or materials, derived from cervids, which are known to accumulate abnormal prions. This includes any of the following:

- a. Head (including brain, tonsils, eyes, and lymph nodes);
- b. Spinal Cord / Backbone (vertebra);
- c. Spleen;
- d. Skull plate with attached antlers, if visible brain or spinal cord material is present;

e. Cape, if visible brain or spinal cord material is present;

f. Upper canine teeth, if root structure or other soft material is present;

g. Any object or article containing visible brain or spinal cord material;

h. Brain-tanned hide.

6. This Order shall not be construed to limit the importation of the following cervid parts or materials into the Commonwealth of Pennsylvania:

a. Meat, without the backbone;

b. Skull plate with attached antlers, if no visible brain or spinal cord material is present;

c. Tanned hide or rawhide with no visible brain or spinal cord material present;

d. Cape, if no visible brain or spinal cord material is present;

e. Upper canine teeth, if no root structure or other soft material is present; and

f. Taxidermy mounts, if no visible brain or spinal cord material is present.

7. This Order shall not be construed in any manner to limit the PGC's authority to establish additional importation or testing requirements on imported cervid parts or materials.

8. This Order is effective immediately and shall remain in effect until rescinded or modified by subsequent order.

Given under my hand and seal of the Pennsylvania Game Commission on this 16th day of October 2012.

CARL G. ROE,  
Executive Director

[Pa.B. Doc. No. 12-2115. Filed for public inspection October 26, 2012, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Meetings Scheduled

The Health Care Cost Containment Council (Council) has scheduled the following meetings: Wednesday, October 31, 2012—Data Systems Committee meeting at 10 a.m. and Executive Committee at 3 p.m.; Thursday, November 1, 2012—Council Meeting at 10 a.m.

The meetings will be held at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons in need of accommodation due to a disability who wish to attend the meeting should contact Reneé Greenawalt, (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

JOE MARTIN,  
Executive Director

[Pa.B. Doc. No. 12-2116. Filed for public inspection October 26, 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>
16A-5424	State Board of Pharmacy Pharmacy Internship 42 Pa.B. 5353 (August 18, 2012)	9/17/12	10/17/12

**State Board of Pharmacy  
Regulation #16A-5424 (IRRC #2963)**

**Pharmacy Internship**

**October 17, 2012**

We submit for your consideration the following comments on the proposed rulemaking published in the August 18, 2012 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the State Board of Pharmacy (Board) to respond to all comments received from us or any other source.

**Section 27.26. Pharmacy internship.—Consistency with statute; Protection of the public welfare; Need; Feasibility; Reasonableness.**

Under Paragraph (b)(2), the proposed regulation requires the “ACPE-accredited pharmacy degree program” (Program) to send acceptable documentation directly to the Board “which includes the pharmacy student’s name, address, *Social Security Number . . .*” (Emphasis added.)

We have multiple concerns relating to the requirement for the acceptable documentation to include the student’s Social Security Number (SSN). First, given the risk of identity theft and hardship to which the student could potentially be exposed, how will the Board internally

secure this documentation, that includes the student’s SSN, to protect the student from identity theft?

Additionally, the existing provision at Paragraph (b)(2) does not require the student’s SSN. Why does the Board now need the student’s SSN? Do all students, including foreign students, possess SSNs? Even if the SSN is provided, what capacity does the Board have to verify the SSN and how would it actually perform this verification?

Finally, in this instance, the Board is not directly asking the student to produce the SSN, but is rather asking a third party, the Program, to provide the student’s SSN. Do all Programs, in all instances and locations, possess the student’s SSN? Would the Board deny an internship to a student if the SSN is not disclosed by or available to the Program? What provisions of the Pharmacy Act would the Board use to deny an internship if the student’s SSN is not provided by the Program?

Unless the Board can address our concerns and demonstrate the need for this SSN requirement, we recommend deleting it from Paragraph (b)(2).

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 12-2117. Filed for public inspection October 26, 2012, 9:00 a.m.]

## Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained from [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
18-424	Department of Transportation Dual Control Learner’s Permit	10/11/12	11/15/12
16A-6514	State Board of Physical Therapy Act 38 of 2008 Amendments	10/11/12	11/15/12

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-46	Bureau of Professional and Occupational Affairs Schedule of Civil Penalties for Violations of the Clean Indoor Air Act	10/11/12	11/15/12
<i>Final-Omit Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
15-457	Department of Revenue Payments by Electronic Funds Transfer	10/12/12	11/15/12

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 12-2118. Filed for public inspection October 26, 2012, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Voluntary Surrender of Pennsylvania Certificate of Authority Filed by Rayant Insurance Company of Pennsylvania

Rayant Insurance Company of Pennsylvania, a domestic stock casualty insurance company, has submitted an application for approval to surrender its Insurance Department Certificate of Authority.

Persons wishing to comment on the grounds of public or private interest concerning the surrender 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 the name, address and telephone number of the writer; identification of the application to which the comment is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the comment and the relevant facts upon which it is based.

Written statements should be directed to Robert Brackbill, Company Licensing Division, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or rbrackbill@pa.gov.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 12-2119. Filed for public inspection October 26, 2012, 9:00 a.m.]

### Medical Care Availability and Reduction of Error Fund; Notice of and Amount of Assessment Action; Notice No. 2012-07

The Insurance Department (Department), Medical Care Availability and Reduction of Error Fund, by Joseph DiMemmo, Deputy Insurance Commissioner, under section 712 of the Medical Care Availability and Reduction of Error (MCARE) Act (act) (40 P. S. § 1303.712), has determined that the annual assessment to be levied for calendar year 2013 shall be 25% applied to the prevailing primary premium for each participating health care provider.

The act defines "prevailing primary premium" as the schedule of occurrence rates approved by the Insurance Commissioner for the Joint Underwriting Association

(JUA). For purposes of the 2013 annual assessment, the rates shall be those currently approved for use by the JUA.

Participating health care providers having approved self-insurance plans shall be assessed an amount equal to the assessment imposed on a participating health care provider of like class, size, risk and kind as determined by the Department.

This action is subject to 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

JOSEPH DiMEMMO,  
*Deputy Insurance Commissioner*

[Pa.B. Doc. No. 12-2120. Filed for public inspection October 26, 2012, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Energy Efficiency and Conservation Program Act 129 On-Bill Financing Stakeholders' Meeting; Doc. No. M-2012-2289411

To initiate the creation of the energy efficiency and conservation program Act 129 On-Bill Financing Working Group, the Pennsylvania Public Utility Commission (Commission) will hold an in-person Act 129 On-Bill Financing Stakeholders' Meeting on Friday, November 16, 2012, from 1 p.m. to 3 p.m. in Hearing Room 1, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120. The purpose of the meeting is to identify the primary issues relevant to the potential implementation of on-bill financing for energy efficiency and conservation project purchase and installation expenses.

On August 2, 2012, the Commission adopted the Phase II Energy Efficiency and Conservation (EE&C) program Implementation Order.<sup>1</sup> In the Implementation Order, the Commission noted that it does not have enough information to prescribe the implementation of on-bill financing of EE&C measures. The Commission further noted that the benefits of on-bill financing programs warrant further consideration.

The Commission directed the Bureaus of Consumer Services and Technical Utility Services to initiate a

<sup>1</sup> See Energy Efficiency and Conservation Program, Implementation Order at Docket Nos. M-2012-2289411 and M-2008-2069887, entered on August 3, 2012 (Implementation Order).

working group “to investigate best practices from other states and identify working models of on-bill financing and on-bill repayment that address the concerns of the [utilities], consumer interest groups and other interested stakeholders.”<sup>2</sup> The Commission further directed that “[t]he goal of the working group will be to determine the feasibility of the inclusion of on-bill financing and on-bill repayment programs and to identify potential options for customers to obtain low-cost financing for energy efficiency projects to meet the needs of Pennsylvania consumers.”<sup>3</sup>

With this Secretarial Letter and the November 16, 2012, Stakeholders’ meeting, the Bureaus of Consumer Services and Technical Utility Services are initiating the Act 129 On-Bill Financing working group. Questions regarding this stakeholder meeting should be directed to Sarah Dewey at (717) 705-4029 or sdewey@pa.gov.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 12-2121. Filed for public inspection October 26, 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 November 13, 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-2012-2293977. Robert D. Zimmerman** (409 East Fourth Street, Lititz, PA 17543) for the right to begin to transport, as a common carrier, by motor vehicle, persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster, to points in Pennsylvania, and return.

**A-2012-2319485. MTDJ Transportation, LLC** (19 Chalmers Lane, Cincinnati, OH 45218)—persons in paratransit service, between points in the Counties of Allegheny, Armstrong, Bedford, Butler, Cambria, Fayette, Greene, Indiana, Lawrence, Mercer, Somerset, Venango, Washington and Westmoreland.

**A-2012-2320976. General Limousine, LLC** (217 Anvil Lane, Feasterville, PA 19053) to transport as a common carrier, by motor vehicle, persons in limousine service, between points in Bucks, Montgomery, Chester and Delaware Counties, and return.

#### Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.*

**A-2012-2317202. Three Kings Transportation, LLC** (3315 Byron Drive, Doylestown, PA 18902) for the right to begin to transport, as a common carrier, by motor vehicle, persons, in limousine service, between points in Pennsylvania; which is to be a transfer of all right authorized under the certificate issued at A-00123898 to JJJ Rides, LLC, subject to the same limitations and conditions. *Attorney:* David P. Temple, Esquire, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Ellas Limo, Inc.;*  
C-2012-2029746

### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That all authority issued to Ellas Limo, Inc. (respondent) is under suspension effective 2008/02/25 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 3801 Bensalem Boulevard, Bensalem, PA 19020.
3. That respondent was issued a Certificate of Public Convenience by this Commission on September 09, 2005, at A-00121390.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 and causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00121390 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may

<sup>2</sup> Implementation Order at 51.

<sup>3</sup> Id.

include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 8/1/2012

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and  
Enforcement

#### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in the Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. The proof of insurance must be filed with the:

Compliance Office, Bureau of Transportation and  
Safety  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Acord Certificates of Insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The fine payment must be made to the Commonwealth of Pennsylvania and forwarded to

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations.

Upon receipt of the evidence of insurance from your insurer and receipt of your fine payment, the Complaint proceeding shall be closed.

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-2122. Filed for public inspection October 26, 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 Beni B Cab Co. (CPC No. 1020438-01, Medallion P0563) 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-12-09-02. Rahman Management, Inc.**, 7123 Seaford Road, Upper Darby, PA 19082, registered with the Commonwealth on October 29, 2007.

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 November 12, 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. 12-2123. Filed for public inspection October 26, 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 Global Comfort, Inc. (CPC No. 1020838-01, Medallion P-0337) 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-12-10-01. Barnes Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148, registered with the Commonwealth on November 30, 2011.

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 November 12, 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. 12-2124. Filed for public inspection October 26, 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 Mensa, Inc. (CPC No. 1023983-01, Medallion P-1022) 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-12-10-02. Two Phones Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148, registered with the Commonwealth on June 20, 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 November 12, 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. 12-2125. Filed for public inspection October 26, 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 Mimas, Inc. (CPC No. 1000674-01, Medallion P-0209) 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-12-10-03. Two Phones Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148, registered with the Commonwealth on June 20, 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 November 12, 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. 12-2126. Filed for public inspection October 26, 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 Sadar Cab Co. (CPC No. 1019992-01, Medallion P-0209) 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-12-10-04. Barnes Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148, registered with the Commonwealth on June 18, 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 November

12, 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. 12-2127. Filed for public inspection October 26, 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 Sultani Cab Co. (CPC No. 1011943-01, Medallion P0435) 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-12-09-01. Pooni Cab Co.**, 101 South Pennock Avenue, Upper Darby, PA 19082, registered with the Commonwealth on July 18, 1994.

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 November 12, 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. 12-2128. Filed for public inspection October 26, 2012, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 12-084.1, On-Call Concrete Investigation & Repairs, until 2 p.m. on Thursday, November 29, 2012. Information (including mandatory prebid information) can be obtained from the web site [www.philaport.com](http://www.philaport.com) under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 12-2129. Filed for public inspection October 26, 2012, 9:00 a.m.]

## STATE BOARD OF NURSING

### Bureau of Professional and Occupational Affairs vs. Marsha S. Moore, RN; Doc. No. 1652-51-2011

On March 20, 2012, Marsha S. Moore, RN, license no. RN511745L of Brockway, Jefferson County, had her license suspended for no less than 3 years retroactive to September 19, 2011, for violating a previously issued State Board of Nursing order.

Individuals may obtain a copy of the order by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

JOSEPH J. NAPOLITANO, PhD, MPH, CRNP,  
*Chairperson*

[Pa.B. Doc. No. 12-2130. Filed for public inspection October 26, 2012, 9:00 a.m.]

### Bureau of Professional and Occupational Affairs vs. Carol A. Votta; Doc. No. 0496-51-12

On July 20, 2012, Carol A. Votta, license no. RN569430, of Clarks Summit, Lackawanna County, and Tunkhannock, Wyoming County, had her nursing license indefinitely suspended effective April 18, 2012, for being unable to practice professional nursing with reasonable skill and safety to patients by reason of mental or physical illness or condition or physiological or psychological dependence upon alcohol, hallucinogenic or narcotic drugs or other drugs which tend to impair judgment or coordination.

Individuals may obtain a copy of the Final Adjudication and Order by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

Individuals may file a request for a hearing to challenge the validity of the order compelling the examination or to contest the allegations of the motion to deem facts admitted along with an answer within 20 days of publication of this notice. If a request for hearing and answer are not filed within the time period set forth previously, a final adjudication and order indefinitely suspending the individual's license will be issued by the State Board of Nursing.

JOSEPH J. NAPOLITANO, PhD, MPH, CRNP,  
*Chairperson*

[Pa.B. Doc. No. 12-2131. Filed for public inspection October 26, 2012, 9:00 a.m.]

### Bureau of Professional and Occupational Affairs vs. Barbara J. Zahniser, LPN; Doc. No. 2196-51-2011

On March 20, 2012, Barbara J. Zahniser, LPN, license no. PN100809L of New Castle, Lawrence County, had her license suspended indefinitely retroactive to January 25, 2012, for being unable to practice practical nursing with reasonable skill and safety to patients by reason of mental or physical illness or condition or physiological or psychological dependence upon alcohol, hallucinogenic or

narcotic drugs or other drugs which tend to impair judgment or coordination, so long as such dependence shall continue.

Individuals may obtain a copy of the order by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

JOSEPH J. NAPOLITANO, PhD, MPH, CRNP,  
*Chairperson*

[Pa.B. Doc. No. 12-2132. Filed for public inspection October 26, 2012, 9:00 a.m.]

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearing Scheduled

The following hearing has been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to the State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimant's request concerning the indicated account.

The hearing will be held before a hearing officer at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

November 20, 2012	Leona C. Caviston (D)	1 p.m.
	Death Benefit	

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

DAVID E. DURBIN,  
*Secretary*

[Pa.B. Doc. No. 12-2133. Filed for public inspection October 26, 2012, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Public Hearing

The Susquehanna River Basin Commission (Commission) will hold a public hearing on November 15, 2012, from 2:30 p.m. to 5 p.m. or at the conclusion of public testimony, whichever is sooner, at the Pennsylvania State Capitol, Room 8E-B, East Wing, Commonwealth Avenue, Harrisburg, PA. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. Those projects are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for December 14, 2012, which will be noticed separately. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for

the listed projects. The deadline for the submission of written comments is November 26, 2012.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436.

Information concerning the applications for these projects is available at the Commission Water Resource Portal at [www.srbc.net/wrp](http://www.srbc.net/wrp). Materials and supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at [www.srbc.net/pubinfo/docs/2009-02%20Access%20to%20Records%20Policy%209-10-09.PDF](http://www.srbc.net/pubinfo/docs/2009-02%20Access%20to%20Records%20Policy%209-10-09.PDF).

### *Opportunity to Appear and Comment*

Interested parties may appear at the hearing to offer comments to the Commission on any project listed as follows. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Ground rules will be posted on the Commission's web site, [www.srbc.net](http://www.srbc.net), prior to the hearing for review. The presiding officer reserves the right to modify or supplement such rules at the hearing. Written comments on any project listed as follows may also be mailed to Richard Cairo, General Counsel, Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391 or submitted electronically through <http://www.srbc.net/pubinfo/publicparticipation.htm>. Comments mailed or electronically submitted must be received by the Commission on or before November 26, 2012, to be considered.

### *Supplementary Information*

The public hearing will cover the following projects:

#### *Projects Scheduled for Rescission Action:*

1. Project Sponsor and Facility: Cinram Manufacturing, Borough of Olyphant, Lackawanna County, PA. (Docket Nos. 19960701 and 19960701-1).
2. Project Sponsor and Facility: Clark Trucking, LLC Northeast Division (Lycoming Creek), Lewis Township, Lycoming County, PA. (Docket No. 20111207).
3. Project Sponsor and Facility: Woolrich, Inc., Gallagher Township, Clinton County, PA. (Docket No. 20050305).

#### *Compliance Action:*

1. Project Sponsor: Chobani, Inc. Project Facility: South Edmeston Facility, Town of Columbus, Chenango County, NY.

#### *Projects Scheduled for Action:*

1. Project Sponsor and Facility: Aqua Infrastructure, LLC (Source Approval), Piatt, Mifflin, Watson, Cummings, Anthony, Lycoming, and Cogan House Townships, Lycoming County, PA. Modification to expand regional pipeline system (Docket No. 20120604).
2. Project Sponsor and Facility: Black Bear Waters, LLC (Lycoming Creek), Lewis Township, Lycoming County, PA. Modification to increase surface water withdrawal by an additional 0.500 mgd (peak day), for a total of 0.900 mgd (peak day) (Docket No. 20120303).
3. Project Sponsor and Facility: Cabot Oil & Gas Corporation (Bowman Creek), Eaton Township, Wyoming County, PA. Application for renewal of surface water withdrawal of up to 0.290 mgd (peak day) (Docket No. 20080929).
4. Project Sponsor and Facility: Cabot Oil & Gas Corporation (Meshoppen Creek), Lemon Township, Wyo-



ming County, PA. Application for renewal of surface water withdrawal of up to 0.054 mgd (peak day) (Docket No. 20080920).

5. Project Sponsor and Facility: Cabot Oil & Gas Corporation (Tunkhannock Creek), Lenox Township, Susquehanna County, PA. Application for renewal of surface water withdrawal of up to 0.250 mgd (peak day) (Docket No. 20080918).

6. Project Sponsor and Facility: Caernarvon Township Authority, Caernarvon Township, Berks County, PA. Application for renewal of groundwater withdrawal of up to 0.035 mgd (30-day average) from Well 6 (Docket No. 19820912).

7. Project Sponsor and Facility: Carrizo (Marcellus), LLC (Silver Creek), Silver Lake Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.720 mgd (peak day).

8. Project Sponsor and Facility: Centura Development Company, Inc., Old Lycoming Township, Lycoming County, PA. Application for groundwater withdrawal of up to 0.250 mgd (30-day average) from Well 1.

9. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Athens Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 1.440 mgd (peak day) (Docket No. 20080906).

10. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Mehoopany Township, Wyoming County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20080923).

11. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Wysox Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20080914).

12. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Wyalusing Creek), Rush Township, Susquehanna County, PA. Application for renewal of surface water withdrawal of up to 0.715 mgd (peak day) (Docket No. 20110607).

13. Project Sponsor and Facility: Chief Oil & Gas, LLC (Sugar Creek), Burlington Borough and Burlington Township, Bradford County, PA. Application for surface water withdrawal of up to 0.099 mgd (peak day).

14. Project Sponsor and Facility: Citrus Energy (Susquehanna River), Washington Township, Wyoming County, PA. Application for renewal of surface water withdrawal of up to 1.994 mgd (peak day) (Docket No. 20081205).

15. Project Sponsor and Facility: EQT Production Company, Duncan Township, Tioga County, PA. Application for groundwater withdrawal of up to 0.072 mgd (30-day average) from Antrim Well 1.

16. Project Sponsor and Facility: EQT Production Company, Duncan Township, Tioga County, PA. Application for groundwater withdrawal of up to 0.072 mgd (30-day average) from Antrim Well 2.

17. Project Sponsor and Facility: EQT Production Company (Pine Creek), Porter Township, Lycoming County, PA. Application for surface water withdrawal of up to 1.000 mgd (peak day).

18. Project Sponsor and Facility: Equipment Transport, LLC (Pine Creek), Gaines Township, Tioga County, PA. Application for surface water withdrawal of up to 0.467 mgd (peak day).

19. Project Sponsor and Facility: EXCO Resources (PA), LLC (Little Muncy Creek), Franklin Township, Lycoming County, PA. Application for surface water withdrawal of up to 0.999 mgd (peak day).

20. Project Sponsor and Facility: EXCO Resources (PA), LLC (Pine Creek), Watson Township, Lycoming County, PA. Application for surface water withdrawal of up to 1.500 mgd (peak day).

21. Project Sponsor and Facility: Falling Springs Water Works, Inc. (Falling Springs Reservoir), Ransom Township, Lackawanna County, PA. Application for surface water withdrawal of up to 0.800 mgd (peak day).

22. Project Sponsor and Facility: Gaberseck Brothers (Odin Pond 2), Keating Township, Potter County, PA. Application for surface water withdrawal of up to 0.249 mgd (peak day).

23. Project Sponsor and Facility: Galetton Borough Water Authority, Galetton Borough, Potter County, PA. Application for groundwater withdrawal of up to 0.288 mgd (30-day average) from the Germania Street Well.

24. Project Sponsor and Facility: Houtzdale Municipal Authority (Beccaria Springs), Gulich Township, Clearfield County, PA. Application for surface water withdrawal of up to 5.000 mgd (peak day).

25. Project Sponsor and Facility: Mark Manglaviti & Scott Kresge (Tunkhannock Creek), Tunkhannock Township, Wyoming County, PA. Application for surface water withdrawal of up to 0.999 mgd (peak day).

26. Project Sponsor and Facility: Mountain Energy Services, Inc. (Tunkhannock Creek), Tunkhannock Township, Wyoming County, PA. Modification to increase surface water withdrawal by an additional 0.499 mgd (peak day), for a total of 1.498 mgd (peak day) (Docket No. 20100309).

27. Project Sponsor and Facility: Borough of Patton, Clearfield Township, Cambria County, PA. Application for groundwater withdrawal of up to 0.316 mgd (30-day average) from Well 2.

28. Project Sponsor and Facility: Borough of Patton, Clearfield Township, Cambria County, PA. Application for groundwater withdrawal of up to 0.316 mgd (30-day average) from Well 3.

29. Project Sponsor and Facility: Pennsylvania General Energy Company, LLC (First Fork Sinnemahoning Creek), Wharton Township, Potter County, PA. Application for renewal of surface water withdrawal of up to 0.231 mgd (peak day) (Docket No. 20080928).

30. Project Sponsor and Facility: Southwestern Energy Production Company (Lycoming Creek-Bodines), Lewis Township, Lycoming County, PA. Request for extension of Docket No. 20091207.

31. Project Sponsor and Facility: Southwestern Energy Production Company (Lycoming Creek-Ralston), McIntyre Township, Lycoming County, PA. Request for extension of Docket No. 20091210.

32. Project Sponsor and Facility: Southwestern Energy Production Company (Middle Lake), New Milford Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.720 mgd (peak day).

33. Project Sponsor and Facility: Talisman Energy USA, Inc. (Tamarack Lake), Armenia Township, Bradford County, PA. Application for surface water withdrawal of up to 0.100 mgd (peak day).



34. Project Sponsor and Facility: West Cocalico Township Authority, West Cocalico Township, Lancaster County, PA. Application for renewal of groundwater withdrawal of up to 0.259 mgd (30-day average) from Well 2 (Docket No. 19780101).

35. Project Sponsor and Facility: York County Solid Waste and Refuse Authority, Hopewell Township, York County, PA. Modification to replace a remediation well source with no increase in the total system withdrawal limit (Docket No. 19970506).

*Authority:* Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

*Dated:* October 12, 2012.

PAUL O. SWARTZ,  
*Executive Director*

[Pa.B. Doc. No. 12-2134. Filed for public inspection October 26, 2012, 9:00 a.m.]





